

Agent Approvals for Minor Activities
6/10/25

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.
- Risk Mitigation – Do circumstances exist that pose a risk to the health, safety, welfare, of people and the environment? Is inaction likely to lead greater impact to the wetland.

The Commission's Agent will review the application, schedule a site visit, and may also consult with the Commission Chair 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 including but not limited to minor grading, landscaping, and construction may qualify for agent approval. Activities within the Upland Review Area of fens and vernal pools are generally not eligible for agent determinations.

Decisions of the agent will be reported back to Commission at next regularly scheduled meeting.

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

This document is promulgated to provide guidance. It is not to be substituted for an analysis of regulations of the Town or State. It shall not constitute a legal opinion of the Town of Salisbury. This document may be revised from time to time by the Commission.