

INLAND WETLANDS AND WATERCOURSES COMMISSION

REGULAR MEETING

AUGUST 28, 2023 – 6:30PM (VIA ZOOM)

- 1       1. Call to Order. The meeting was called to order at 6:32pm.
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- 3       2. Roll Call & Seating of Alternates. Present: Larry Burcroff, Peter Neely, Sally Spillane, John
- 4       Landon, Russ Conklin (Alternate), Vivian Garfein (Alternate), John Harney (Alternate), Abby
- 5       Conroy (Land Use Director) and Georgia Petry (Recording Secretary). Absent: Steve Belter,
- 6       Maria Grace and Cary Ullman. Voting Alternates: V. Garfein for S. Belter, R. Conklin for M.
- 7       Grace and J. Harney for C. Ullman.
- 8
- 9       3. **Approval of Agenda.** A. Conroy requested that Item #10 be heard later in the meeting to
- 10       accommodate the applicant. A **Motion to Approve the Agenda, as amended**, was made by S.
- 11       Spillane, seconded by J. Landon and unanimously **Approved**.
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- 13       4. **Approval of the Minutes of August 14, 2023 – Motion to Table** made by S. Spillane, seconded
- 14       by P. Neely and unanimously **Approved**.
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- 16       5. Public Comment – None
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- 18       6. 2023-IW-019 / McGrath (Hoyt) / 143 & 181 Housatonic Road / Dredge two ponds filled with silt /
- 19       Map 16 / Lot 01 / DOR: 08/28/2023
- 20       This is a re-application, with drawings now included. Brit & Peter Hoyt were present, as well as
- 21       Lincoln Bates, Contractor. L. Burcroff was concerned about the stockpiles in a wet area near the
- 22       house; Mr. Bates answered that to reach pond #2, they would need to stockpile in that area, if
- 23       necessary. The work will be done when it is dry. S. Spillane asked if all 4 stockpiles would go to
- 24       the new house site; Mr. Bates answered yes. She noted that it is important to notify the
- 25       neighbors when the work is to be done and the possible outcome. Mr. Bates and Mr. Hoyt
- 26       agreed that they will be in communication with them. A **Motion to Accept the Application** was
- 27       made by S. Spillane, seconded by J. Harney and unanimously **Approved**.
- 28
- 29       7. 2023-IW-008 / Bendit (Allied Engineering – Johannesen) / 101 Taconic Road / New Single-Family
- 30       Dwelling and Associated Site Improvements / Map 19 / Lot 11 / DOR: 05/08/2023
- 31       George Johannesen was present to explain the most recent additions to the plan, based on
- 32       Engineer Tom Grimaldi's comments, including the location of the generator and some
- 33       underground utilities. He noted that no water softener treatment is planned. A **Motion to**

34 **Approve this Application, subject to all recommendations from Tom Grimaldi**, was made by P.  
35 Neely, seconded by J. Landon and unanimously **Approved**.

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37 8. 2023-IW-014 / Salisbury Winter Sport Association (SWSA) / 80 Indian Cave Road / Construct  
38 Pond for Water Supply for Snow Making / Map 15 / Lot 25 / DOR: 7/24/2023 – Withdrawn  
39

40 9. 2023-IW-016 / The Hotchkiss School (Hanecak) / 11 Interlaken Road / Replace existing  
41 boardwalk structure with new structure and decking / Map 6 / Lot 7 / DOR: 8/14/2023  
42 There had been no site visit. P. Neely asked when the work would be done; Mr. Hanecak  
43 answered maybe in October, but they need more wood. Mr. Hanecak indicated that he had  
44 discussed the bagging of the phragmites with the contractor. S. Spillane pointed out that the  
45 area will need on-going maintenance and suggested keeping the area dead-headed. Mr.  
46 Hanecak noted that Hotchkiss owns all of the land and that was not an unreasonable request. A  
47 **Motion to Approve this Application, with All Standard Conditions**, was made by J. Landon,  
48 seconded by P. Neely and unanimously **Approved**.

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50 10. 2023-IW-017 – Discussion deferred until later in the meeting  
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52 11. Request from Salisbury Association Land Trust (SALT) for a Letter of Support for open space  
53 grant application for the preservation of 297 acres at Twin Lakes.  
54 John Landon, IWWC Member, representing SALT, described the request. He recused himself  
55 from the discussion and vote on the matter. SALT is putting in an application for a State grant to  
56 purchase the property. The parcel is now under contract by a LLC, to take it off the market and  
57 give time to raise funds. He described the property as an important piece to protect, the #1  
58 parcel available. P. Neely expressed that the view scape is significant. A **Motion to Approve a**  
59 **Letter of Support from the IWWC** was made by S. Spillane, seconded by V. Garfein and  
60 **Approved, with 2 abstentions**, J. Landon and R. Conklin. A. Conroy will draft the letter; P. Neely  
61 will send along his notes.  
62

63 12. Regulation Rewrite Discussion  
64 Map: A. Conroy indicated that there is now a general wetlands map; it is basic and can be  
65 adopted or more GIS layers requested. She pointed out that it is not a substitute for soil  
66 analysis. P. Neely suggested it could be helpful, as a starting point. A. Conroy noted that the  
67 map will have to go to Public Hearing, along with the Regulation Rewrites, Bylaws and the  
68 Handbook. J. Landon asked about using more details from individual applications; A. Conroy  
69 suggested that details from maps could be digitalized from applications and merged with the  
70 USDA layer and the Salisbury layer. P. Neely asked if changes would go to Public Hearing; A.  
71 Conroy answered yes and mentioned having an annual update, using the applications from that  
72 year. A lengthy discussion followed, with questions and comments about the specifics of the  
73 map. The discussion stopped here, to be continued after Item #10 was considered.  
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75 10. 2023-IW-017 / A Slice of LLC (Hackett & Capecelatro) / 79 Old CNE Road / Plant a Vegetative  
76 Buffer in Connection with Demolition and Rebuilding of Single-Family Residence / Map 40 / Lot  
77 29 / DOR: 8/14/2023  
78 Attorney Mark Capecelatro mentioned that the application has been amended and sent to  
79 Engineer Tom Grimaldi for preliminary review; an escrow check will be sent for the review. Pat  
80 Hackett is sending the new landscape plan. A. Conroy had received the wetlands delineation  
81 report done by Jay Fain and offered some comments on the plan. Mr. Hackett noted that most  
82 of the driveway would remain the same, but there would be some widening, as shown on the  
83 plan. There were a lot of questions and comments about the planting plan, including: the plant  
84 list; the amount of disturbance; the number of stumps to be ground and the number to be  
85 removed. Mr. Hackett indicated that a lot of stumps would be ground down and those in the  
86 construction area would be removed. A. Conroy commented that those stumps would have  
87 been trees, if not already removed; S. Spillane pointed out that 18 trees had been removed  
88 without a permit. Mr. Hackett did not know who had ordered the cut downs. S. Spillane  
89 expressed that more, larger shrubs and plants need to be planted to mitigate the disturbance; L.  
90 Burcroff agreed. Mr. Capecelatro indicated that the plant list could be modified. There was a  
91 lengthy discussion about the drainage system. P. Neely asked how the drains would be cleaned  
92 out. S. Spillane expressed concern that the material from the roof plantings would go off into  
93 the drains; storing that sediment in the underground tanks would be a problem. Mr. Hackett  
94 indicated that they are difficult to access. R. Conklin asked how roof water is collected and if it  
95 will be filtered; Mr. Hackett answered there is no plan for the sedum roof. Susan Rodriguez,  
96 Architect, offered more information on the proposed roof plans. S. Spillane pointed out that  
97 most weeds are windblown require annual weeding. P. Neely asked about the amount of runoff  
98 and how it would be handled; Mr. Hackett answered that most water would infiltrate, with  
99 some overflow. S. Spillane cannot find out how the system works; Mr. Hackett indicated that its  
100 main function is to recharge groundwater. A. Conroy asked if there were concerns about the  
101 impact of root systems; Mr. Hackett answered no. L. Burcroff asked if the tanks are open on the  
102 bottom; Mr. Hackett answered yes. A. Conroy asked if there concern about the groundwater  
103 table there; Mr. Hackett answered no. A. Conroy noted that the stormwater discharge area is  
104 outside of the 75' URA. She also commented about how impacts would be managed during  
105 construction and suggested monthly inspections by the design engineer, with reports to the  
106 Land Use office. L. Burcroff indicated that a review by Engineer Tom Grimaldi was needed. S.  
107 Spillane expressed that she wants to see additional planting plans and Tom Grimaldi's review. R.  
108 Conklin also wants to see more details. V. Garfein wants to go on a site walk there and see Tom  
109 Grimaldi's review; she is concerned with creating a "point-source" outlet to the lake. P. Neely  
110 also wants more information. A Special Meeting/Site Visit was scheduled for September 6, 2023  
111 at 4:30pm. A **Motion to Table this Application** was made by S. Spillane, seconded by P. Neely  
112 and unanimously **Approved**.  
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116 12 Discussion continued  
117 Handbook: There was discussion about the Handbook being used in Sharon; it could be a good  
118 starting point. A. Conroy has some questions and corrections for Salisbury; V. Garfein suggested  
119 it could be a guide for the format. A. Conroy wants to think about the structure for it. J. Landon  
120 asked about the Regulation rewrite; S. Spillane wants to prioritize the Regulation Rewrite and  
121 asked what is going on with Attorney Janet Brooks. A. Conroy indicated that she is not finished  
122 incorporating all of Attorney Brooks' comments yet. She and Miles Todaro are working on the  
123 on-line permitting system to include extra information and change expectations of what an  
124 applicant needs to provide. S. Spillane asked when the Regulations could go to Public Hearing;  
125 A. Conroy suggested possibly October or November. V. Garfein suggested that perhaps she, P.  
126 Neely and M. Grace could reconvene (the subcommittee) and work with the comments from  
127 Attorney Brooks, to help finish that up. They will find a time and notice it. A. Conroy will finish  
128 up the punch list from Attorney Brooks, regarding next steps.

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130 **Adjournment. So Moved** by J. Landon, seconded by P. Neely and unanimously **Approved**.  
131 The meeting adjourned at 8:30pm.