

INLAND WETLANDS AND WATERCOURSES COMMISSION

REGULAR MEETING

JUNE 10, 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, Sally Spillane, John Landon, Vivian
- 4            Garfein, 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: Cary Ullman. J. Harney was seated as Voting
- 7            Alternate for C. Ullman.
- 8
- 9        3. **Approval of Agenda. So Moved** by V. Garfein, seconded by J. Landon and unanimously
- 10           **Approved.**
- 11
- 12        4. **Approval of Minutes of May 28, 2024. So Moved** by V. Garfein, second by J. Landon and
- 13            unanimously **Approved.**
- 14
- 15        5. Public Comment – None
- 16
- 17        6. Presentation and Q&A with Cynthia Rabinowitz of the Northwest Conservation District
- 18            Ms. Rabinowitz answered questions which she had received from the Commission and A.
- 19            Conroy, including when delineations should be questioned and the expiration date. The entire
- 20            discussion is on the video recording: [https://www.salisburyct.us/inland-wetland-watercourses-](https://www.salisburyct.us/inland-wetland-watercourses-commission/)
- 21            [commission/](https://www.salisburyct.us/inland-wetland-watercourses-commission/) R. Conklin and L. Burcroff had some additional questions on the topic. The next
- 22            question was about the new Stormwater Manual, including what has changed since the original
- 23            manual. Ms. Rabinowitz pointed out that the Low Impact Development (LID) has now been
- 24            incorporated into the body of the Manual; it needs to be considered and applied to the fullest
- 25            extent possible for each project, including encouraging the use of rain gardens by homeowners.
- 26            R. Conklin noted that the Manuals from the State only apply to State permits, unless they are
- 27            put into the local Regulations. There was discussion about infiltration and any possible benefits
- 28            to the property owner. S. Spillane asked if rain gardens become wetlands; Ms. Rabinowitz
- 29            answered that a rain garden should not become wetland because it should infiltrate and the soil
- 30            should not be wet. S. Spillane suggested that they should question the permeability of any rain
- 31            garden projects; Ms. Rabinowitz agreed and recommended talking about infiltration, asking for
- 32            and getting third party reviews for large applications. R. Conklin asked how the documents got
- 33            put together; Ms. Rabinowitz explained the process of the writing and reviews. A. Conroy asked
- 34            whether the Standard Conditions of Approval are alright to use or if they should be included in

35 the Regulations; Ms. Rabinowitz asked that the question be sent to her because it is a complex  
36 question. Ms. Rabinowitz offered to come to Salisbury for a site visit sometime and meet in  
37 person. She also mentioned that the Northwest Conservation District is looking for a new  
38 Executive Director. The Commission thanked her for attending the meeting.

- 39  
40 7. 2024-IW-012 / Frischling (George Johannesen) – Allied Engineering) / 42 Slater Road / To  
41 Construct an Outdoor Sports Court, Two Sheds, and a Fenced-in Area / Map 68 / Lot 06 / DOR:  
42 06/10/2024

43 Chair L. Burcroff recused himself from the discussion, as his son works for Allied Engineering.  
44 Vice-Chair V. Garfein led the discussion. Josh Johannesen, Allied Engineering, representing  
45 Churchill Building and Frischling, described the details of the proposed construction. Greg  
46 Murphy described the landscaping plans. A. Conroy had questions regarding the area shown in  
47 the Lake Protection Overlay District and the Upland Review Area; the existing conditions versus  
48 the proposed conditions and limits of disturbance, clearing, etc. Mr. Murphy responded that  
49 nothing more needed to be cleared. Mr. Johannesen commented that he had not been to the  
50 site. A. Conroy requested more information about the tree lines and the limits of disturbance of  
51 the proposed project. S. Spillane asked about the additional impervious surface. Mr.  
52 Johannesen indicated that he would get the additional information requested. A. Conroy asked  
53 for setback information about the distance from the wetlands to the structures. S. Spillane  
54 asked about a plan for draining the sports court; Mr. Johannesen explained how it would drain.  
55 S. Spillane asked to have a plant list. J. Landon commented that they did not have enough  
56 information at this point to schedule a site visit without having the questions answered and  
57 possibly having an engineering review, as well. A site visit will be scheduled, after the requested  
58 information is received. T. Brown suggested adding photos also. A **Motion to Accept #2024-IW-**  
59 **012** was made by S. Spillane, seconded by M. Grace and unanimously **Approved**.

- 60  
61 8. Enforcement Update (Chair L. Burcroff rejoined the discussion)  
62 Report of Potential Violation Form – 106 Canaan Road – The information is posted on the IWWC  
63 webpage.

- 64  
65 9. Regulations –

- 66 a. “Allowed” activities --

67 The Commission discussed routine activities occurring in the Upland Review Area (URA) that  
68 do not require application to the Commission or its Agent, as part of a new Guidance  
69 document/FAQs, that is not part of the Regulations. A. Conroy talked about suggested  
70 language and a possible new process for reporting back to the Commission. There was  
71 discussion about how to address septic repairs, if that should be an application to the  
72 Commission for exempt activity for maintenance of a residential structure; if an emergency  
73 repair, a Consent Order could be issued by A. Conroy. The Guidance document will go up on  
74 the website before the Public Hearing on the Regulations. L. Burcroff asked about the status  
75 of the Regulations; A. Conroy noted that the reference to the State Manuals has been

76 removed from the Standard Conditions section. S. Spillane commented that she wants  
77 there to be a definition of “clearing/clearing of trees” in the Regulations, separate from the  
78 agricultural exemption; she will speak directly with Attorney Janet Brooks. T. Brown asked  
79 how tree removal from waterways is regulated; the general answer is that it would be site-  
80 specific and determined by the Commission. This could be something that is included in the  
81 Guidance document. A. Conroy will revise the Guidelines/FAQs, as discussed. J. Landon  
82 asked what needs to be done before this is all sent to DEEP; A. Conroy indicated that the  
83 “clearing” definition needs to be resolved for the exact language to be used. The IWWC will  
84 need to decide if the revised Regulations are ready to be sent to DEEP, then a Public Hearing  
85 can be scheduled. J. Landon asked A. Conroy to make available the revised “clearing”  
86 definition separately, so the entire document doesn’t need to be reviewed again.  
87

88 **Adjournment. So Moved** by S. Spillane, seconded by J. Harney and unanimously **Approved**.