

INLAND WETLANDS & WATERCOURSE COMMISSION

REGULAR MEETING

JANUARY 22, 2024 – 6:30PM (VIA ZOOM)

- 1 1. Call to Order. The meeting was called to order at 6:30pm.
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- 3 2. Roll Call & Seating of Alternates. Present: Larry Burcroff, Vivian Garfein, Steve Belter, Sally
- 4 Spillane, Maria Grace, Tracy Brown (Alternate), John Harney (Alternate, Russ Conklin (Alternate),
- 5 Abby Conroy (Land Use Director), Miles Todaro (Land Use Tech Specialist) and Georgia Petry
- 6 (Recording Secretary). Absent: John Landon and Cary Ullman. J. Harney was seated as Voting
- 7 Alternate for J. Landon and R. Conklin was seated as Voting Alternate for C. Ullman.
- 8
- 9 3. **Approval of Agenda. So Moved** by S. Spillane, seconded by M. Grace and unanimously
- 10 **Approved.**
- 11
- 12 4. **Approval of Minutes of Special Meeting December 19, 2023. So Moved** by V. Garfein,
- 13 seconded by R. Conklin and unanimously **Approved.**
- 14
- 15 5. **Approval of Minutes of Regular Meeting January 8, 2024. So Moved** by V. Garfein, seconded
- 16 by R. Conklin and unanimously **Approved.**
- 17
- 18 6. Public Comment – None
- 19
- 20 7. Pope Land Design Committee Presentation
- 21 Phil Barlow, FHI Studio, gave a presentation on the latest concept design for the Pope Property
- 22 on Salmon Kill Road. The recording of the meeting, including the presentation, can be found at:
- 23 <https://www.salisburyct.us/inland-wetland-watercourses-commission/>
- 24 The Commission members had many questions about the concept design, as it was presented.
- 25
 - S. Spillane – Is all entry and egress for the housing at the point on Salmon Kill Rd; Mr.
 - 26 Barlow answered yes, there is one curb cut south of the pump station.
 - 27
 - L. Burcroff – what size are the units; the answer was about 4 to 5k sq. ft. footprints for
 - 28 the larger buildings.
 - 29
 - R. Conklin – will there be lot line changes; the answer was no, just developing new
 - 30 areas. Next question – how do you calculate parking spaces; the answer was 1.5 parking
 - 31 spaces per unit, which is on the lower end of calculations.
 - 32
 - T. Brown – Is all development outside of the wetlands and buffers; the answer was yes.

- 33 • L. Burcroff --Will Trotta Field remain the same; the answer was that there is a recreation
34 proposal which will add some additional uses to the existing ones, which will remain.
- 35 • S. Spillane – Is the area near the Rail Trail in the Historic District; the answer was yes.
- 36 • S. Spillane -- Are you considering using only native landscaping; the answer was they
37 would, but haven't gotten that far yet. Mr. Barlow mentioned that most of the
38 hedgerow would be kept.
- 39 • S. Belter – Who are the intended users of the recreation spaces; the answer was that
40 the Town has an established need for the facilities.
- 41 • S. Belter – How are you dealing with the Historic District; the answer was that the
42 Historic District Commission had seen the presentation and was generally comfortable
43 with the concepts.
- 44 • A. Conroy – What does the Historic District Commission look for in new development;
45 the answer was architectural design and site plan that is compatible with the scale and
46 layout of the village in the rest of the Historic District.
- 47 • S. Spillane – Mentioned that lighting would be an issue and asked if there would be
48 another environmental study; the answer was yes, at some point.
- 49 • S. Belter – What is the storage and maintenance area; the answer was that it may be
50 removed from the plan.
- 51 • T. Brown – Asked if the wetlands overlay could be put on the development plan; the
52 answer was yes.
- 53 • A. Conroy – Mentioned that there will need to be stormwater management plans, when
54 these plans are more developed; Mr. Barlow agreed.
- 55 • L. Burcroff – Asked how many acres are in the developed site; the answer was
56 approximately 12 acres in the housing development area.
- 57 • S. Belter – How would construction be managed in the areas right on the buffer; the
58 answer was that there would be some grading.
- 59 • S. Belter – Would there be a planting plan and buffer when done; the answer was yes.
- 60 • There were additional comments about the location of the proposed driveway; the
61 sightlines the proximity to the Rail Trail; A. Conroy pointed out that a traffic study would
62 be needed. Mr. Barlow noted that this is just the concept stage; S. Spillane commented
63 that there are a lot of issues to be dealt with yet.

- 64
- 65 8. 2024-IW-002 / Peggy Rice Trustee / 24 Farnum Road / Demolish house / Map 49 / Lot 109 /
66 DOR: 1/22/2024
- 67 The description of the property and details of the application were reviewed by A. Conroy. S.
68 Spillane pointed out that this application is just for the demolition of the house, not future
69 plans. V. Garfein commented that there is already heavy equipment on the site. A. Conroy
70 commented that because the property is in a flood plain, no filling is permitted; more detailed
71 plans will be needed. The siding removal had already been approved by A. Conroy. S. Belter
72 asked about the foundation to remain; Ms. Rice answered that it is concrete going down about 4

73 feet. R. Conklin asked if this is a conforming lot; A. Conroy answered that it may be non-
74 conforming, with regard to setback requirements and re-development on the same footprint
75 would probably not be allowed. S. Spillane asked what happens to the debris and asbestos; Ms.
76 Rice answered that they are following asbestos removal protocol and that is under the control
77 of the building inspector. A. Conroy noted that the permit is not conditioned on any specific
78 person doing the work or on potential use; this is only about demolition. S. Spillane commented
79 that this is a highly regulated activity already. A. Conroy asked how long it would take to
80 demolish the house; Nick Brazzale answered 2 days, at most. Ms. Rice mentioned that all debris
81 would go into a dumpster for removal. A. Conroy reviewed the IWWC Worksheet Establishing
82 Jurisdiction, including: activities occurring in the URA and short-term potential impacts during
83 the demolition and the removal of the asbestos. S. Belter asked about the removal of the house
84 parts; Mr. Brazzale indicated that would be determined as the house was demolished and all
85 would go into dumpsters. S. Belter suggested that the silt fence be continued around onto the
86 other side of the driveway. A. Conroy asked if there would be any irreversible loss because of
87 the activity; the answer was no. Additional measures may need to be considered in the future.
88 A. Conroy noted that the application can't be approved tonight, as it is just being received; it
89 could be approved at the next meeting. An Agent Determination cannot be done. **A Motion to**
90 **Accept Application #2024-IW-002** was made by S. Belter, seconded by S. Spillane and
91 unanimously **Approved**.

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- 93 9. 2024-IW-001D / Potter / 269 Undermountain Road / Build a bridge for a tractor to cross at the
94 neck of a pond / Map 19 / Lot 3 / DOR: 1/8/2024
- 95 10. 2024-IW-001 / Potter / 269 Undermountain Road / Build a bridge for a tractor to cross at the
96 neck of a pond / Map 19 / Lot 3 / DOR: 1/8/2024
- 97 No additional information had been received and the applicant was not present. **A Motion to**
98 **Table Items 9 & 10** was made by S. Spillane, seconded by V. Garfein and unanimously **Approved**.

99

100 11. Discussion of Bylaws

101 R. Conklin commented on the number of members (4) required for a quorum at a Public
102 Hearing; A. Conroy indicated that is the legal number required. A. Conroy explained that State
103 Statutes govern Public Hearings and that the process does allow for a deferral of a decision
104 when the Hearing is open, which would allow more time for additional members to take part in
105 the decision-making process. V. Garfein asked, if an Alternate is seated during a Public Hearing,
106 because they are needed for a quorum, are they allowed to vote. S. Spillane had questions,
107 regarding lines #109 – 111; A. Conroy suggested alternative language. A. Conroy pointed out
108 that only voting members and seated alternates can participate in a Public Hearing deliberation.
109 V. Garfein commented on the issue of the number of unexcused absences and that the BOS did
110 not want to make a policy, but that individual Commissions could do so. S. Belter commented
111 that it was easier to attend meetings once a month and suggested that the IWWC be lenient;
112 having the Alternates is OK for now. A. Conroy mentioned that it is better for a Commission

113 member who has heard an entire matter to participate in a deliberation, or if they have fully
114 reviewed the record and considered all of the facts of a Public Hearing. S. Spillane expressed
115 that the matter should be an internal discussion and not a policy; she suggested that the
116 Commission members should talk to each other first about absences, before deciding what to
117 do. A. Conroy asked if that would be on a case-by-case basis. R. Conklin suggested noting
118 absences for the next 6 months and then revisiting the discussion. L. Burcroff commented on
119 the amount of time this Commission puts in, as volunteers. S. Spillane suggested that any
120 members who intend to vote should watch the Zoom recordings for detailed information, if they
121 have missed previous meetings on the matter; A. Conroy agreed that watching recordings is
122 preferred. A. Conroy noted that new language is not being proposed today, regarding absences.
123 A. Conroy will make the changes to Article VI, Section 3 that have been discussed at this
124 meeting, so that the Bylaws can be reviewed and adopted at the next meeting. L. Burcroff
125 asked about the fee schedule; A. Conroy explained that it will be left out now, but will be
126 discussed again when the regulation rewrite is ready, with the goal of putting the fee schedule
127 into the Bylaws at that time.

128
129 **12. Discussion of Regulations**

130 The draft of the Regulations, up to Section 18, was made available for review by A. Conroy. M.
131 Grace asked if the language used here was the same used in the POCD or any other Town
132 document; A. Conroy indicated that the language is from the model regulations. A. Conroy
133 reviewed all of the Definitions, which include the previously discussed changes. It was also
134 noted that the critical habitat definitions came from DEEP. (All details can be found viewed on
135 the Zoom recording of this meeting.) Regarding applications, A. Conroy pointed out that only
136 the IWWC can make a finding as to the completeness of an application, not the staff; she
137 suggested that an approved checklist could be used by staff to help the Commission make a
138 finding. A. Conroy asked the Members to review Section 7. Permit Application Requirements,
139 for further discussion, with regard to an online permit application system that is almost ready to
140 be used.

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142 **Adjournment. So Moved** by S. Spillane, seconded by S. Belter and unanimously **Approved**. The
143 meeting adjourned at 8:07pm.

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