

SALISBURY INLAND WETLANDS AND WATERCOURSES COMMISSION

SPECIAL MEETING

OCTOBER 3, 2022 – 6:30PM (VIA ZOOM)

- 1 1. Call to Order. Present: Larry Burcroff, Sally Spillane, John Landon, Cary Ullman, Peter Neely,
2 Vivian Garfein (Alternate), Russ Conklin (Alternate), John Harney (Alternate), Abby Conroy (Land
3 Use Administrator) and Georgia Petry (Recording Secretary). Maria Grace arrived at 6:45pm.
4 Absent: Steve Belter.
5
6 2. Roll Call & Seating of Alternates. J. Harney was seated as voting alternate for S. Belter.
7
8 3. **Approval of Minutes of September 12, 2022. So Moved** by S. Spillane, seconded by P. Neely
9 and unanimously **Approved**.
10
11 4. Regulation Rewrite Discussion.
12 The document discussed can be found on the Town website / IWWC page / Drafts at:
13 [https://secureservercdn.net/72.167.230.230/j8s.008.myftpupload.com/wp-](https://secureservercdn.net/72.167.230.230/j8s.008.myftpupload.com/wp-content/uploads/2022/10/08222022-IWWC_Regulations-Hybrid-With-Subcommittee-Referrals.pdf)
14 [content/uploads/2022/10/08222022-IWWC_Regulations-Hybrid-With-Subcommittee-](https://secureservercdn.net/72.167.230.230/j8s.008.myftpupload.com/wp-content/uploads/2022/10/08222022-IWWC_Regulations-Hybrid-With-Subcommittee-Referrals.pdf)
15 [Referrals.pdf](https://secureservercdn.net/72.167.230.230/j8s.008.myftpupload.com/wp-content/uploads/2022/10/08222022-IWWC_Regulations-Hybrid-With-Subcommittee-Referrals.pdf)
16 There was a page-by-page review, beginning with Page 3 - Definitions - Section 2 – 2.1
17 • “Agent Approval” – Commentary: “ decision pertaining to permitted uses”
18 • “Cumulative Impact” – An example is needed for the Commentary; A. Conroy will work
19 on language needed.
20 • “Jurisdictional Ruling” – (in lieu of Declaratory Ruling); Commentary: “Previously
21 known” as a Declaratory Ruling....
22 • “Regulated Activity” – Commentary: Upland Review Area – “Within 150’ measured....”
23 d. “Within 750’ measured horizontally from the ordinary high-water mark of a vernal
24 pool.” There was a lengthy discussion on this point including:
25 ▪ having this measurement in this Section
26 ▪ how measurements would actually be taken
27 ▪ having/not having a complete list of vernal pools
28 ▪ identification of vernal pools earlier in the process
29 ▪ possible burden on smaller lots
30 ▪ how to value vernal pools and who should do that
31 ▪ protection of vernal pools in the Regulations
32 ▪ how to record the data
33 ▪ explanation in the commentary
 ▪ objection to the 750’ length measurement

- 34 ▪ consideration of 100’ protection area/uniqueness of vernal pools
- 35
- 36 V. Garfein asked that the discussion of the vernal pools definition and commentary be
- 37 Tabled now, to be continued later.
- 38 “Regulated Activity” – Commentary continued (page 6 of document) – “The following
- 39 routine activities occurring in the upland review area do not require application to the
- 40 Commission or its agent:”
- 41 ▪ A. Conroy will work on language about planting trees and replacement of trees
- 42 ▪ leaving out “fertilizing” of existing lawns and gardens was considered
- 43
- 44 • “Calcareous Fens” – A. Conroy will ask Michael Klemens if the suggested language is OK
- 45 for the definition and commentary.
- 46 • “Vernal Pools” – Commentary was briefly reviewed
- 47 • “Wetlands and Watercourses Buffer Area” – S. Spillane suggested adding language
- 48 “native plants are preferred.”
- 49 Section 3 - Inventory of Inland Wetlands and Watercourses
- 50 3.1. A. Conroy suggested that language be included about professional soil scientists
- 51 doing the wetland delineations (which was in a prior draft).
- 52 3.2 Map amendments – will be left in.
- 53
- 54 Section 4 – Permitted Uses as of Right and Non-Regulated Uses
- 55 4.2.a. - The inclusion of forestry was discussed. S. Spillane suggested referring to
- 56 Appendix A. Attorney Janet Brooks will be asked for her opinion on that.
- 57 4.2.c. – boat anchorage or mooring – language will be left as is.
- 58
- 59 Sections 5 & 6 – Nothing changed
- 60
- 61 Section 7 – Application Requirements
- 62 7.5 – A. Conroy will work on new language inclusive of points a. – e. Point f. will be re-
- 63 considered. Point j. – authorization can be requested, not required. A. Conroy will
- 64 change language, as needed. Point m. – A. Conroy will change the language to take the
- 65 fee schedule out of the regulations.
- 66 7.6.b. - A. Conroy will work on the language. She will re-organize Points 7.5 & 7.6.
- 67 7.8 – Typo will be corrected and 2 “hard” copies will be added.
- 68
- 69 Sections 8 & 9 – Leave as-is
- 70
- 71 Section 10 – Considerations for Decision – A. Conroy will update with changes.
- 72
- 73 Section 11 – Decision Process and Permit

74 11.6 - A. Conroy has asked Janet Brooks to provide the language for that.

75

76 Section 12 – Action by Duly Authorized Agent

77 There was brief discussion about new language that was recommended by the Joint

78 Subcommittee, which A. Conroy prefers. A list may be developed for future Agent

79 Approvals. Discussion will be continued.

80

81 **Adjournment. So Moved** by S. Spillane, seconded by M. Grace and unanimously **Approved**. The

82 meeting adjourned at 8:31pm.