

SALISBURY INLAND WETLANDS AND WATRCOURSES COMMISSION

REGULAR MEETING

FEBRUARY 14, 2022 – 6:30PM (VIA ZOOM)

- 1 1. Call to Order. Present: Larry Burcroff, Peter Neely, John Landon, Maria Grace, Steve Belter,
2 Russ Conklin (Alternate), John Harney (Alternate), Vivian Garfein (Alternate) and Abby Conroy,
3 Land Use Administrator. Absent: Sally Spillane and Cary Ullman.
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- 5 2. Roll Call & Seating of Alternates. R. Conklin was seated for S. Spillane and J. Harney was seated
6 for C. Ullman.
7
- 8 3. **Approval of Agenda. So Moved** by P. Neely, seconded by J. Landon and unanimously **Approved**.
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- 10 4. **Approval of Minutes of January 24, 2022. So Moved** by P. Neely, seconded by M. Grace and
11 unanimously **Approved**.
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- 13 5. #2022-IW-048 / Lime Rock Park II, LLC (SLR Consulting) / 497 Lime Rock Road / Paddock B
14 Garages and Infield Concession Building / Map 4 / Lot 16 / DOR: 02/14/2022.
15 Bill Rueckert, Lime Rock Park, introduced Todd Ritchie, Engineer, SLR Consulting, who gave an
16 overview of the 2 proposed projects. The proposed Paddock B project is a 20-unit garage
17 building; the other is the proposed infield kitchen/concession building. The Paddock B garage
18 building would be built along a slope just outside of the 100-year floodplain and above the 500
19 year floodplain. The elevation of the proposed garage would require some filling of the 100 year
20 floodplain, which is regulated. The transition to the elevation would require about a 100 cubic
21 yards area that would be compensated by excavating a current grass island within the
22 floodplain. The roof drainage would be directed into an existing stormwater system under the
23 paddock. The proposed plan includes a new well, septic system and retaining wall behind the
24 building. R. Conklin asked where the existing drainage system discharges now; Mr. Ritchie
25 answered that it goes into an existing stormwater detention basin. P. Neely asked about the
26 runoff and if the larger volume would be accommodated; Mr. Ritchie answered that they are
27 not increasing the peak runoff rate. L. Burcroff asked about the depth of the compensation area
28 that will be excavated; Mr. Ritchie answered that it would be about 1 foot deep. M. Ritchie
29 described the proposed new kitchen/concession building; it will be in the same location as the
30 existing smaller building. He described the proposed gravel driveway, paver patio area, ADA
31 parking spaces, new septic system and stormwater system. S. Belter asked what the function of
32 the proposed new garage building would be; Mr. Rueckert answered that it would be leased to
33 regular customers for storage only. A. Conroy mentioned that this application is also going
34 before Planning & Zoning and they are having Engineer Tom Grimaldi review it. R. Conklin, J.

35 Landon, P. Neely L. Burcroff and V. Garfein commented that waiting for Tom Grimaldi's review
36 would be a good idea. A **Motion to Accept Application #2022-W-048** was made by S. Belter,
37 seconded by R. Conklin and unanimously **Approved**.
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39 6. #2022-IW-049 / Town of Salisbury (Close, Jensen and Miller, PC) / Salmon Kill Road / Bridge
40 Replacement / DOR: 02/14/2022.

41 Danielle Faucher, Greg Gerrish and Eric Buckley of Close, Jensen and Miller, were introduced as
42 the Liaison for this DOT project. Ms. Faucher described the condition of the bridge/East
43 abutment as severely deteriorated and explained why the proposed repair project is necessary.
44 P. Neely asked why the eastside abutment was falling apart after only 20 years; Ms. Faucher
45 replied that the type of concrete mix was different and poured in mid-January, a contributing
46 factor. The West abutment will be checked when the deck is removed. J. Landon asked about
47 improving the wildfire crossings during the repair project; Ms. Faucher replied that nothing in
48 the stream will be impacted and that the rip-rap passages will be restored. L. Burcroff asked
49 how long the repair would take; Ms. Faucher replied 5 to 6 months, starting this summer and
50 finishing before the next winter season. She added that there will be no permanent changes to
51 the wetlands; the fish passage will be maintained – that is OK with Fisheries, the in-stream
52 water work will be time restricted – final required NDDDB determination is pending. R. Conklin,
53 P. Neely and L. Burcroff asked about the disturbed areas and erosion controls; Ms. Faucher
54 replied that erosion controls will be designed by the contractor, probably using hay bales. S.
55 Belter asked if concrete core samples will be taken this time; Ms. Faucher answered yes, this will
56 be inspected by the DOT. The road will be closed during construction; Eric Buckley noted that
57 the site supervision of the site will be supervised by the site engineer; all will be monitored and
58 inspected by the DOT. A **Motion to Accept Application # 2022-IW-049** was made by P. Neely,
59 seconded by J. Landon and unanimously **Approved**.

60 7. #2022-IW-050D / Jon M Hoffman, Trustee C/O Howard Karshan (Berkshire Engineering/Riga
61 Construction / 34 Indian Orchard Road / Pavilion Repairs / Map 9 / Lot 14 / DOR: 02/14/2022.

62 8. #2022-IW-050 / Jon M Hoffman, Trustee C/O Howard Karshan (Berkshire Engineering / Riga
63 Construction / 34 Indian Orchard Road / Pavilion Repairs / Map 9 / Lot 14 / DOR: 02/14/2022.
64 (Applications 7 & 8 were considered at the same time.) Dennis McMorrow, Engineer, Berkshire
65 Engineering, representing Riga Construction, described the proposed project. The project is to
66 repair and rebuild 2 walls of an existing pavilion which would require temporary access during
67 construction. Mr. McMorrow proposed using pressure-treated lumber for the access; L.
68 Burcroff asked that other material would be used, not pressure-treated. P. Neely asked what is
69 in the pavilion; Mr. McMorrow answered that there is no plumbing or septic. S. Belter asked if
70 the pavilion is actually in the wetlands; the answer was yes, it is. Mr. McMorrow did not know
71 when the pavilion was built, but will try to find out. The Commission had several comments
72 about the existing structure and the proposed construction and rebuild. They also asked if there
73 was any leeway in their decision regarding a non-conforming structure in the wetlands or if that
74 is a P&Z issue; A. Conroy was not certain if this application would need P&Z site plan approval.
75 The Commission had questions about when the pavilion was built, IWWC authority, any possible

76 mitigation, the size of the pond and where it discharges. A **Motion to Accept Application**
77 **#2022-IW-050** was made by S. Belter, seconded by J. Landon and unanimously **Approved**.

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79 9. #2021-IW-027M / Rutledge (Berkshire Engineering) / 38 Channel Road / Drainage and Grading
80 to Keep Water Out of Basement / Map 69 / Lot 02 / Permit Modification Request.
81 Dennis McMorrow, Berkshire Engineering, reviewed the previous application which was
82 approved last summer. He is now proposing to replace the patio areas with decks may be
83 supported by sonotubes; he will find out what the decking materials would be used. A. Conroy
84 noted that the plan meets the 50' setback and it is not in the Lake Protection Overlay District. A
85 **Motion to Approve Permit Modification Request #2021-IW-027M** was made by P. Neely,
86 seconded by S. Belter and unanimously **Approved**.

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88 10. Public Comment

89 Bruce Palmer suggested having more coordination between the PZC and IWWC on matters that
90 they both review. S. Belter indicated that the PZC Chairman should communicate directly with
91 L. Burcroff.

92
93 11. Regulation Revision Discussion

94 L. Burcroff wants more information on the timeline, but wants to wait for S. Spillane to be
95 present for the discussion.

96
97 12. IWWC/PZC Subcommittee Update

98 They may have something soon for Attorney Janet Brooks to review and then bring to the
99 IWWC, according to A. Conroy and V. Garfein; P. Neely agreed about the need for legal review.

- 100 a. Land Use Complaint Form – A. Conroy indicated that the form has been reviewed by
101 both Commissions and is now being reviewed by the Attorneys, Charles Andres and
102 Janet Brooks. On the issue of drones, the Attorneys suggested that drone footage alone
103 was insufficient for a complaint, but could be used as a supplement if the violation could
104 be documented in another manner. A. Conroy suggested that it could be reviewed on a
105 case-by-case basis and then pursue legal guidance.

106 There was brief further discussion about a past IWWC application which was recently
107 approved and also approved by P&Z, with minor modifications.

108
109 13. Staff Updates

- 110 a. Bylaws & Rules for the Transaction of Business – A. Conroy explained that the Bylaws
111 are appropriate; a quorum of 4 regular members is needed and 4 affirmative votes are
112 needed for votes on maps or regulation amendments. R. Conklin had questions about
113 who would be able to vote if a public hearing needed to be continued; A. Conroy
114 suggested having as many members as possible be present to vote.

115
116 14. **Adjournment. So Moved** by S. Belter, seconded by P. Neely and unanimously **Approved**.