TOWN OF SALEM
INLAND WETLANDS & CONSERVATION COMMISSION
REGULAR MEETING MINUTES
MONDAY, JUNE 6, 2022 – 7:00 P.M.
SALEM TOWN HALL – CONFERENCE ROOM 1

1. Call to Order
Chairperson Bradley called the meeting to order at 7:03 p.m.

2. Roll Call/Seating of Alternates
Present were Chairperson Kimberley Bradley, Vice-Chairperson Diba Khan-Bureau, Secretary Roger Phillips, Edward Natoli, Jr., Commissioner Jim Mulholland, and Alternate Commissioner Jim Miller (seated). Absent were Commissioners Jennifer Messervy and Dean Wojcik and Alternate Commissioners Larry Moore and Michael Smith. Also absent was Wetlands Enforcement Officer (WEO) Matthew Allen.

Alternate Commissioner Miller was seated for Full Member Commissioner Wojcik.

3. Approval of Agenda
M/S/C: Khan-Bureau/Natoli, to approve the Inland Wetlands & Conservation Commission Agenda for May 2, 2022, with the following addition:
   5(a) Darling Road Preserve Bog Bridges, Salem Land Trust Member Tony Griggs

   Discussion: None. Voice vote, 6-0, all in favor.

4. Approval of Minutes:
   a. May 2, 2022 Regular Meeting Minutes

5. Public Comments – none

6. New Business
   a. Darling Road Preserve Bog Bridges, Salem Land Trust, Tony Griggs
      Salem Land Trust (SLT) Member Tony Griggs provided a map and photographs of the two areas in which the SLT is requesting an As-of-Right Determination for two bog bridges along the Goodwin Trail, Darling Road Preserve. The SLT has received a Grant from the Eightmile River Wild & Scenic Watershed Coordinating Committee (ERWSCC) for the project. The bridges will be comprised of two planks placed on pressure-treated timbers and would allow the public to safely cross the areas, which are
located in the low areas of the property and are periodically wet and muddy. The bridges will help prevent any (further) erosion and encourage the public to utilize the trail.

Chairperson Bradley informed the Commission that she would be abstaining from voting due to her membership on the ERWSCC.

**Attachment of Planks (Commissioner Miller)** – The planks will be screwed to the timbers.

**Receipt of Formal Application (Commissioner Phillips and Natoli)** – SLT Member Griggs viewed the application as an As-of-Right Determination. He was informed that an application form must be formally submitted to the Wetlands Agent for all activities taking place in the wetlands, including the activity that recently took place at the Woodland Warblers Preserve. The activities may be bundled and included on a single application form. The decision as to whether the proposed activity is an As-of-Right Determination is the Commission’s responsibility. Chairperson Bradley concurred and stated the Commission’s goal to guide other boards, commissions, and organizations regarding the process and placement of the appropriate types of structures along recreational trails.

SLT Member Griggs stated that they will be presenting other projects for As-of-Right Determinations. This particular project was deemed more urgent due to the current condition of the area, receipt of the funding, and the timing of the other projects occurring along the Goodwin Trail.

Commissioner Bradley recited Section 4.2 of the Wetlands Regulations which discusses the Permitted Uses of As of Right & Non-Regulated Uses. Discussion ensued regarding the ramifications of As-of-Right activities that do not engage in the formal process.

SLT Griggs agreed to complete and submit the form, which can be found on the Town website, and return to the Commission.

**Pressure-treated Wood (Commissioner Mulholland)** – Commissioner Mulholland stated that he was recently informed that the CT DEEP (Connecticut Department of Energy and Environmental Protection) would soon be banning the use of pressure-treated wood for docks. SLT Griggs stated that he was unsure of and assumed that the wood would be pressure-treated.

Chairperson Bradley added that the Goodwin Trail is a well-established and well-trekked trail that would deem the crossings necessary to help alleviate any negative impacts and stress to the wetlands resources resulting from its recreational uses. The project was funded in combination with another, larger project located along the Goodwin Trail, Nehantic State Forest.
7. **Public Hearing(s)** – *none*

8. **Old Business**
   a. **Referral to PZC concerning 45 Forest Drive**
      Chairperson Bradley provided a brief review of their previous discussions regarding the application. As the Inland Wetlands Commission, the Commissioners agreed that there appears to be no direct impact on the wetlands that would prohibit the Applicant’s request for the proposed zone change. As the Conservation Commission, Chairperson Bradley volunteered to draft a written statement outlining their concerns. Commissioner Miller reported that he has also raised the issue(s) with the Gardner Lake Authority and recommended that they, too, draft a letter or communicate their concerns to the Planning & Zoning Commission (PZC).

      **M/S/C:** Phillips/Khan-Bureau, to task Chairperson Bradley to draft a letter regarding 45 Forest Drive, LLC’s application for a Special Agriculture Overlay Zone for the purpose of operating a special event facility, with associated overnight lodging. **Discussion:** The letter, which will derive from their role as the Conservation Commission, will state their support of the Gardner Lake Authority and include the following concerns:
      - Lack of any formal coordination with the Gardner Lake Authority and lack of clarity regarding their engagement with the Authority
      - Septic capacity and the enforcement of the placement of trailers
      - Vicinity of events to the Lake, which has been deemed an impacted water body
      - Additional stress and negative impacts on the Lake resulting from their activities
      - Potential impact of runoff resulting from the manicuring and maintenance of the property
      
      The letter will be sent to the Commission for review and submitted to the Planning & Zoning Commission before the June 28 Public Hearing. Voice vote, 6-0, all in favor.

9. **Wetlands Enforcement Officer’s Report** – *not present; no report*

10. **Correspondence** – *none*

11. **Plus Deltas/Announcements**
    Commissioner Khan-Bureau reported that two (2) Rapid Bio-Assessments were conducted at eight (8) locations in the Towns of Salem, East Haddam, and Lyme with her students in May and June.
Chairperson Bradley expressed her appreciation to the Commission for their time and service.

Commissioner Phillips and the Commissioners agreed to change Plus Deltas to Critiques.

12. Adjournment

M/S/C: Miller/Khan-Bureau, to adjourn the meeting at 8:13 p.m. Discussion: None. Voice vote, 6-0, all in favor.

Respectfully Submitted by:

Agnes T. Miyuki, Recording Secretary for the Town of Salem

A VIDEO RECORD OF THE MEETING CAN BE FOUND ON THE TOWN’S WEBSITE LOCATED UNDER BOARDS & COMMISSIONS – MEETING VIDEOS