INLAND WETLANDS & WATERCOURSES COMMISSION

REGULAR MEETING

SEPTEMBER 28, 2026 – 6:30 PM (REMOTE)

1. Call to Order. The meeting was called to order at 6:31pm.

2. Roll Call. Present: Vivian Garfein, Larry Burcroff, Sally Spillane, Russ Conklin, Maria Grace, John Harney, Tracy Brown, Miles Todaro (Land Use Tech Specialist) and Georgia Petry (Recording Secretary).

3. **Approval of Agenda. So Moved** by L. Burcroff, seconded by R. Conklin, **With All in Favor**.

4. **Minutes of September 18, 2026 (Site Visit). Motion to Approve** made by S. Spillane, seconded by V. Garfein, **With All in favor**.

5. **Minutes of September 14, 2026**. L. Burcroff asked for a correction to Line 34 "…some dead sand…." **A Motion to Approve, as Amended**, was made by L. Burcroff, seconded by R. Conklin, **With All in Favor**.

6. Public Comment – None

7. #IWWC-26-42 / 26 Ore Mine Road / Map 06, Lot 39 / Owner: Sarah Lambert and John Dolan Trustee / Applicant: Tim Sneller / Underground Utilities in the Upland Review Area / DOR: 9/28/2026
   M. Todaro described the GIS map and site plan for the trench from the road to the house. L. Burcroff asked how close it would be to the wetlands; Tim Sneller answered that it would be on the edge of the wetlands, going through the trees. S. Spillane asked how deep the trench would be; Mr. Sneller answered 4 feet deep. R. Conklin asked how long it would run; Mr. Sneller answered about 450 feet, using conduit and backfill to limit the disturbance. R. Conklin asked if there would be anything else in the line; Mr. Sneller answered there would be water. L. Burcroff asked how close it would be to the wetlands; Mr. Sneller was not sure. M. Todaro was willing to do an Agent Determination. A **Motion for Agent Determination** was made by J. Harney, seconded by S. Spillane, **With All in Favor**.

8. #IWWC-26-43 / 98 Interlaken Road / Map 39, Lot 15 / Owner: Interlaken Properties LLC / Applicant: Keith Bodwell P.E.L.S. / Replacement of Failing Septic System / DOR: 9/28/2026
   Keith Bodwell described the plan to pump away from the lake, going up the driveway to a new tank and leach field. V. Garfein asked about erosion controls, silt fence or hay bales. L.

Burcroff asked about the trench; Mr. Bodwell answered it would be 24" deep x 300' long and the old tank would be removed. R. Conklin commented that hay bales would be the preferred erosion control and asked if there was concern over the depth and freezing; Mr. Bodwell answered no and that TAHD has approved the plan already. V. Garfein noted there would not be an exception tonight. A **Motion to Accept the Application, as Submitted**, was made by R. Conklin, seconded by L. Burcroff, **With All in Favor**.

9. #IWWC-26-44 / 14 Prospect Mountain Road / Map 15, Lot 53 / Owners: Carlos and Linda Salas Humara / Applicant: Keith Bodwell P.E.L.S. / Replacement of Failed Septic System / DOR: 9/28/2026

   Keith Bodwell described the site plan which does not have TAHD approval yet; there will be a lot of fill because it is in a tight spot. Mr. Bodwell commented that they would be moving the location away from the wetlands. The application was received.

10. #IWW-26-39 / 37 Bostwick Street / Map 49, Lot 50 / Owner: Salisbury Housing Committee INC / Applicant: Pat Hackett / Demolish and Rebuild Dwelling Unit in the Upland Review Area / DOR: 09/14/2026

    Pat Hackett described the plan, including the underground utility upgrade; most of the lot is within the 150' URA. S. Spillane asked about the sedimentation control; Mr. Hackett responded that the silt fence will be extended. L. Burcroff asked how long the trench would be; Mr. Hackett answered 145' from the transformer and explained why it would be at that depth. A **Motion to Approve #IWWC-26-39, With the Standard Conditions**, was made by S. Spillane, seconded by M. Grace, **With All in Favor**.

11. #IWWC-26-40 / 419 Salmon Kill Road / Map 30, Lot 13 / Owner/Applicant: Angy Herrera / Patio, Retaining Wall, and Other Home Renovation Work in the Upland Review Area / DOR: 9/14/2026

    The applicant was not present. A site visit was conducted on September 18, 2026. V. Garfein observed that the retaining wall had not been repaired; there is a whole new retaining wall. S. Spillane observed that the retaining wall is not in the same place and is all new behind the garage; the terrace is impermeable tile. S. Spillane commented that the retaining wall has encroached closer to the wetlands without a permit; it isn't known how it will drain and there are no plans. V. Garfein wants mitigation for the encroachment and building without a permit. M. Grace commented that it was a lot of work and didn't understand why they would do that. T. Brown asked about the location of the creek behind the house and how everything is draining. J. Harney commented that it is correct to find out how it was constructed, where it is draining, if there is any landscaping; they should ask more questions. R. Conklin commented that they had added 5' to 6' of width plus 5'to 6' of depth, what is the provision for draining; also, planting mitigation is needed between the wall and the stream. S. Spillane commented that they have no idea what is underneath the tile. V. Garfein asked if the building inspector approved this; M. Todaro responded that no

permit was issued. M. Todaro commented that the building inspector may have been there and issued a stop-work order for work without a building permit; to get a permit, IWWC approval is the first step for zoning approval; M. Todaro will send the IWWC recording of this meeting and the list of requests to the applicant.

12. Route 7 / Map 04, Lot 31-1 / Owner: Delbert L Auray Jr Trustee / Agent: Patrick Mulberry / Discussion of consent order to remedy unpermitted regulated clearing activities
M. Todaro explained that a draft Release order document had been received from Attorney Janet Brooks; the title of the Consent Order document can be made more specific; a numbering system for the consent orders was recommended for reference. V. Garfein pointed out that when the release order is numbered and named; it will be stamped and filed by the Town Clerk, if the same, according to the original consent order. Patrick Mulberry commented that the planting plan was submitted and wanted to discuss the filing of the consent order, including the planting plan and a lot of other questions. M. Todaro indicated that he had found the planting plan and uploaded it; regarding the filing, the IWWC can file the certificate of the consent order and it will be in the Land Use office for review of the documents submitted. Mr. Mulberry commented that it was not secure, regarding the legal documents running with the property; he wants a plan for the IWWC release. V. Garfein commented that they will look at a plan at the next meeting; Attorney Brooks may attend the next meeting. V. Garfein pointed out that this action is just putting the consent order on file; this is just a notice. Mr. Mulberry commented that this action is new, not part of the IWWC regulations.

**Adjournment. So Moved** by S. Spillane, second by L. Burcroff, **With All in Favor**.