

INLAND WETLANDS AND WATERCOURSES COMMISSION

REGULAR MEETING

APRIL 24, 2023 – 6:30PM (VIA ZOOM)

- 1 1. Call to Order. The meeting was called to order at 6:34pm.
- 2
- 3 2. Roll Call & Seating of Alternates. Present: Larry Burcroff, Peter Neely, Steve Belter, Cary
- 4 Ullman, Sally Spillane, Vivian Garfein (Alternate), John Harney (Alternate), Russ Conklin
- 5 (Alternate), Abby Conroy (Land Use Director) and Georgia Petry (Recording Secretary). Absent:
- 6 John Landon and Maria Grace. J. Harney was seated for J. Landon and V. Garfein was seated for
- 7 M. Grace.
- 8
- 9 3. **Approval of Agenda.** A. Conroy asked to add an Item (#8) Vernal Pool Discussion and POCD
- 10 Update. To Item #9. Regulation Rewrite Discussion, add 9.a. Comments from V. Garfein. A
- 11 **Motion to Approve the Agenda, as amended**, was made by P. Neely, seconded by V. Garfein
- 12 and unanimously **Approved**.
- 13
- 14 4. **Approval of the Minutes of April 10, 2023. So Moved** by S. Belter, seconded by V. Garfein and
- 15 **Approved with one abstention**; P. Neely was not at the meeting.
- 16
- 17 5. Public Comment – None
- 18
- 19 6. 2023-IW-006 / Cantele (Allied Engineering) / 204 Between the Lakes Road / Renovation and
- 20 Second Story Addition to Existing Single-Family Residence Including Septic System, Driveway,
- 21 and Associated Site Improvements / Map 58 / Lot 3 / DOR: 04/24/2023
- 22 George Johannesen, Allied Engineering, described the details of the application. There were
- 23 questions about the areas of disturbance; phasing; demolition planned; whether footings would
- 24 be needed for the addition and the number of bedrooms proposed. A. Conroy asked if there
- 25 would be some filling of the wetlands; Mr. Johannesen was not sure yet about the volume of fill
- 26 or the stormwater management. S. Belter pointed out that a failed septic system is allowed to
- 27 be replaced; he suggested that the plans be reviewed by the Town Engineer, Tom Grimaldi. L.
- 28 Burcroff agreed with that. S. Belter asked that the property lines, impervious surface
- 29 calculations and other details be added to the plans submitted. S. Spillane asked about the
- 30 vegetation in the wetlands; Mr. Johannesen answered there are cattails and scrub. She
- 31 commented on any soil being brought in that could have phragmites in it; Mr. Johannesen
- 32 responded that they will use “septic fill” and topsoil. **A Motion to Accept Application 2023-IW-**
- 33 **006, With Review by Tom Grimaldi, Requested Added Details and Escrow**, was made by S.
- 34 Belter, seconded by R. Conklin and unanimously **Approved**.

35 7. 2023-IW-005 / Reiland (Capecelatro/Hackett) / 63 Washinee Heights Road / Access Path,
36 Utilities, and Concrete Mooring and Dock / Map 67 / Lot 02-2 / DOR: 04/10/2023
37 Attorney Mark Capecelatro showed photos of the removal of invasives on the property and
38 described the on-going management; they are trying to work around the trees for the docks. He
39 noted that the docks will be stored on-shore within the access area; the docks would be
40 winched in and out. L. Burcroff asked if the water outlet was moved the requested 10'; Mr.
41 Hackett answered yes, right below the path, as a condition of approval. Mr. Capecelatro noted
42 that all activity would be within a 20' corridor, in order to try to maintain the vegetated buffer
43 along the water. The paths are just 4' wide, for use by a small skid steer. A **Motion to Approve**
44 **Application 2023-IW-005, With the Condition of Moving the Water Outlet 10' to be Below the**
45 **Path**, was made by S. Belter, seconded by S. Spillane and unanimously **Approved**.
46

47 8. Vernal Pool Discussion and Vernal Pool Update.
48 There were detailed updates about site visits from P. Neely, J. Harney and L. Burcroff. There
49 were reports of frog eggs found and 4 types of salamanders. A. Conroy pointed out that M.
50 Grace and Michael Klemens are writing the reports for the State about the Scoville Ore Mine
51 vernal pool and the one near the ski jump. She added that the Conservation Commission will
52 work on the GIS analysis; the NRI was paused for the vernal pool study and may be discussed at
53 their next meeting. She mentioned that she and M. Klemens are working on the POCD; the
54 IWWC will be getting 2 or 3 sections for review and comments, possibly at the next meeting.
55

56 9. Regulation Rewrite Discussion
57 a. V. Garfein talked about the vote at the March 27th IWWC meeting, as it pertained to the
58 URA around the named overlay lakes. She commented that the 200' URA that was passed
59 for the named overlay lakes had no rational basis; she now recommends that the URA
60 should be 150' around all of the named lakes. She requested that this Commission revisit
61 the issue and re-vote at another meeting. The original vote was not unanimous; P. Neely, V.
62 Garfein and R. Conklin voted against the 200' URA. S. Spillane indicated that she had
63 proposed it and would re-consider. C. Ullman expressed that it was inappropriate to
64 reconsider and re-vote on one item, as they will vote again after a public hearing. J. Harney
65 suggested that they have defensible numbers, in advance. A. Conroy commented that
66 Attorney Janet Brooks now suggests having commentary about as-of-right activities in a
67 handbook; she is working on it, but does not have details yet to present. She noted that
68 Attorney Brooks indicated there is no legal support for the term "de minimis" in the
69 regulations, but could be used in a handbook. There were other comments about having
70 another vote; A. Conroy pointed out that the regulation rewrites are just for informational
71 purposes, at this time. She asked if anybody would like to help her with the handbook; P.
72 Neely indicated he would; R. Conklin and V. Garfein will help later on.
73

74 **Adjournment. So Moved** by S. Spillane, seconded by V. Garfein and unanimously **Approved**.
75 The meeting adjourned at 7:55pm.