

INLAND WETLANDS & WATERCOURSES COMMISSION

REGULAR MEETING

JULY 28, 2025 – 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: Vivian Garfein, Larry Burcroff, Russ Conklin, Sally
- 4 Spillane, John Harney, Tracy Brown (Alternate), Abby Conroy (Land Use Director), Miles Todaro
- 5 (Land Use Tech Specialist) and Georgia Petry (Recording Secretary). Absent: John Landon and
- 6 Maria Grace. T. Brown was seated as Voting Alternate for J. Landon.
- 7
- 8 3. **Approval of Agenda. So Moved** by S. Spillane, second by R. Conklin and unanimously Approved.
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- 10 4. **Approval of Minutes of July 10, 2025. So Moved** by L. Burcroff, seconded by S. Spillane, and
- 11 unanimously **Approved**.
- 12
- 13 5. **Approval of Minutes of July 14, 2025.** R. Conklin asked for a correction to a typo on Line 103 to
- 14 read as “Ruling”. A **Motion to Approve, as Amended**, was made by S. Spillane, seconded by R.
- 15 Conklin, **With All in Favor**.
- 16
- 17 6. **Approval of Minutes of July 22, 2025. So Moved** by J. Harney, seconded by T. Brown, **With All**
- 18 **in Favor**. It was noted that J. Harney and R. Conklin are not Alternates; they are Regular
- 19 Members.
- 20
- 21 7. Public Comment – None
- 22
- 23 8. #2025-IW-060 / Sharri & Richard Posen / 225 & 227 Undermountain Road / Dredging Silt and
- 24 Removing Invasives from a 0.25 Acre Pond / Map 19 / Lot 06 / DOR: 06/23/2025
- 25 M. Todaro noted that the applicants don’t want to be on this Agenda; they will likely withdraw.
- 26 **No action was taken.**
- 27
- 28 9. #IWWC-25-63 / Randall Allen (John Holden) / 396 Salmon Kill Road / 850sqft Addition to Existing
- 29 Residence, Construction of a new Accessory Structure, and Associated Site Work / Map 08 / Lot
- 30 03 / DOR: 07/14/2025
- 31 **Tabled**; they are waiting on the engineering report. It was noted that there was approval from
- 32 TAHD.
- 33

34 10. #IWWC-25-64 / Jonathan Bender & Julia Glade (Invasive Plant Solutions – Christian Allyn) 49
35 Canterbury Lane Request for Jurisdictional Ruling for Invasive Plant Management / Map 40 /Lot
36 16 / DOR: 07/14/2025

37 V. Garfein commented that there had been a very good site and asked A. Conroy to review the
38 specifics of the Request. A. Conroy noted some of the details and asked if this type of activity is
39 exempt or if it would require a permit. T. Brown asked if the activity being considered would fall
40 under the maintenance of existing trees and shrubs; the amount of area allowed was mentioned
41 also. R. Conklin brought up the point of making a Jurisdictional Ruling that they could vote on,
42 rather than referring to the document of May 28, 2025. A. Conroy commented that the size of
43 this area was bigger than the IWWC was comfortable with, under the Allowed Activities; it was
44 suggested that this document needs further discussion of Jurisdictional Ruling versus Allowed
45 Activities; V. Garfein and S. Spillane agreed. **A Motion to Find This Request for a Jurisdictional**
46 **Ruling, As Exempt Activity**, was made by L. Burcroff, seconded by R. Conklin and unanimously
47 **Approved**. Mr. Allyn offered to help review the rules on invasive plant management in the
48 winter. R. Conklin asked about giving notice; A. Conroy explained that they will publish Notice
49 of the IWWC finding and the general details in a letter.

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51 11. Discussion of Activities Eligible for Agent Determination

52 V. Garfein asked A. Conroy to review the document for final changes and any Commission
53 questions. A. Conroy suggested rewording the questions as factors instead and taking the
54 examples out. V. Garfein commented that the document could be reviewed at any time in the
55 future, if needed. **A Motion to Accept the Guidance Document, “Agent Approvals for Minor**
56 **Activities”**, was made by S. Spillane, seconded by T. Brown, and unanimously **Approved**. A.
57 Conroy suggested using this document as a test, going forward, to bring things to the IWWC to
58 ask if they are comfortable having it be an Agent Determination. S. Spillane commented that it’s
59 good to have a document, if it’s simple; they know each other and A. Conroy, but some things
60 could be brought to the IWWC, if needed for review or if there is a new Agent. R. Conklin asked
61 about normal approval by the IWWC and the Notice going out. A. Conroy explained that the
62 Notice of Decision is published and an appeal could be made within 15 days after that date to
63 the Superior Court. A. Conroy pointed out that when Agent Determinations are made, it is up to
64 the applicant to publish a Notice in the newspaper. A. Conroy noted that the online application
65 system will generate Notices; the Decision letter will say that Notices have to go in the
66 newspaper. Those Decisions could be appealed to the IWWC, which would then have to publish
67 its Decision on the appeal; then an appeal to the Superior Court could be made. V. Garfein
68 suggested they recommend publishing all Notices of Decisions, to close off future points of
69 entry. A. Conroy commented that they will have to determine who has standing to appeal.

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71 **Adjournment. So Moved** by S. Spillane and **Approved, With All in Favor**. The meeting ended at
72 6:59pm.
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