

SALISBURY INLAND WETLANDS AND WATERCOURSES COMMISSION

REGULAR MEETING

FEBRUARY 27, 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, Sally Spillane, John
- 4 Landon, Steve Belter, Cary Ullman, Maria Grace, Russ Conklin (Alternate), John Harney
- 5 (Alternate), Abby Conroy (Land Use Director) and Georgia Petry (Recording Secretary). Absent:
- 6 Vivian Garfein (Alternate).
- 7
- 8 3. **Approval of Agenda. So Moved** by P. Neely, seconded by S. Spillane and unanimously
- 9 **Approved.**
- 10
- 11 4. **Approval of Minutes of February 7, 2023.** R. Conklin asked for a modification on Line 23 to read
- 12 "...anyone on West Twin Lake can join the Group;" **A Motion to Approve the Minutes of**
- 13 **February 7, 2023, as amended,** was made by J. Landon, seconded by P. Neely and unanimously
- 14 **Approved.**
- 15
- 16 5. Public Comment – None
- 17
- 18 6. 2023-IW-003 / Palmer / 363 Lime Rock Road / Replace Existing Foundation and Add Dormers to
- 19 Second Floor of Existing Multi-Family Residence / Map 218 / Lot 19 / DOR: 02/27/2023
- 20 The details of the foundation footing replacements were described by A. Conroy. L. Burcroff
- 21 asked about the area of disturbance, an area 15' x 45'. Bob Palmer described the proposed
- 22 work as being almost all done from the inside, except under the porch area; his concern is for
- 23 the foundation and he wants to have a full basement under the building. S. Spillane asked about
- 24 the location of the silt fence and asked to have it extended to the garage. Mr. Palmer indicated
- 25 that the job would take about 3 months; he offered to tarp the stockpile. A. Conroy asked if this
- 26 type of activity has likely impact to the wetlands and if this could be an Agent Determination; C.
- 27 Ullman was OK with that; S. Spillane and J. Landon want to see the application because it is so
- 28 close to the water. **A Motion to Accept Application #2023-IW-003,** was made by S. Spillane,
- 29 seconded by J. Landon and unanimously **Approved.**
- 30
- 31 7. 2023-IW-001 / Saar / 91 Preston Lane / Demolish and Construct New Single-Family Dwelling and
- 32 Associated Site Improvements / Map 69 / Lot 31 / DOR: 01/23/2023
- 33 Engineer Todd Parsons, Haley Ward Inc. and Attorney Mark Capecelatro, representing the
- 34 applicant, described the revised site plans. They also responded to the comments and the

35 recommended conditions of approval in a letter from Engineer Tom Grimaldi. S. Spillane asked
36 for a better plant list. R. Conklin and A. Conroy offered comments from their site walk. A.
37 Conroy pointed out that the area behind a recently added stone retaining wall at the lake edge
38 of the property had not been properly backfilled or cleaned up; Mr. Parsons indicated that the
39 disturbed areas would be planted to restore stable conditions. S. Belter asked why the stone
40 wall addition hadn't come to the IWWC; Attorney Capecelatro did not know the answer, as he
41 and Mr. Parsons were not involved when it was built. S. Belter wants to know who constructed
42 the wall and have them be cited; Attorney Capecelatro will inform the owners and pass the
43 information along to A. Conroy. S. Spillane asked about the planting areas and what assurance
44 there will be that the no-mow areas will be maintained, as a condition of approval. Attorney
45 Capecelatro suggested that the Conditions of Approval could be filed in the Town Clerk's office,
46 indexed under the current owners, so that would show up in a title search in perpetuity. He also
47 noted that the Conditions of Approval could be added to the site plan which will be filed with
48 P&Z and become part of the land record. S. Spillane asked that mowing be limited to twice per
49 year (spring and fall) in the no-mow areas, as a Condition of Approval. She also commented that
50 her request for larger plants had not been addressed; Mr. Parsons agreed to add 6 more
51 junipers to the plan, also as another Condition of Approval.

52 **Motion: To Approve Application 2023-IW-001, With the Following Conditions: 1) The no-**
53 **mow areas to be mowed only twice per year, in spring and fall; 2) The addition of six more**
54 **junipers to the planting plan; 3) Follow all Recommended Conditions of Approval from Tom**
55 **Grimaldi.** The **Motion** was made by S. Spillane, seconded by P. Neely and unanimously
56 **Approved.** S. Belter commented that he wants the property owners to be held accountable for
57 building the stone wall without having come to the IWWC. A. Conroy will ask Attorney Janet
58 Brooks about enforcement, for discussion at another meeting. Attorney Capecelatro will follow
59 up with A. Conroy, as well.

60
61 8. 2023-IW-002 / West Twin Hydro-Rake Group (Conklin) / 65 Washinee Heights Rd (Multiple
62 Properties) / Restoration and Maintenance by Hydro-Raking / DOR: 02/07/2023
63 There was discussion about whether a Commission member should be representing an
64 application for themselves or other people; that if approved, could put the permit up for appeal.
65 There were questions about putting spoils on the banks while being de-watered; covering with
66 tarps; the timing of the removal; putting the spoils behind the silt socks; and if the process of
67 maintenance is working. A. Conroy identified this as a 3-year permit with year-end reports;
68 Statute to be discussed at another meeting. A **Motion to Approve Application 2023-IW-002**
69 **was made by S. Belter, seconded by P. Neely and unanimously Approved.**

70
71 9. 2022-IW-071 / 31 Robin Hill LN LLC (Leven) / 31 Robin Hill Lane / Construct New 16' x 30' Garage
72 in the Upland Review Area / Map 34 / Lot 1 / DOR: 07/11/2022 / Approved 07/25/2022 /
73 Request for Permit Modification
74 The request was described by A. Conroy as a change of construction type, using the same
75 footprint, from a carport to a 2-story garage; an existing driveway would be removed. S.

76 Spillane asked about any plumbing to be added; the applicant answered that a toilet would be
 77 added and goes into the house septic system with no further disturbance, which has been
 78 approved by TAHD. There were questions about the type of foundation; the removal of the
 79 driveway and silt fencing; the roofline change and drainage. The applicant indicated that
 80 footings are already in place and the concrete slab will go on top with no further disturbance for
 81 a frost wall. **A Motion to Approve Application 2022-IW-071, With the Condition of Silt Fencing**
 82 **in Place When the Driveway is Removed**, was made by S. Belter, seconded by J. Landon and
 83 unanimously **Approved**.

84

85 10. Regulation Rewrite Discussion

86 Each Commission member was asked for their recommendations for the proposed URA
 87 measurements, compiled by A. Conroy, as follows:

	All	Lakes	High Gradient	Fens	Vernal Pools
Larry Burcroff	200	200	300	300	500
Steve Belter	100'(150' for septic?)	150	300	300	150
John Landon	150-200	300	300	300	defer to Maria
Cary Ullman	200	300	300	300	defer to Maria
Peter Neely	100-150	100-150	300	300	Exemplary:750 Ordinary:150
Sally Spillane	150-200	300	300	300	defer to Maria
Maria Grace	150	300	300	300	Tier 1: 750 Tier 2/3:150'
Vivian Garfein					
John Harney	150-200	150	300	300	defer to Maria
Russell Conklin	100'(150' for septic?)	100' unless dual Commission review required	300'	300'	150'

88 The Commissioners offered individual comments for their recommended measurements, as
 89 well, including: time to update regulations; dealing with larger parcels of land now and the need
 90 to expand the URAs; support for the recommendations of the joint subcommittee; the need to
 91 determine the quality of vernal pools; measurement that is science-backed and defensible; the
 92 ecological diversity in Salisbury; valuable resources that need protection; the inclusion and
 93 importance of buffers; additional resource maps; special vital water resources and protection of
 94 water quality; the determination and statement of “as-of-right” activities.

95

96 **Adjournment. So Moved** by S. Spillane, seconded by P. Neely and unanimously **Approved**.

97 The meeting adjourned at 8:45pm.