

SPECIAL JOINT MEETING OF THE  
SALISBURY INLAND WETLANDS & WATERCOURSES COMMISSION  
AND  
PLANNING & ZONING COMMISSION SPECIAL MEETING  
FRIDAY, MARCH 11, 2022 – 8:30AM

**Members Present:**

Vivian Garfein (Chair)  
Peter Neely (Vice-Chair)  
Michael Klemens  
Debra Allee

**Staff Present:**

Abby Conroy, Land Use Administrator

**Brief Items and Announcements**

1. Call to Order. The meeting was called to order at 8:32am.
2. Attendance. Absent: Cathy Shyer. Maria Grace joined the meeting at 9:00am. Larry Burcroff, IWWC Chair, attended the meeting, as a guest.
3. Minutes from 01/14/2022 –pending
4. Minutes from 01/21/2022 – pending
5. Minutes from 02/04/2022 – pending
6. Minutes from 02/10/2022 – pending
7. Minutes from 02/17/2022 - pending
8. Minutes from 02/25/2022 - pending
9. Scheduling: IWWC Meeting Monday 3/14, Special Joint Meeting Friday 3/25, IWWC Meeting Monday 3/28 – possible consideration of the draft recommendations.

**Pending Items**

10. Update on Draft Land Use Report of Violation Form – *Commission Comments*  
Abby Conroy reported that all the Attorneys are now fine with the Draft; it is on the agenda at the next IWWC meeting and will be on the PZC agenda March 21, 2022.
11. Definitions – “Calcareous Fen”, “Cumulative Impacts”, “Headwaters”, “High Gradient Cold Water Streams”, “Intermittent Watercourses”, “Regulated Activity”, “Upland Review Area”, “Vernal Pools”, “Watercourses”, “Wetlands and Watercourses Buffer Area”, “Wetlands” – *Town Counsel Comments*  
The Definitions were reviewed, as proposed for the IWWC and PZC to consider. Both A. Conroy and Attorney Janet Brooks recommended the inclusion of Commentary (in italics), so that more information is provided to applicants; the suggested Commentary is not part of the definitions and is clearly separated. V. Garfein read the list of definitions, including the suggested Commentary; Commissioner comments were added, as they occurred. The definition of “Wetlands” was explained in detail. “Wetlands and Watercourses Buffer Area” Commentary was reviewed and modified. “Fringing Wetland” – was defined as “a swamp or marsh broadly connected to a larger waterbody or floodplain at the same elevation as that waterbody.”  
“Regulated Activity” and Commentary: Upland Review Area (URA) was reviewed. A. Conroy explained that much of the language used comes from State Statute. The URA defined areas were discussed in detail, including the proposed measurements to be used

42 for those defined areas. New language was carefully reviewed, regarding routine  
43 activities occurring in the URA that do not require application to the Commission or its  
44 agent; examples were listed. Also discussed, at length, were activities that do require  
45 application to the Commission or its agent.

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- 47 12. Discussion of "Agent Determinations", "Declaratory Ruling", "As-of-Right Activities"  
48 A color chart, showing Routine Activities, Permitted Operations and Uses, and Regulated  
49 Activities was reviewed. The chart could be used as a handout. A. Conroy explained that  
50 CT towns must have IWW Commissions and that the Permitted Operations and Uses are  
51 statutory, based on case law. A new Section, drafted by M. Klemens, was introduced:  
52 Legislative Findings (specifically pertaining to the Town of Salisbury IWWC). A. Conroy  
53 pointed out that this IWWC has chosen to use a resource-based approach. She read the  
54 new Section, which may be used as an introduction or statement of purpose. M.  
55 Klemens may make some minor changes to the language, which will be given further  
56 consideration.
- 57
- 58 13. Discussion of "Guide to Inland Wetlands Applications" & Draft Application Forms  
59 Draft Declaratory Ruling – A. Conroy suggested that the statutory language be included in  
60 the Regulations. She explained that the Declaratory Ruling Application Form may be  
61 online only in the future, not printed, and will be much simpler for an applicant to use.  
62 The new form could help streamline the process. M. Klemens asked if question #4.1.c.  
63 Boat Anchorage or Mooring, referred to docks; A. Conroy answered, yes. V. Garfein  
64 would like to have a separate discussion about docks, as both IWWC and PZC must deal  
65 with the issue. Another topic of discussion was Low-Impact Development (LID); several  
66 examples of stormwater management techniques were mentioned. M. Klemens noted  
67 that there are such applications and that an Engineer is required to verify the  
68 calculations. He added that it is a policy question, and he would like to have both IWWC  
69 and PZC in agreement; this Joint Committee will give further consideration to this topic  
70 later on.
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- 72 14. Sections 11.1, 12.1, 12.2, 13.1, & 13.2 of the Conservation/Inland Wetlands Regulations –  
73 Not discussed at this time.
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- 75 15. Organization of Topics & Tasks – A. Conroy suggested the topics to be presented to the  
76 IWWC on March 14<sup>th</sup>. Any comments/feedback from that meeting will be considered at  
77 the next Joint Meeting of the Committee on March 25<sup>th</sup>; additional consideration will be  
78 given to "Agent Determinations", as well. Larry Burcroff thanked the Committee  
79 members for their efforts and will forward some additional material to them.
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- 81 16. **Adjournment. So Moved** by M. Klemens, seconded by P. Neely and unanimously  
82 **Approved.** The meeting was adjourned at 10:21am.
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85 (Minutes drafted by Georgia Petry from the Zoom recording of the meeting.)  
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