SLR International Corporation
99 Realty Drive, Cheshire, Connecticut, 06410

August 26, 2025

Dr. Michael Klemens, Chairman
Planning & Zoning Commission
PO Box 548, 27 Main Street
Salisbury, CT 06068

SLR Project No.: 141.22100.00001

RE: Special Permit Application Review Comments
Wake Robin Inn Redevelopment
104 & 106 Sharon Road and 53 Wells Hill Road
Salisbury, Connecticut

Dear Chairman Klemens and Members of the Planning & Zoning Commission:

SLR International Corporation (SLR) is in receipt of correspondence addressed to you from George T. Logan of REMA Ecological Services, LLC, dated August 22, 2025 regarding the review of the above-referenced application.

We offer the following responses to those comments contained therein.

C. We should note that we have reviewed the permit approval conditions by the Town of Salisbury Inland Wetlands and Watercourses Commission (IWWC), which we understand has had a permit modification approved. There are at least two conditions in the IWWC permit that in our professional opinion should have been satisfied before the current submittal to the PZC. These are as follows:

The provision of permeability test data for each of the proposed basins. The applicant should have designed the stormwater basins in areas that would achieve the prescribed permeability rates. Providing the data after the basins have been sited and designed is not appropriate, and could result either in substantial re-designs, or worse, in water quality impacts to sensitive on-site and off-site resources.

R. Soil permeability test (i.e., infiltration test) data has been provided. Both falling head permeameter test results and in-situ double ring infiltrometer test results were included on Sheet SD-6 of the application site plans submitted on April 29, 2025 and July 28, 2025. The submitted permeability test and infiltration test results have been reviewed and accepted by the Town's licensed professional peer review engineers.

C. The submission of a "detailed Invasive Plant Management Plan (IPMP)." Per the IWWC permit, this would not only include the wetlands but also the uplands within the upland review area (URA). Given the sensitivity of some of the upland habitats at the subject site, including CT-listed species that are found there, an IPMP should have been submitted for review.

R. There is nothing in the Zoning Regulations that requires the conditions of approval imposed by the IWWC to be completed prior to the submission of an application to the Planning and Zoning Commission. As the applicant has stated previously and as noted in the unanimous IWWC approval conditions, the applicant will provide a completed IPMP prior to issuance of any final permits. The IPMP will include all the areas of the redevelopment not just wetlands or upland review areas.

C. The currently submitted and revised plans were compared with the plans that were submitted in December 2024 as part of a previous application for redevelopment. The extent of tree clearing has been reduced, but only by roughly 0.72 acres (see Figure A, attached). Therefore, the taking of maturing wooded habitat remains excessive, and the reduction of clearing is *minimal* in comparison to the overall scope of the redevelopment project.

R. As noted within the above comment, the tree clearing has been reduced by 0.72 acres with this new application.

C. The drainage report also reveals that there has not been a commensurate reduction of impervious surfaces in the submitted plans, compared with the 2024 plans that were reviewed. Total impervious surfaces actually increase from 2.85 acres to 2.98 acres, resulting also in an increase in the peak rates of runoff with the 2025 plans, since the stormwater facilities (e.g., water quality basins, detention basins) have not been increased in size.

R. A comparison of the July 19, 2024 drainage report to the July 28, 2025 drainage report does in fact show increases in peak runoff rates under proposed conditions for Analysis Point A and Analysis Point B. However, the proposed increases do not exceed the existing conditions peak runoff rates for these analysis points, in accordance with standard stormwater engineering practice. The current drainage report (July 28, 2025) has been reviewed and accepted by the Town's licensed professional peer review engineers.

C. The submitted plans and supporting documentation do not closely follow the 2024 Connecticut Stormwater Quality Manual ("the Manual"), which is the most recent State-wide guidance for the protection of water quality. While computations for the water quality volume (WQV) and water quality flow (WQF) are provided, compliance with *Standard 1 – Runoff Volume Control and Pollutant Reduction, and Standard 2 – Stormwater Runoff Volume Control Quantity Control* are not discussed, and no calculations are provided. Moreover, compliance with the *minimum average annual pollutant load reductions* is not demonstrated. These are: 90% Total Suspended Solids (TSS); 60% Total Phosphorus (TP); 40% Total Nitrogen (TN).

While the argument would perhaps be made by the applicant that this is not a requirement if it can be shown that the WQV would be infiltrated to the ground, which is contested in our view, in this case with the site being within the watershed of a sensitive water resource (Wononskopomuc Lake) it is of great importance. For instance, the *2023 Water Quality Monitoring Report* for the lake, cites phosphorus (both particulate and soluble forms) as the primary limiting nutrient, with nitrogen not far behind. Additional

inputs of these nutrients to the lake affects primary productivity, including of algae and cyanobacteria, and can lead to water quality degradation.

R. According to Figure 4-1 on Page 38 of the Manual, "Retaining the required retention volume on-site achieves compliance with Standard 1 - Runoff Volume and Pollutant Reduction." The proposed stormwater design retains the required retention volume (i.e., 100% of the site's Water Quality Volume) in accordance with the Manual and the calculations are included in Appendix E of the drainage report.

Regarding Standard 2, Stormwater Runoff Quantity Control, the proposed stormwater design meets the criteria listed in Figure 4-3 on Page 52 of the Manual, as follows: 1) reduces the post development peak runoff rate to 50% of the peak runoff rate for the 2-year storm for drainage areas where stormwater runoff rate is required to be controlled by structural Best Management Practices (BMPs); 2) the conveyance systems to stormwater BMPs are design based on the 10-year, 24-hour storm; and 3) emergency outlets from BMPs have been design based on the 100-year, 24-hour storm. The current site plans and drainage report (both dated July 28, 2025) have been reviewed and accepted by the Town's licensed professional peer review engineers.

C. The plans show that the bottoms of the water quality and detention basins will be lined with river stone, and not vegetated. This practice, is typically only seen as an option for *bioretention basins*, not for the type of stormwater basins proposed at this site. The lack of vegetation drastically reduces pollutant renovation potential, since a variety of important biological processes would not take place, including plant uptake and sequestration, denitrification/nitrification, microbial biodegradation and transformation (in the plant root zones). These processes are important in treating phosphorus, especially the dissolved form, and nitrogen species which are highly soluble and cannot be readily taken out of stormwater by infiltration to the ground alone.

R. A stone-lined infiltration basin is a stormwater control measure that captures stormwater runoff and allows it to soak into the soil through layers of stone and, sometimes, vegetation. Stormwater discharges to the stormwater infiltration basins is preceded by a treatment train including pretreatment by vegetated strips and/or hydrodynamic gross particle separators, catch basin sumps, and sediment forebays. According to the Manual, pre-treatment and infiltration of the water quality volume, as proposed, will provide for the removal of solids, phosphorus, nitrogen and bacteria, along with runoff volume reduction and groundwater recharge. The current site plans and drainage report (both dated July 28, 2025) have been reviewed and accepted by the Town's licensed professional peer review engineers.

C. Drawdown computations for the volume of stormwater to be infiltrated are provided but permeability testing per the 2024 Manual could not be found in the submitted documents. This was also noted in our review of the Town of Salisbury IWWC permit. Therefore, the infiltration capabilities of the soils associated with three detention/water quality basins cannot be substantiated, and the water quality renovation effectiveness of the proposed practices are in question.

R. Refer to SLR Response #1 – Soil permeability test (i.e., infiltration test) data has been provided. Both falling head permeameter test results and in-situ double ring

infiltrometer test results were included on Sheet SD-6 of the application site plans submitted on April 29, 2025 and July 28, 2025. The submitted permeability test and infiltration test results have been reviewed and accepted by the Town's licensed professional peer review engineers.

C. In our review of the 2024 application, REMA had submitted comments regarding the then revised plans, dated December 10, 2024, which we cite here by reference. In that review letter we noted several issues with Detention Basin 210, as well as with other components of the stormwater management practices. Based on our current review we note that there have not been any changes to address these issues, which still remain. For instance, water quality basin 140 shows an infiltration rate of 0.46 inches/hour, which is exceedingly low and according to the Drainage Report, it would take 31.53 hours for a full drawdown. The required WQV to be infiltrated is 968 cubic feet, but the storage capacity of the basin is only 526.8 cubic feet. If there were back to back storms on consecutive days, not at all an unusual occurrence in the region, this basin would overflow, without providing sufficient renovation of runoff, which would discharge to a wetland resource just a few feet downgradient and pollute it over time.

Achieving *superior*, not just good, water quality renovation is of paramount importance given that the site is within the watershed to Wononskopomuc Lake, as well within an Aquifer Protection Area (APA). Our initial review of the plans and drainage report lead us to conclude that the proposed development is reasonably likely to have the effect of unreasonably polluting surface and groundwater quality, both on- site and also off-site.

We note that according to Section 801.6 (*Preservation of Water Quality and Quantity*) of the Salisbury Zoning Regulations states:

> "The proposed use and the site *shall be designed to minimize any risk of surface-water or groundwater pollution,* soil erosion and sedimentation, and water diversion." (Emphasis added.)

Similar language is also found in Section 802.1.c.

R. The project has been designed and engineered following the Manual to improve upon existing runoff and treatment conditions and create a project that minimizes risks of surface water or groundwater pollution, soil erosion and sedimentation, and water diversion. Refer to page 280 of the Manual, which allows for a drawdown rate of up to 36-48 hours for the design of a stormwater infiltration basin. The current site plans and drainage report have been reviewed and accepted by the Town's licensed professional peer review engineers.

C. In Section 800.3.g (Site Plan Application Requirements) of the Salisbury Zoning Regulations, and last bullet, we read:

> "Location of any threatened or endangered species or species of special concern as defined and provided by the Connecticut Department of Energy and Environmental Protection (DEEP) including locations from the State DEEP Natural Diversity Data Base."

Also, Section 100.2.b reads as follows:

> "Conserving and protecting natural resources such as ridgelines, farmland, wetlands, watercourses, and other sensitive natural resources and areas"

Although described as a "redevelopment," most of the site is currently naturally vegetated under existing conditions, with a high proportion of mature and maturing trees, as shown in the Bartlett Tree inventory. This is consistent with the many large trees in the Bartlett inventory: of the 800 trees tallied, 146 have a dbh (diameter at breast height) of 18 inches or more; fifteen have a dbh of thirty inches or more. Review of aerial photos record shows 4.1 acres of forest in the northerly portion, and a contiguous 5.1-acre block of old-growth forest in the southerly portion of the site, that has remained intact at least since 1934, per the archival aerial for that year.

Old growth forests support elevated plant diversity, especially of herbs. If soils are calcium-enriched, as here, a suite of special, less common "rich site" wildflowers and ferns are widespread, not limited to a narrow slope-base zone of rich soil, where groundwater has picked up additional minerals as it flows downslope. Though this was *not* noted in the resubmission, the applicant is proposing to relocate a population of a rare sedge, *Carex oligocarpa*, that grows in shaded, rocky, sub-acidic habitats (e.g. with soil derived from limestone or traprock). This population will be impacted but it is to be relocated. However, the SLR botanical survey is more than a year out of date and should have been updated. Very often REMA has found new populations of "listed" species during a subsequent survey even a year or two later.

A second special, sensitive habitat is expected along the western edge of the site, which is the rocky crest of a steep slope overlooking Lake Wononskopomuc; it is in effect a ridgeline, and is expected to support sensitive vegetation characteristic of rocky, high elevation habitats. This area is shown on the soils map as the 95E mapping unit, a complex of shallow, calcium-rich Farmington loams and rock outcrops.

There is nothing in the record showing that the SLR survey for "listed" species has been reviewed by CT DEEP's Natural Diversity Database staff, and they agree with the survey methods and results and with the mitigation strategies (i.e., plant relocation).

Another federally and State listed species recorded from the vicinity of the site by CT DEEP is the Northern long-eared bat (*Myotis septentrionalis*), which has seen severe declines in the past few years due to white nose syndrome (WNS). During summer it roosts in cavities of both live and dead trees under loose bark, like those found in the old growth forest, on mature sugar maples, shagbark hickory, and also on dead trees, only rarely in structures. It over winters in caves, which do occur nearby in the marble district. The tree study categorized trees by condition, to prepare for extensive culling of dead or ailing trees. However, not only this rare bat, but many other wildlife species and overwintering insects depend on the cavities that develop in dead trees or branches.

We note that one of the primary tree species utilized by this species for maternity roosts is sugar maple, which is abundant at this site, based on the Bartlett tree survey. The applicant has not provided any evidence that there has been consultation with the US Fish and Wildlife Service Ecological Field Office, and neither has an acoustic survey been conducted to show the presence or absence of this species, as well as other "listed" Chiroptera, such as little brown bat (*Myotis lucifagus*) or tri-colored bat (*Perimyotis subflavus*).

R. SLR submitted a final determination request to the CTDEEP Natural Diversity Database Program (NDDB) on December 5, 2024. The request included the ezFile form and the SLR NDDB Listed Plants Survey Report, dated December 3, 2024 and was assigned NDDB File Number: 121938. Bill Moorehead, CTDEEP Botanist/Plant Community Ecologist, has thoroughly reviewed the Listed Plant Survey Report and has approved the survey means and methods, the survey results, and the proposed relocation plan for *Carex oligocarpa*. A formal approval has not been issued to date, because SLR, the applicant, and the CTDEEP NDDB program ecologists are working through the covenant and conservation easement language for the protection of the relocated sedge on the subject property. The easement language agreement will be resolved shortly. Since the December 2024 filing, the NDDB program has not requested any additional flora surveys be conducted on this property.

The proposed project will require a United States Army Corps of Engineers (USACE) Self Verification Notification General Permit. As such, SLR will be completing the required United States Fish and Wildlife Service (USFWS) Information for Planning and Consultation (IPaC) species determination key, following approvals by the local regulatory commissions. SLR anticipates that Northern Long-Eared Bat (NLEB) will be identified by the IPaC consultation inquiry as a species of concern on this property. Per Section 7 of Endangered Species Act requirements, SLR will be required to communicate with the both the USACE (lead federal agency for permits) and USFWS New England field office to address any concerns related to the NLEB. From SLR's most recent USFWS NLEB consultations for similar type and scale projects, the USFWS has requested a variety of Time of Year (TOY) tree clearing restrictions be implemented to protect the NLEB. SLR envisions that similar TOY tree clearing restrictions will be required. The applicant will adhere to the USFWS TOY tree clearing restrictions. Lastly, the USFWS has not required the completion of NLEB acoustic surveys for these type projects.

C. The large increase in the numbers of cars entering and leaving the site each week is of concern not only from the standpoint of traffic but also its impact on air quality and human health. Links between air pollution and multiple human diseases have been well documented – various cancers and health disease as well as respiratory illnesses.

Furthermore, the existing well-documented capacity for cleansing of air pollution by trees will be diminished by extensive tree removal. Trees not only take up gaseous pollutants, via their leaf pores, and incorporate them into biomass; foliage and twigs also intercept a high proportion of airborne particulates. The GC3 final report emphasized the many benefits of forest trees, aside from carbon uptake e.g. health local climate cooling, and flood prevention.

The application includes a report by Bartlett Tree Services that assesses the condition of the existing trees on the site, and includes a map of their locations and appropriate measures to minimize damage if trees are in proximity to construction activities. Per the report 415 trees were rated as healthy. However, nowhere does the application provide the numbers of healthy trees that will be eliminated as a result of the proposed activities. The reviewer must compare the development footprint with the tree map to estimate tree

losses. This was done for a few areas: The new western parking lot (~ 43 spaces) will eliminate 20 healthy trees; the pool area will eliminate 30; 14 will be lost on the hillside west of the existing hotel.

R. **A detailed traffic study has been prepared for the proposed project and reviewed and signed off by the Town's third-party consulting traffic engineer. The updated trip generation letter dated April 29, 2025 submitted by SLR professional traffic engineers and traffic planners states, "under the updated redevelopment scenario (April 2025) the number of estimated vehicle trips will be significantly lower than the September 9, 2024 study."**

It should be highlighted that the approval of this Special Permit will provide limitations to occupancy and hours of use. Unlike the option of renovate in place, as of right, which will fully operate with extremely limited limitations on exterior tented events, music, parking, occupancy, and hours of operation.

This plan addresses the Commissions' comments of moving the event space to a location more interior to the site and attaching it to the Inn expansion. As stated by Mr. Logan in a previous comment, this new application reduces the clearing limits by approximately 0.72 Acres.

Summary

It should be noted that the Salisbury Inland Wetlands and Watercourses Commission has reviewed the same plans that are pending before the Planning and Zoning Commission including the environmental issues addressed in the REMA letter. The IWWC unanimously approved the application.

The site plans and supporting documents for this application have been prepared by licensed engineers, landscape architects, and other professionals at SLR. The Commission referred this application and all of the supporting documentation to its third-party review engineers, R.R Hiltbrand, Engineers and Surveyors. Your reviewer engineers have concurred with our plans. It should be noted that stormwater management plans in Connecticut can only be prepared by professional engineers licensed by the Department of Consumer Protection. When the Commission is weighing the credibility of the comments from REMA related to stormwater management, it should recognize that Mr. Logan is not a professional engineer.

Finally, the Commission will recall that REMA submitted similar comments in 2024 as part of a Section 22a-19 intervention. The Commission rejected those comments as not being germane to the application. We respectfully request that the Commission make the same finding in this application.

Very truly yours,

SLR International Corporation

Mark Arigoni, PLA
US Sector Leader – Built Environment
marigoni@slrconsulting.com

Todd Ritchie, PE, BCEE, CFM, REHS/RS, LEED AP, ENV SP
Principal Civil Engineer
tritchie@slrconsulting.com

Matthew J. Sanford, MS, PWS, RSS
US Manager of Ecology
msanford@slrconsulting.com

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