

SALISBURY INLAND WETLANDS AND WATERCOURSES COMMISSION

REGULAR MEETING

JANUARY 23, 2023 – 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, Peter Neely, Maria Grace, Steve
- 4 Belter, Sally Spillane, Vivian Garfein (Alternate), Russ Conklin (Alternate), John Harney
- 5 (Alternate), Abby Conroy (Land Use Director) and Georgia Petry (Recording Secretary) Absent:
- 6 John Landon and Cary Ullman. R. Conklin was seated for J. Landon and V. Garfein was seated for
- 7 C. Ullman.
- 8
- 9 3. Election of Officers (Strike)
- 10
- 11 4. **Approval of Agenda. So Moved** by P. Neely, seconded by S. Spillane and unanimously
- 12 **Approved.**
- 13
- 14 5. **Approval of Minutes of January 9, 2023. So Moved** by P. Neely, seconded by V. Garfein and
- 15 unanimously **Approved.**
- 16
- 17 6. Correspondence – None
- 18
- 19 7. Public Comment – None
- 20
- 21 8. 2023-IW-001 / Saar / 91 Preston Lane / Demolish and Construct New Single-Family Dwelling and
- 22 Associated Site Improvements / Map 69 / Lot 31 / DOR: 01/23/2023
- 23 Todd Parsons, Lenard Engineering, and Mark Capecelatro, Attorney, represented the applicant.
- 24 Mr. Parsons described the plans for the proposal; he indicated that all of the activity is within
- 25 the 300' Upland Review Area (URA) and the 75' wetlands line is just downhill of the house.
- 26 There were questions about docks; drainage easements; the number of trees to be taken down;
- 27 the driveway; generator; propane tanks; and the dry-laid stonewall. Mr. Parsons indicated that
- 28 trying to treat stormwater was difficult on the site, so they are doing a planting plan instead. He
- 29 suggested that there are no direct lake or wetlands impacts. S. Spillane pointed out that the
- 30 proposed plants are tiny groundcovers with tiny root systems; Mr. Parsons responded that they
- 31 are designed for unobstructed views. R. Conklin commented about the plunge pool and steep
- 32 sides; he suggested no-mow grasses, taking out fertilizer and doing soil testing. He added that
- 33 he would like a site visit with A. Conroy and Mr. Parsons. A. Conroy asked if the Commission
- 34 wanted Tom Grimaldi to review the plans; L. Burcroff, R. Conklin and P. Neely were in favor of it.

35 There was further discussion about the planting plan and existing dry-laid stonewall. R. Conklin
36 had questions about the calculations on the application. A. Conroy would arrange a time for the
37 site visit. **A Motion to Accept Application 2023-IW-001, With Review by Tom Grimaldi and a**
38 **Review of the Planting Plan**, was made by S. Belter, seconded by S. Spillane and unanimously
39 **Approved.**
40

41 9. 2022-IW-093 / Cuniberti / 115 Between the Lakes Road / Permit Modification / Pilings for Access
42 Bridge to Existing Boathouse / Map 20 / Lot 1 /
43 Michael Black, representing the applicant, submitted the list of additional repairs and controls.
44 **A Motion to Approve Application 2022-IW-093, With Modifications**, was made by S. Spillane,
45 seconded by P. Neely and unanimously **Approved.**
46

47 10. Regulation Rewrite Discussion

48 A PowerPoint/pdf. Presentation for an informational workshop on Regulated Activity was
49 introduced by A. Conroy. S. Belter wants to have a clear definition of buffers, including a list of
50 preferred plants. A. Conroy mentioned having a guidance document for the plants from the NW
51 Conservation District. She also explained that the URA is the area where the IWWC can review
52 regulated activities; the proposed language of the definition was reviewed on pages 6 and 7 of
53 the presentation, including the approach to “Resource Based URAs.” S. Belter would prefer
54 different language to be used on page 7. f. “Altered precipitation patterns caused by climate
55 change.....” M. Grace will review the language used in the Natural Resource Inventory (NRI).
56 The Proposed Regulated Activity Definition on page 9 was discussed. R. Conklin commented on
57 the structure of the language used in the proposed definition. M. Grace suggested that the
58 definition would need to be more clear and concise for the public, with a simpler presentation.
59 V. Garfein pointed out that the language in the Regulation has to hold up and be legal; a public
60 presentation could be simple visuals. S. Spillane suggested having a “glossary handout.” R.
61 Conklin had suggestions for changing the formatting of the paragraphs. The references cited on
62 page 11 may change, possibly to be used as footnotes at the end of the document; A. Conroy
63 suggested having a bibliography at the back of the presentation, on the last slide. There was
64 discussion about how to use this format for an informal workshop to educate the public and
65 receive input; V. Garfein suggested possibly narrowing the scope to be presented. On page 14,
66 the definition of high-gradient cold water streams was the recommendation from the joint
67 subcommittee. A. Conroy mentioned expanding the commentary, as not all of those streams
68 are named. S. Belter wants to know specifically where they are located. There was a lengthy
69 discussion about Vernal Pools and the range of measurements being considered. P. Neely
70 offered suggestions for formatting the definition of vernal pools, without the commentary
71 shown. R. Conklin commented that there is a list of about 150 vernal pools that have been
72 identified, but the biological value has not been assessed; they meet the criteria of not having
73 been developed. He talked about different reference studies that have been used and the
74 question of public policy. S. Belter agreed that definitions and maps of vernal pools are needed.

75 It was noted by A. Conroy that a wetlands map is needed; perhaps vernal pools could be
76 included on a general soils map. S. Belter expressed that maps are needed for public
77 presentation. A. Conroy added that there is no GIS layer now of vernal pools, only the study.
78 There was further discussion about possible mapping options. M. Grace pointed out that there
79 is very little on-the-ground data to determine active vernal pools. A. Conroy indicated that the
80 Conservation Commission is working on using the list of property owners. M. Grace noted that
81 possibly 75 vernal pools are not protected, but require time and expertise to field check;
82 regulations need to be in place. A. Conroy suggested prioritizing the potential vernal pools, as
83 they come up for development; she mentioned that the timeframe might be 5 years, to identify
84 them all. V. Garfein expressed the need to have language for the regulations; S. Spillane
85 suggested defining ordinary and exemplary pools, giving the measurement numbers and putting
86 the commentary separately. M. Grace added that vernal pools need to be identified at
87 seasonally appropriate times, probably taking at least 2 visits and depend on the size of the
88 vernal pool, also. The discussion continued to page 17, routine activities occurring in the URA
89 which do not require application to the IWWC or agent; there is a list of 7 points covered. The
90 next item to review was page 18, Agent Approval (Bylaws); that will be reviewed again. A.
91 Conroy will make recommended changes from tonight's meeting. She talked about starting the
92 process of getting a draft map for the IWWC, as required by Statute; R. Conklin questioned the
93 value of that type of map. V. Garfein asked why there are different distances for what the Agent
94 can do (under Agent Approval); A. Conroy responded that the joint subcommittee had not done
95 a lot of work on this, as it is up to the IWWC. She will move the commentary to footnotes, as
96 suggested. V. Garfein will not be available in February. There were further brief comments
97 about the URA measurements; V. Garfein noted the legal aspect and A. Conroy mentioned
98 managing the public expectations, as well.

99
100 **Adjournment. So Moved** by S. Spillane, seconded by M. Grace and unanimously **Approved**. The
101 meeting adjourned at 8:52pm.

102
103