

INLAND WETLANDS & WATERCOURSES COMMISSION

REGULAR MEETING

JANUARY 8, 2024 – 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, John Landon, Vivian Garfein, Sally
4 Spillane, Maria Grace Russ Conklin (Alternate), John Harney (Alternate), Tracy Brown
5 (Alternate), Abby Conroy Land Use Director), Miles Todaro (Land Use Tech Specialist) and
6 Georgia Petry (Recording Secretary). Absent: Steve Belter and Cary Ullman. T. Brown was
7 seated as Voting Alternate for S. Belter and R. Conklin was seated as Voting Alternate for C.
8 Ullman.
9
10 3. Approval of Agenda. A. Conroy requested that an item be added to the agenda, Item. 11.
11 “Letter of Appreciation to Peter Neely.” A **Motion to Approve the Agenda, as amended**, was
12 made by J. Landon, seconded by S. Spillane and unanimously **Approved**.
13
14 4. **Approval of Minutes of December 11, 2023. So Moved** by V. Garfein, seconded by J. Landon
15 and unanimously **Approved**.
16
17 5. Public Comment – None
18
19 6. 2024-IW-001D / Potter / 269 Undermountain Road / Build a bridge for a tractor to cross at the
20 neck of a pond / Map 19 / Lot 3 / DOR: 1/8/2024
21 7. 2024-IW-001 / Potter / 269 Undermountain Road / Build a bridge for a tractor to cross at the
22 neck of a pond / Map 19 / Lot 3 / DOR: 1/8/2024
23 (Items 6 & 7 were heard at the same time)
24 Lee Potter described the property, the proposed bridge and a gravel path. L. Burcroff asked how
25 wide the bridge would be; Ms. Potter was not sure. S. Spillane indicated that she wants to see a
26 drawing with specific details. L. Burcroff wants to know what the procedure would be for
27 building the bridge. A. Conroy wants pictures at the site where the bridge would cross; V.
28 Garfein asked that the pictures include the proposed gravel area. R. Conklin wants to know how
29 boulders would be placed in the area and what the protection would be; he also asked about
30 the suitability of the bridge for the intended purpose. S. Spillane wants to have the details
31 requested, before choosing between a Declaratory Ruling and an Application; L. Burcroff agreed.
32 S. Spillane expressed that she would not like to see landscape cloth used.
33

- 34 8. 2024-IW-026D / Salisbury Association Inc. / Mount Middle Road / Install a simple log bridge
35 across Burton Brook as part of the Yoakum Preserve Hiking Trail / Map 13 / Lot 11 / DOR:
36 12/11/2023
37 Additional documentation had been provided, as requested, and was reviewed by A. Conroy.
38 Information included the tree to be used would be cut on-site and would be 25' in length. T.
39 Brown asked about the width of the stream; the answer was about 12' to 15.' Elia DelMolino,
40 Conservation Director of Greenagers, was present for the applicant. Mr. DelMolino described
41 further details about the proposed trail bridge and construction. L. Burcroff asked how high
42 above the stream the bridge would be. T. Brown asked if fallen trees and debris would get hung
43 up by the bridge. **A Motion to Approve the Request for a Declaratory Ruling for 2024-IW-**
44 **026D**, was made by V. Garfein, seconded by S. Spillane and unanimously **Approved**.
45
- 46 9. 2023-IW-023 / Salisbury Housing Committee / Railroad Street / Construct 20 units of affordable
47 housing with associated utilities, parking, pedestrian paths and related site work / Map 56 / Lot
48 56 / DOR: 11/27/2023
49 S. Spillane recused herself from the discussion and decision on this application; J. Harney was
50 appointed Voting Alternate for S. Spillane. A. Conroy explained that comments had been
51 received from Engineer Tom Grimaldi, also revised plans from Todd Parsons and final comments
52 from Mr. Grimaldi. R. Conklin commented on the recommendation to have a third party inspect
53 all phases and provide monthly reports with photos; he also asked where the contractors will
54 park. A. Conroy asked about the building sequence; Mr. Parsons answered that he expects the
55 build-out all at once and thinks it will be stick built; he described changes made to the plans.
56 George Logan, REMA Ecological Services, described the proposed exclusionary fences as a good
57 solution for wood frogs; Mr. Parsons described the fencing. T. Brown asked about the planned
58 shrub plantings; Mr. Logan answered they would not shade the vernal pools or affect the frogs.
59 A. Conroy asked if the applicant was proposing plantings around the vernal pools to be
60 enhancements. She pointed out that activity is closest to the wetlands and asked if there are
61 concerns about the plantings. A. Conroy suggested that the IWWC could make a finding that
62 plantings are not regulated, or that the planting enhancements are a part of this application and
63 a condition of approval. R. Conklin wants the planting documented and indicated the IWWC has
64 to look beyond the 75' URA. There was further brief discussion about the vernal pools, fencing,
65 and the plantings; Mr. Parsons noted that S. Spillane is on the advisory group. M. Grace
66 expressed concern about the vernal pools in the future and suggested the use of native plants,
67 not cultivars. A. Conroy reviewed the Conditions of Approval, including: all of Tom Grimaldi's
68 Conditions #1 – 13; Condition #14 – The wetlands enhancement plantings are required prior to
69 request for CO or temp CO of buildings; plantings shall include non-cultivar native species, not
70 cultivars or hybrids; planting to be done by hand; planting shall occur in the late spring or early
71 fall, with no planting in July or August; water, as necessary, in times of drought; non-cultivar
72 native plant species are recommended throughout the site. **A Motion to Include all of Tom**
73 **Grimaldi's revised Conditions and Condition 14, as Conditions of Approval**, was made by V.
74 Garfein, seconded by J. Landon and unanimously **Approved**. S. Spillane did not vote.

75 **A Motion to Approve Application 2023-IW-023, Salisbury Housing Committee, Railroad Street,**
76 was made by V. Garfein, seconded by J. Landon and unanimously **Approved.** (S. Spillane did not
77 vote)
78

79 10. Discussion of regulations and bylaws

80 The draft definition of “regulated activity” (1) was discussed. A. Conroy explained that the
81 proposed Upland Review Areas (URA) use a resource-based approach. The different types of
82 resources and measurements were briefly reviewed; A. Conroy mentioned the concept of
83 separating out the lakes, in a separate regulation revision. If the IWWC decides to bi-furcate the
84 process into separate revisions, Attorney Janet Brooks offered new language in (1).e, in order to
85 carry-over the current language pertaining to the resources other than lakes. A. Conroy also
86 mentioned the idea of breaking out the individual named lakes and dealing with them
87 individually because of their differences. V. Garfein recommended that each of the lakes have
88 their own “line item” and to leave the current 75’ URA in place for now. V. Garfein further
89 recommended passing the regulations and having the structure in place, then coming back to
90 the lakes in the future, after workshops and public input. L. Burcroff suggested that the URA
91 around the lakes should be 100’. There was further brief discussion. A. Conroy will incorporate
92 the proposed new language into the draft to send around to the IWWC, before it goes to
93 Attorney Brooks for final review and comments. A. Conroy will resend the bylaws to the IWWC
94 for review and comments. Final documents will go to DEEP for review and then a public hearing
95 can be scheduled on the regulations. (At this time M. Grace left the meeting)
96

97 11. Letter to Peter Neely

98 The Commission agreed that a letter thanking Mr. Neely for his service was appropriate to send.
99

100 V. Garfein mentioned a request from the Pope Land Design Committee to have a presentation
101 by their consultant at the next meeting on January 22, 2024; the Commission agreed.
102

103 **Adjournment. So Moved** by S. Spillane and unanimously **Approved.** Meeting adjourned at
104 8:12pm.