

INLAND WETLANDS & WATERCOURSES COMMISSION

REGULAR MEETING

JUNE 23, 2025 – 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: Vivian Garfein, John Landon, Maria Grace, Russ
- 4 Conklin, John Harney, Tracy Brown (Alternate), Abby Conroy (Land Use Director) and Miles
- 5 Todaro (Land Use Tech Specialist). Absent: Larry Burcroff and Sally Spillane. T. Brown was
- 6 appointed Voting Alternate for S. Spillane.
- 7
- 8 3. **Approval of Agenda. So Moved** by J. Landon, seconded by R. Conklin and unanimously
- 9 **Approved.**
- 10
- 11 4. **Approval of Minutes of June 9, 2025.** V. Garfein asked for a correction under Item 9, last
- 12 sentence, to read... review “Agent” Activities at the next meeting. **A Motion to Approve the**
- 13 **Minutes of June 9, 2025, as Amended**, was made by R. Conklin, seconded by J. Landon and
- 14 unanimously **Approved.**
- 15
- 16 5. Public Comment – None
- 17
- 18 6. #2025-IW-058 / 235 Belgo Road LLC / 235 Belgo Road / Renovation of Existing Barn to be Used
- 19 as a Single-Family Residence / Map 9 / Lot 9 / DOR: 06/09/2025
- 20 M. Todaro had spoken with the applicant; they are waiting for information from their engineer.
- 21 Tabled.
- 22
- 23 7. #2025-IW-059 / Alexandra & Nicolas Brandfon / 70 Belgo Road / Septic System Replacement
- 24 Map 6 / Lot 52 / DOR: 06/23/2025
- 25 Ben Bahre, Contractor, described the proposed septic repair and tank replacement, noting that
- 26 the replacement tank would be located about 55’ from the water. A. Conroy commented that
- 27 there aren’t a lot of options because of the location of the brook. TAHD had not approved the
- 28 plan yet. A. Conroy pointed out that it is not a straight replacement because they are adding
- 29 another dwelling unit onto the system; this would not be an Agent Determination. There needs
- 30 to be an engineered plan with erosion controls shown, since it will be considered a regulated
- 31 activity. R. Conklin commented that if the application is accepted, the engineering plan should
- 32 be made available to the Land Use office in time to go out with the agenda before the next
- 33 meeting. A site visit will be scheduled, after the plans are received and reviewed.
- 34

35 8. #2025-IW-060 / Sharri & Richard Posen / 225 & 227 Undermountain Road / Dredging Silt and
36 Removing Invasives from a 0.25 Acre Pond / Map 19 / Lot 06 / DOR: 06/23/2025
37 9. #2025-IW-060D / Sharri & Richard Posen / 225 & 227 Undermountain Road / Dredging Silt and
38 Removing Invasives from a 0.25 Acre Pond / Map 19 / Lot 06 / DOR: 06/23/2025
39 These 2 items were considered at the same time. V. Garfein commented that there is a wetland
40 issue concerning her and asked for a survey with wetland delineations, along with other details;
41 she would like to see more engineering detail. R. Conklin asked about the drainage into Moore
42 Brook. There were questions about the lot lines and if there was any survey information. A.
43 Conroy commented that without wetlands delineation, it isn't known if the dredged material
44 will be placed within a wetland. R. Conklin commented that dredging in a waterbody is a
45 regulated activity. A. Conroy suggested that the IWWC act on whether this is an exempt activity
46 and then decide what further information they need to act on a regulated activity permit. M.
47 Grace expressed that this application should not be considered for a Declaratory Ruling; V.
48 Garfein and R. Conklin agreed. V. Garfein made a **Motion That the Request, #2025-IW-060D,**
49 **Does Not Meet the Test for a Declaratory Ruling,** seconded by J. Harney, **With All in Favor;**
50 **Request for a Declaratory Ruling Denied, Found Not Exempt.**
51 Application #2025-IW-060 was represented by Mr. Alex Mindlin who described the proposed
52 activity and asked what detailed information the IWWC needs to continue the process. R.
53 Conklin asked if they owned the whole pond, how much square feet of material they planned to
54 take out and what type of equipment they would use. Dave Sciascia, Northwest Dirtworks,
55 described the process they would use for draining and removing invasives; he asked how the
56 IWWC would like them to be disposed. R. Conklin asked if there is a way to get the vegetation
57 out without the silt so it can be piled and burned; he also commented that the pond is
58 surrounded by wetlands and asked for details about the removal process. A. Conroy
59 summarized some of the issues such as: the question of where the property line is; the direction
60 of the water flow; having a wetlands survey; and perhaps engineering. R. Conklin pointed out
61 that the discharge flows into Moore Brook and would need to be cleaned up during the
62 proposed activity; A. Conroy noted that the applicant is the one to come up with the plan for
63 that. Mr. Mindlin expressed that the regulations don't say what needs to be done; they don't
64 say to do an engineering study or wetlands delineation; so they are asking for guidance. V.
65 Garfein suggested they may need to get an engineer to put together a more detailed plan with
66 some specific detailed information. Mr. Mindlin noted that he had heard the concern about
67 invasives flowing out into Moore Brook. J. Landon commented on using dredging material to
68 build up a berm as it would have phragmites fragments in it; the best option might be trucking it
69 off-site. R. Conklin asked how deep the pond is, what the boundaries are, the need for wetlands
70 delineation, an estimate of how many yards of material will be excavated, what the erosion
71 sediment control plan is, what is the restoration of the pond and the current wetlands around it
72 to finish up. R. Conklin and V. Garfein asked about the inflow into the pond and the need to
73 know where that is. Mr. Mindlin asked what would need to be done if the pond is found to be
74 on the adjoining property owner's land also; A. Conroy offered examples of possible ways to get
75 approvals. The IWWC would need to know how the other property might be affected. M. Grace

76 pointed out they would need a survey to get wetlands delineations and that getting some
77 engineering advice would be wise. R. Conklin suggested that just removing the phragmites
78 might be an option. M. Grace pointed out that the pond area is trying to revert back to a
79 wetland area and reconnect to the larger area. The application was received, with no action
80 taken.

81
82 10. #2025-IW-061D / Scott & Diane Nash / 198 Between the Lakes Road / New Dock / Map 58 / Lot
83 2 / DOR: 06/23/2025

84 This was described as a replacement dock; it would be aluminum with cedar decking; it would
85 be an L-shape instead of a T-shape. R. Conklin saw the dock and suggested that this should be a
86 Declaratory Ruling. **Motion: A Finding that the Dock Replacement is an Activity that is Exempt
87 from Permitting.** The Motion was made by M. Grace, seconded by J. Landon, **With All in Favor.**
88

89 11. Discussion of Activities Eligible for Agent Determination

90 To be discussed at the next meeting.
91

92 12. Discussion of Online Permit Applications

93 V. Garfein had not done her project yet, but does have an engineer's drawing available to use.
94 A. Conroy commented that this is the las meeting that the IWWC will be seeing paper
95 applications. R. Conklin commented that he tried the online application and didn't like it. T.
96 Brown liked the application and commented it seemed to flow; it made the assignment easier.
97 V. Garfein mentioned that S. Spillane had tried and didn't have any complaints. R. Conklin
98 commented that not all applications need engineered plans; also that there was no mention of
99 going to P&Z as the next step because of being in the Lake Overlay. A. Conroy explained that
100 people generally start in the wrong place; the Land Use Department should be first. A. Conroy
101 noted that one important thing is missing at the beginning of the Land Use office page, which is
102 the general guidance document for the order of approvals. The Wetlands permit application will
103 be updated to say what the next steps will be. Prior approvals will be listed on the Land Use
104 office portal. Boxes for proposed activity in overlay zones will be added to the Wetlands permit
105 application, also, with explanations provided and possible links to overlays. R. Conklin
106 suggested adding a box for the Housatonic River overlay. A. Conroy noted that the "Help" and
107 "FAQS" pages aren't fully built out yet and may add those as Step 1. There was further
108 discussion about possible ways to raise flags during the online application process, as to what
109 additional documents the applicant would need to provide; A. Conroy will do the updates.
110

111 13. Discussion of Commission Vacancies

112 V. Garfein and A. Conroy had met Jim Morrell, who had been recommended, but found out that
113 he is not a resident of Salisbury. If his residency status changes, he will let them know. There
114 are 2 Alternate member vacancies that the IWWC would like to fill.
115

116 **Adjournment. So Moved** by T. Brown, seconded by J. Landon, **With All in Favor** (at 8:53pm)