

SALISBURY INLAND WETLANDS & WATERCOURSES COMMISSION

REGULAR MEETING

OCTOBER 24, 2022 – 6:30PM (VIA ZOOM)

- 1 1. Call to Order. The meeting was called to order at 6:30pm.
- 2
- 3 2. Roll Call & Seating of Alternates. Present: Larry Burcroff, Steve Belter, John Landon, Russ
- 4 Conklin (Alternate), John Harney (Alternate), Abby Conroy (Land Use Administrator) and Georgia
- 5 Petry (Recording Secretary). Absent: Sally Spillane, Cary Ullman, Peter Neely and Vivian Garfein
- 6 (Alternate). Maria Grace arrived later in the meeting.
- 7 R. Conklin was seated for C. Ullman and J. Harney was seated for S. Spillane.
- 8
- 9 3. Approval of Agenda. There were 2 additions to the agenda. L. Burcroff asked for a recent site
- 10 visit to be included as Item 12. A. and S. Belter asked for Item 12.B. “Bostwick St. Application” to
- 11 be added. A **Motion to Approve the Agenda, as amended**, was made by R. Conklin, seconded
- 12 by J. Landon and unanimously **Approved**.
- 13
- 14 4. Approval of the Minutes of October 11, 2022 – Tabled
- 15
- 16 5. Public Comment – None
- 17
- 18 6. Correspondence – None
- 19
- 20 7. 2022-IW-085D / McGrath (Hoyt) / 143 & 145 Housatonic River Road / Request for Jurisdictional
- 21 Ruling – Construct a Farm Pond / Map 16 / Lot 1 / DOR: 10/11/2022
- 22 J. Harney reported on a site visit he had conducted; he expressed that it is a good plan, a historic
- 23 farm pond and he was impressed by it. There will be some cows. J. Landon asked if there was
- 24 an inlet and outlet; the answer was yes. L. Burcroff asked what type of machinery would be
- 25 used; the answer was a backhoe. A **Motion to Approve Application 2022-IW-085D** was made
- 26 by J. Landon, seconded by S. Belter and unanimously **Approved**.
- 27
- 28 8. 2022-IW-087D / A Slice of LLC (Gottesman and Plumb) / 79 Old CNE Road / Request for
- 29 Jurisdictional Ruling – Removal of Dead Trees / Map 40 / Lot 29 / DOR: 10/24/2022
- 30 9. 2022-IW-087 / A Slice of LLC (Gottesman and Plumb) / 70 Old CNE Road / Removal of Dead
- 31 Trees / Map 40 / Lot 29 / DOR: 10/24/2022
- 32 Items #8 & 9 were considered at the same time. A. Conroy had received new information today
- 33 and reviewed the images with Russell Plumb, Contractor; he noted that distances shown are
- 34 approximate. Mr. Plumb described the proposed tree removal/pruning activity. L. Burcroff

35 asked how many trees would be removed; Mr. Plumb answered 60-70, including the understory  
36 trees. A. Conroy indicated that it is up to the IWWC to determine if a Jurisdictional Ruling is  
37 possible. The Commission asked for details about how the work would be done, how trees  
38 would be removed, how many oaks with large root systems could be saved and if there is a  
39 shoreline buffer planned. A. Conroy pointed out that creating new lawn is not maintenance of  
40 existing lawn. Mr. Plumb indicated that Ms. Gottesman would like to open up the view of the  
41 lake; L. Burcroff wants a buffer there and along the lawn area. Ms. Gottesman offered that she  
42 does not want more lawn; she wants the dead wood removed. L. Burcroff wants no stump  
43 grinding. S. Belter asked if this was maintenance. L. Burcroff and J. Landon indicated they want  
44 a permit application; J. Landon also wants someone to visit the site. A. Conroy and R. Conklin  
45 will do the site visit on October 31<sup>st</sup> at 11:00am. A **Motion to Table Items #8 & 9 tonight, until**  
46 **after the site visit and for consideration at the next meeting**, was made by S. Belter, seconded  
47 by J. Landon and unanimously **Approved**.

48  
49 10. 2022-IW-088 / Greene (Bristow) / 144 Weatogue Road / Site Development for Construction of  
50 New Single Family Dwelling / Map 25 / Lot 1 / DOR: 10/24/2022

51 The plan to demolish the old house and build the new house was described by A. Conroy; she  
52 noted that the Housatonic River Commission has approved the plan outside of the Upland  
53 Review Area. She added that there are footing drains going into a drainage ditch, not an  
54 intermittent watercourse. Mr. Bristow mentioned that they would be changing the grade to  
55 raise it for the footing drains. A. Conroy pointed out that the new septic installation would be  
56 an improvement, with the most likely impacts during construction. She noted that silt fencing is  
57 proposed for the duration of the construction, with hay bales before winter. S. Belter pointed  
58 out that there would be a lot of fill added and a permit is needed because of the deposition of  
59 material within the 75' review area. He also asked if soil tests were done; A. Conroy answered  
60 no, the wetlands were not delineated. A **Motion to Accept Application 2022-IW-088, as**  
61 **proposed**, was made by S. Belter, seconded by J. Landon and unanimously **Approved**.

62  
63 11. 2022-IW-089 / Churchill / 144 Salmon Kill Road / Construction of Swimming Pool and Terrace /  
64 Map 11 / Lot 37 / DOR: 10/24/2022

65 The proposed plan was shown by A. Conroy; she pointed out that the wetlands had not been  
66 delineated; only the measured distance from the pool to the riverbank was shown. She noted  
67 that the edge of the riverbank is not always the same as the edge of wetlands. Mr. Churchill was  
68 asked about the area of disturbance; he indicated that about 160 yards of material would go  
69 into a temporary stockpile area. S. Belter asked why the measurement of 75' from the  
70 floodplain wasn't being used; A. Conroy responded that it was the FEMA floodplain and it  
71 doesn't actually show wetland soils. Mr. Churchill indicated that he didn't hire a soil scientist to  
72 delineate the wetlands; he had speculated the distances to wetland soils. He added that there  
73 would be some minor leveling. M. Grace asked if the area was all grass now; Mr. Churchill  
74 answered yes. He added that there are planting plans, in the future, that are being revised  
75 again from an earlier application. He also indicated that a fence is not planned, at this time.

76 M. Grace asked about the knotweed situation and wants more information on the wetland soils.  
77 A. Conroy suggested that the planting plan be shown; Mr. Churchill indicated that the plan is  
78 changing. S. Belter indicated that the updated planting plan should be included, as a part of this  
79 application; A. Conroy pointed out that any changes made need to be approved by the  
80 Commission. A **Motion to Accept the Application, with the condition of receiving more**  
81 **information about plantings and wetlands delineation**, was made by S. Belter, seconded by R.  
82 Conklin and unanimously **Approved**. The application will be considered at the next meeting.

83  
84 12. Agent Approval / Roof in the URA / 60 South Shore Road – A. Conroy reported that she had  
85 issued an Agent Approval of the roof repair and railings.

86  
87 12. A. Site Visit / Mt. Riga / Appalachian Mountain Club / Steps Replacement – L. Burcroff reported  
88 that he had been to the site where the work had been started; they are using ¾” crushed stone  
89 which should work well. He is satisfied that it’s a good project.

90  
91 12. B. 4 Bostwick Street (House/Garage across the Street) / Belter / Application for Roof and  
92 Window Repairs. S. Belter, representing the owner, asked if an accessory building could be  
93 built on the property. A. Conroy responded that the garage is the accessory building; it is free-  
94 standing and non-conforming in use and probably setbacks. The possibility of changing the  
95 use in the future was not determined. A **Motion for Agent Determination for the Repairs** was  
96 made by J. Landon, seconded by R. Conklin and **Approved**. S. Belter recused himself.

97  
98 13. Regulation Rewrite Discussion

99 A recent conversation between A. Conroy and Attorney Janet Brooks was briefly reviewed. A.  
100 Conroy will post the definition and commentary changes on the website for the next meeting.  
101 R. Conklin commented that the planting of trees should not require a permit. The question of  
102 the size of the disturbed area was mentioned. On the definition of vernal pools, A. Conroy  
103 noted that PZC Chair Michael Klemens prefers the original language that was recommended by  
104 the Joint Committee; she suggested that perhaps he could discuss this with this Commission, at  
105 some point. There was a lengthy discussion about the definition of invasive plants in buffer  
106 areas. Per discussion with Attorney Brooks, A. Conroy reported that the Rewrite cannot strike  
107 Section 4 – Jurisdictional Ruling: Permitted Uses as of Right and Nonregulated Uses. The  
108 requirement that names and addresses of abutting property owners should be provided by the  
109 applicants, when there will be a public hearing, was discussed; there was general agreement. A.  
110 Conroy mentioned that putting the Fee Schedule in the Bylaws, instead of the Regulations, for  
111 the purpose of annual review. She also mentioned that a wetlands map, with at least 2 base  
112 layers is needed; the GIS layers could be updated. R. Conklin asked about the purpose for it.

113  
114 **Adjournment. So Moved** by R. Conklin, seconded by J. Harney and unanimously **Approved**.  
115 The meeting adjourned at 8:35pm.