

INLAND WETLANDS & WATERCOURSES COMMISSION

REGULAR MEETING

SEPTEMBER 23, 2024 – 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: Larry Burcroff, Vivian Garfein, Sally Spillane, John
4 Landon, Maria Grace, Russ Conklin (Alternate), John Harney (Alternate), Abby Conroy (Land Use
5 Director) and Miles Todaro (Land Use Tech Specialist). Absent: Cary Ullman and Tracy Brown
6 (Alternate). R. Conklin was seated as Voting Alternate for C. Ullman and John Harney was
7 seated as a Voting Alternate.
8
- 9 3. Approval of Agenda. A. Conroy asked to add an item of correspondence; it was added as Item
10 #14. **A Motion to Approve the Agenda, as amended**, was made by S. Spillane, seconded by J.
11 Landon and unanimously **Approved**.
12
- 13 4. **Approval of the Minutes of September 9, 2024. So Moved** by S. Spillane, seconded by V.
14 Garfein and unanimously **Approved**.
15
- 16 5. Public Comment – Greg Wilmore referred to a letter he sent on Friday, September 20, 2024.
17 Mr. Wilmore expressed that he had not received acknowledgement of receipt; A. Conroy will
18 respond during business hours during the week.
19
- 20 6. #2024-IW-027 / Salisbury Winter Sport Association, c/o Ken Barker / 80 Indian Cave Road /
21 Construct a Pond for Water Supply and Snow Making / Map 15 / Lot 25 / DOR: 7/22/2024
22 Pat Hackett and Ken Barker were present. Mr. Hackett gave a detailed overview of the
23 hydrology report recently submitted, including if there would be enough water to keep the pond
24 full and the impact on the brook. Mr. Hackett gave alternatives to what could be done to
25 provide enough water storage; mentioning either a pond; storage containers/underground
26 tanks; or a cistern. Mr. Hackett expressed that the drawdown on the brook would be minimal.
27 The report has just been sent from the Land Use office to the Hydrologist for a cost estimate. A.
28 Conroy had questions about the specific details of the proposed water usage/productivity and
29 the recharge numbers. L. Burcroff asked if there is a third alternative to have more wells to
30 supply water; Mr. Hackett indicated he had not looked into that. A. Conroy noted that the
31 Hydrologist had received the report and sent an escrow requirement; the referral request will
32 not be formalized until the escrow has been received. R. Conklin had a question for Mr. Hackett
33 regarding the re-use of the water and if it is being accounted for; Mr. Hackett answered no.

34 Reports are needed from the Hydrologist and Tom Grimaldi. A **Motion to Table the application**
35 was made by J. Landon, seconded by V. Garfein, **With All in Favor**.

- 36
37 7. #2024-IW-028 / Wake Robin (SLR) / 104 & 106 Sharon Road / Redevelopment and Expansion of
38 Wake Robin Inn Property / Map 47 / Lot 2 / DOR: 7/22/2024

39 The applicants were not present and A. Conroy noted that Tom Grimaldi had not completed his
40 review yet. A **Motion to Table the application** was made by V. Garfein, seconded by J. Landon,
41 **With All in Favor**. A question was allowed from John Moller about the process; A. Conroy gave
42 a brief explanation and referred to: [https://www.salisburyct.us/inland-wetland-watercourses-](https://www.salisburyct.us/inland-wetland-watercourses-commission/)
43 [commission/](https://www.salisburyct.us/inland-wetland-watercourses-commission/) for further information. S. Spillane also responded that Planning & Zoning is
44 having a Public Hearing on this application and they will receive comments.

- 45
46 8. #2024-IW-037 / Arek Bedros Feredjian / 264 Taconic Road / Construction of an addition on an
47 existing stone house / Map 25 / Lot 30 / DOR: 9/23/2024

48 Richard Reynolds, Project Engineer, LRC Group, represented the application. The owner, Arek
49 Feredjian was also present. A. Conroy mentioned that the application has already been
50 approved by the Historic District Commission and the Zoning Board of Appeals. A. Conroy asked
51 about TAHD status; Mr. Reynolds answered that they have submitted a B.100.a septic plan for a
52 reserve area, which will be outside of the URA. Dan Kaplan, Architect, explained why the exact
53 location for the addition was chosen. A. Conroy asked to have architectural drawings and the
54 grading plan for the next meeting. L. Burcroff wants to know about trees to be taken down and
55 about a planting plan; there is no planting plan yet and Mr. Feredjian thought that 3 trees might
56 be taken down. Additional details will be provided, as well, for the next meeting. A **Motion to**
57 **Accept this Application** was made by J. Landon, seconded by S. Spillane, **With All in Favor**.

- 58
59 9. #2024-IW-038D / Raccard Properties LLC / Installation of a beaver dam water leveling system
60 for livestock grazing and maintaining biodiversity / 47 Hammertown Road / Map 23 / Lot 36 /
61 DOR: 9/23/2024

- 62 10. #2024-IW-039 / Raccard Properties LLC / Installation of a beaver dam water leveling system for
63 livestock grazing and maintaining biodiversity / 47 Hammertown Road / Map 23 / Lot 36 / DOR:
64 9/23/2024

65 Both applications were considered. Mike Pruss, Land Manager and Chief Scientist, Raccard
66 Properties, described the problems with the beaver dam and what they are proposing to do.
67 Mr. Pruss explained that they want to keep the beavers, but want to keep the water level in the
68 stream channel where it was previously. They want to maintain grazing for phragmites control;
69 retain the water quality of the calcareous fen; and keep the beavers. A solution has been
70 proposed that would use metal materials instead of plastic components; the project is both
71 agricultural and ecological. They want to add some additional grazing in the beaver area to help
72 reduce the herbaceous cover in the fen; the Scottish Highland cows and the turtles are
73 compatible. They have 6 water buffalos that eat phragmites and keep up with the regrowth. J.
74 Landon asked if this could be a Declaratory Ruling; A. Conroy answered yes. J. Landon expressed

75 his approval for the water leveling system proposed. A **Motion for a Declaratory Ruling,**
76 **Exempt Activity**, was made by J. Landon, seconded by S. Spillane and Unanimously **Approved.**

77
78 11. #2024-IW-036 / 280 BTLR LLC (Great Falls Construction) / 280-300 Between the Lakes Road /
79 Install a Driveway and Associated Drainage in the Upland Review Area as a part of a New House
80 Construction / Map 67 / Lot 07 and 07-2 / DOR: 9/23/2024

81 12. #2024-IW-040 / 280 BTLR LLC (Great Falls Construction) / 280 Between the Lakes Road / To
82 Relocate a Portion of Between the Lakes Road and Install Drainage Improvements / Map 67 / Lot
83 07-2 / DOR: 9/23/2024

84 R. Conklin recused himself from the discussion. V. Garfein asked to make her comments on the
85 application at this time. V. Garfein noted that a letter from the attorney, supporting the issue of
86 standing, had been received and suggested that it be sent to Attorney Janet Brooks for review.
87 V. Garfein suggested that all of the new engineering plans submitted should be sent to Tom
88 Grimaldi for review also. V. Garfein further recommended having a site visit. J. Landon recused
89 himself at this time, because of relationships with the applicant regarding Land Trust activities.
90 At this time, J. Harney recused himself, as he knows the applicant, who is a friend. A. Conroy
91 pointed out that this is just the reception; other Members not present have the opportunity to
92 review the recording for when the application is eligible for consideration. A site visit will be
93 scheduled when all Members have been notified and can attend. Todd Parson, representing the
94 applicant, described the proposed activities as separate stand-alone applications; he pointed out
95 that the drawings were not combined. Mr. Parsons noted that Michael Citrin, Attorney for the
96 project, was present and that Bob Stair may try to join the meeting by phone. Mr. Parsons
97 described the property and details of the application for the installation of a driveway and
98 associated drainage in the URA as a part of a new house construction. S. Spillane asked about a
99 planting plan; Mr. Parsons answered there is not one as the area is and will be meadow. L.
100 Burcroff asked about the erosion control measures and the location of the septic system; Mr.
101 Parsons pointed them out. TAHD has not completed their review. A. Conroy noted that this
102 application is for the driveway and the stormwater rain garden. Mr. Parsons commented that
103 they have a list of possible native plants for the rain garden. L. Burcroff asked about replacing
104 the ash trees that were removed; Mr. Parsons indicated not at this time. A **Motion to Accept**
105 **Application #2024-IW-036, As Presented**, was made by M. Grace, seconded by S. Spillane, **With**
106 **the Condition of Review by Tom Grimaldi, With All in Favor.**

107 Mr. Parsons reviewed the proposal to relocate a portion of Between the Lakes Road; install
108 stormwater drainage; and create 2 new access driveways. S. Spillane asked who maintains this
109 road, if built; Mr. Parsons indicated that the Town maintains the road now and presumes they
110 will continue to maintain it. S. Spillane expressed that she would like to see something in
111 writing that the Town will continue to maintain the road; Mr. Parsons indicated that he had
112 asked for that. A. Conroy asked if this was an easement; Mr. Parsons stated that there is a right
113 to pass now and that it will continue. A. Conroy asked about the drainage basins; Mr. Parsons
114 indicated there would be a maintenance agreement; M. Grace noted that it should get filed in
115 the Land Use Records as an agreement between the owner and the Town. V. Garfein wants to

116 know what the Town intentions are going to be. A. Conroy pointed out that the other affected
117 lake access lots need easements also. Mr. Parsons suggested that the owner will maintain the
118 stormwater basins, if the Town does not; V. Garfein commented that the maintenance
119 agreement needs to run with the land so that a future owner would also be responsible. Mr.
120 Parsons pointed out that the stormwater basins would be regulated because they are in the
121 URA and within the 300' Lake Protection Overlay District. L. Burcroff commented that the
122 question is who is going to maintain the basins; Bob Stair suggested that the owner will do it,
123 but is hoping that the Town will do it. A. Conroy asked about stormwater basin #2 near the
124 wetlands and if it will be wet; Mr. Parsons answered that it will be wet periodically and are not
125 designed to drain instantly. A. Conroy asked if the wetland would be filled where part of the
126 proposed new road goes through; Mr. Parsons answered yes. L. Burcroff asked about using
127 filter sock with the proposed new driveways; Mr. Parsons indicated he could do that. Regarding
128 the letter from Attorney Citrin, it will be reviewed by one of the Town Attorneys. A. Conroy will
129 send the plans to Tom Grimaldi to get a cost estimate. A site visit will be scheduled. There will
130 be further discussion with the Town for clarification. **A Motion to Accept Application #2024-**
131 **040, with 4 Stated Conditions**, was made by S. Spillane, seconded by M. Grace, **With All in**
132 **Favor.**
133

134 13. Enforcement Updates

- 135 a. 105 Interlaken Road – A. Conroy reported that the owners are mostly OK with the draft
136 Consent Order, but are concerned about the cost of monitoring; A. Conroy is getting an
137 estimate from the NW Conservation District.
- 138 b. 433 Salmon Kill Road – They have hired Pat Hackett to help them and he has come in to
139 speak with A. Conroy about a plan going forward; there should be a plan for the October
140 15th meeting.
- 141 c. 198 Between the Lakes Road – The sand pile has been removed. A. Conroy spoke to
142 Attorney Janet Brooks about enforcement; she will be sending a letter to them as to
143 whether they are in compliance with the Cease & Correct Order.

144
145 There may be 4 other enforcement items coming, according to A. Conroy.

146 S. Spillane suggested having a Special Meeting to finalize the Regulations. A tentative date of
147 Tuesday, November 19, 2024 was discussed.

148 A correspondence was just received about a new subdivision proposed on White Hollow
149 Road that has no wetlands and no impact to wetlands; A. Conroy will write a letter to P&Z
150 informing them that the IWWC agrees.

151
152 **Adjournment. So Moved** by S. Spillane, seconded by V. Garfein and unanimously **Approved**
153 Meeting adjourned at 8:37pm.
154