

Agent Approvals for Minor Activities

The Salisbury Inland Wetlands and Watercourses Commission (Commission) recognizes the need to facilitate decision making for properties subject to the Inland Wetlands and Watercourses Act. In May of 2025, the Commission adopted guidance for “Allowed” Activities in the Upland Review Area Not Requiring a Permit. Additionally, in X of 2025, the Commission adopted a policy for a simplified permit process for those activities having no greater than minimal impact on a wetland or watercourse; Agent Approvals.

“Agent Approval” - An inland wetlands agency may delegate to its duly authorized agent the authority to approve or extend an activity that is not located in a wetland or watercourse when such agent finds that the conduct of such activity would result in no greater than a minimal impact on any wetland or watercourse.

In evaluating a proposal, the Commission’s Agent will consider site-specific factors as well as the scope of proposed activity to determine if the activity qualifies for this type of approval.

Factors such as:

- Topography – Is the property steep or flat? Does the property slope towards or away from the wetland/watercourse?
- Vegetation – Is the area stable, vegetated, exposed?
- Resource Type – Is the proposed activity proximate to sensitive habitat?
- Watershed and Hydrology – How large is the area contributing runoff?
- Proposed Activity – What construction methods are proposed? How much land will be disturbed during construction? Duration of activity, short- and long-term impacts.

Commented [AC1]: Reword as factors instead of questions?

The Commission's Agent will review the application, schedule a site visit, and may also consult with a Commission member to make a determination. If the activity qualifies, the agent will facilitate a permit. Otherwise, the application will be referred to the Commission for review.

Activities that may qualify include minor grading, landscaping, and construction. Examples include,

- Leveling an area to install an above-ground propane tank
- Establishment of new landscaping in excess of 500 square feet not within 25 feet of the watercourse or wetland.
- Expanding an existing deck 60 feet from the wetland
- Structures beyond 75 feet from the wetland or watercourse, as long as they met all requirements of the Planning and Zoning Commission, including the Lake Protection Overlay District.

Activities within the Upland Review Area of fens and vernal pools are generally not eligible for agent determinations.