

**SPECIAL JOINT MEETING OF THE
SALISBURY INLAND WETLANDS & WATERCOURSES COMMISSION
AND
PLANNING & ZONING COMMISSION SPECIAL MEETING
FRIDAY, MARCH 25, 2022 – 8:30AM**

Members Present:

Vivian Garfein (Chair)
Peter Neely (Vice-Chair)
Michael Klemens
Maria Grace
Debra Allee
Cathy Shyer

Staff Present:

Abby Conroy, Land Use Administrator

Brief Items and Announcements

1. Call to Order. The meeting was called to order at 8:33am.
 2. Attendance. Vivian Garfein, Peter Neely, Michael Klemens, Maria Grace, Debra Allee and Abby Conroy (Land Use Administrator). Cathy Shyer joined the meeting at 8:38am.
 3. **Minutes from 01/14/2022** – It was noted that Vivian Garfein is the Chair and Peter Neely is the Vice-Chair. A **Motion to Approve the Minutes of 1/14/2022, as amended**, was made by P. Neely, seconded by M. Grace and unanimously **Approved**.
 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. Minutes from 03/11/2022 – pending
(It was noted by A. Conroy that, per Tom Hennick, regarding the filing of Minutes for the FOIA request, as long as the delay is temporary, the posted recordings of the meetings will suffice for now.)
 10. Scheduling: V. Garfein asked the Members how they would like to proceed. All Members agreed that they would like to take some time to see what develops from their work, especially with the IWWC. A new meeting date of May 13, 2022 was scheduled.
 11. Correspondence from Darcy Winther – CT DEEP
An email addressed to P. Neely and A. Conroy, dated March 16, 2022, received from Darcy Winther, CT DEEP, regarding Upland Review Area (URA) recommendations was reviewed. M. Klemens commented that the last paragraph was particularly instructive.
 12. Discussion of “Agent Determinations”
No comments had been received yet from the IWWC, according to A. Conroy. V. Garfein suggested putting the topic on hold and letting the IWWC deal with it as a procedure that is available to them, apart from the regulations.
 13. Discussion of Draft Application Forms
A brief update on the status of the forms was given by A. Conroy. The guidance for the form, “Request for Exemptions”, that was provided by this subcommittee can be used as a worksheet by the IWWC until a document is on the website for applicants to use. She noted that other application forms probably don’t need further review here. She added

42 that the fee schedules are different for the various Commissions; her recommendation to
43 the IWWC will be to remove the fee schedule from the regulations and the revision
44 process. M. Klemens commented that he would like the PZC to review their fee schedule
45 and costs involved with applications. A. Conroy pointed out that the IWWC and PZC do
46 have the regulatory authority to collect third-party review fees, escrows and
47 performance bonds. She noted that the cost to process the applications is a separate
48 issue. C. Shyer asked for confirmation that both IWWC and PZC are using this authority;
49 A. Conroy explained that PZC process could use clarification and the IWWC process could
50 use more detail added. C. Shyer asked about escrow money, if used up or reimbursed; A.
51 Conroy answered that Joe Cleaveland keeps track of escrows, so there is a process in
52 place. C. Shyer asked if escrows and bonds are the same things; A. Conroy answered no,
53 escrows are usually collected for review fees and bonds are typically collected for
54 performance. M. Klemens noted that bonds must have a cushion built in, as it is a
55 different process. A. Conroy added that escrows are usually short term, during the
56 application process, but bonds may be long term and need to provide for cost increases.
57 She will summarize the language used for practices and procedures for both
58 Commissions, so it is a streamlined process.
59

- 60 14. Organization of Topics & Tasks: Docks, LID, P&Z Setbacks to Wetlands, Bonds
61 Docks: A. Conroy talked about the need for a guidance document, as it is a multi-
62 jurisdictional issue; current regulations have room for improvement. V. Garfein referred
63 to an earlier comment by P. Neely, regarding talking to lakefront property owners about
64 docks. A. Conroy pointed out that existing lakefront conditions, with regard to
65 shallowness, may have created the need for longer non-conforming docks, due to the
66 circumstances. She added that there are no regulations about how large a platform
67 could be, at the end of the dock. V. Garfein questioned when the length of a dock could
68 impede other boats or endanger people. M. Klemens suggested taking a common-sense
69 approach and to consider "no-boat" areas, using marker buoys; he also suggested
70 considering floats, if they are boats or docks and if they are legal. A lengthy discussion
71 followed, including comments about: specific dock measurements; public trust land
72 being taken up by private docks; the productivity of shallow waters and the disruption of
73 aquatic life. Contacting the Lake Associations for their comments was also discussed. C.
74 Shyer pointed out the educational opportunity here, particularly for new lake property
75 owners. V. Garfein suggested that the guidance document be carefully reviewed and
76 considered at the next meeting in May, possibly with input from the Lake Associations.
77 There was further discussion about specific details, regarding regulation of removable
78 docks. V. Garfein asked about lake properties with vegetative buffers; M. Klemens
79 suggested using Google Earth for details including: lawns edges, silt deltas and
80 propellant drags in the shallows. A. Conroy will summarize Docks, Bonds and P&Z
81 Setbacks to Wetlands for the agenda at the meeting in May.
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83 **Adjournment. So Moved** by M. Klemens, seconded by P. Neely and unanimously
84 **Approved.** The meeting was adjourned at 9:43am.
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88 (Minutes were drafted by Georgia Petry from the Zoom recording of the meeting.)