

INLAND WETLANDS & WATERCOURSES COMMISSION

REGULAR MEETING

SEPTEMBER 9, 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, Sally Spillane, Vivian Garfein, Maria
- 4 Grace, Russ Conklin (Alternate), John Harney (Alternate), Tracy Brown, (Alternate), Abby Conroy
- 5 (Land Use Director), Miles Todaro Land Use Technical Specialist) and Georgia Petry (Recording
- 6 Secretary). Absent: John Landon and Cary Ullman. T. Brown was seated as Voting Alternate for
- 7 J. Landon and J. Harney was seated as Voting Alternate for C. Ullman.
- 8
- 9 3. Approval of Agenda. Item #7. Was Withdrawn. Item #8. Was Tabled.
- 10
- 11 4. Minutes of August 26, 2024. A Correction was made to Line 11 to read "...as amended, was
- 12 made by V. Garfein..." **A Motion to Approve the Minutes of August 26, 2024, as corrected**, was
- 13 made by V. Garfein, seconded by S. Spillane and unanimously **Approved**.
- 14
- 15 5. Public Comment – None
- 16
- 17 6. #2024-IW-035 / Mary August Taylor / Extend an Existing Drainage Pipe / 191 Taconic Road /
- 18 Map 19 / DOR: 8/26/2024
- 19 J. Harney recused himself from the discussion and vote. A. Conroy described the proposed
- 20 activity and noted that TAHD had approved a septic repair. Ms. Taylor described the drainage
- 21 issues. S. Spillane asked if there was a filter on the pipe; Ms. Taylor answered no. S. Spillane
- 22 asked if the pipe was going to drain into a wetland; Ms. Taylor answered it would probably be
- 23 over the surface. L. Burcroff asked how they would get under the railroad bed; Ms. Taylor
- 24 answered that they would blast a little channel through the railroad bed. S. Spillane asked if this
- 25 would be boring through, instead of excavating, and expressed concern about discharging the
- 26 water and silt into the wetland. L. Burcroff asked if there would be silt control around the
- 27 project area; the contractor should know what to recommend. A. Conroy commented that the
- 28 questions would be: Are you looking to punch the pipe through or are you going to excavate a
- 29 portion of it and let it run over the surface to an area of natural flow. L. Burcroff suggested
- 30 having siltation control on the downhill side of the railroad bed; T. Brown suggested making sure
- 31 that re-vegetation is planned where there was disturbance. Both suggestions would be
- 32 Conditions of Approval. **A Motion to Approve This Application, With the Stated Conditions**,
- 33 was made by V. Garfein, seconded by S. Spillane and Unanimously **Approved**.
- 34

- 35 7. #2024-IW-015 / 280 BTLR LLC (Great Falls Construction LLC – Bob Stair) / 280 Between the Lakes
36 Road / To Relocate a Portion of Between the Lakes Road and Install Drainage Improvements /
37 Map 67 / Lot 07-2 / DOR: 06/24/2024 – **Application Withdrawn**
38
- 39 8. #2024-IW-027 / Salisbury Winter Sports Association, c/o Ken Barker / 80 Indian Cave Road /
40 Construct a Pond for Water Supply and Snow Making / Map 15 / Lot 25 / DOR: 7/22/2024
41 The Applicant had requested that the application be Tabled. A **Motion to Table this application**
42 was made by V. Garfein, seconded by S. Spillane, **With All in Favor**.
43
- 44 9. #2024-IW-028 / Wake Robin (SLR) / 104 & 106 Sharon Road / Redevelopment and Expansion of
45 Wake Robin Inn Property / May 47 / Lot 2 / DOR: 7/22/2024
46 Mark Arigoni (SLR), Todd Ritchie (Engineer) and Steven Cohen (one of Project Principals) were
47 on the call. Mr. Arigoni described proposed changes to the entrance driveway and the
48 improvement of sight lines by adding a second driveway; he noted that there are proposed
49 direct wetlands impacts and impacts to an intermittent watercourse. Their plan is to put the
50 intermittent watercourse in a 49 linear foot 18” pipe between the pocket wetlands, which has
51 more impact in the URS than previously planned; there is also a revised drainage plan. V.
52 Garfein asked if Engineer Tom Grimaldi had seen these plans; Mr. Arigoni answered yes, that
53 they have responded and Mr. Grimaldi will review again. Mr. Arigoni added that the detailed
54 plans will be presented at a P&Z Public Hearing on September 17th. A **Motion to Table This**
55 **Application** was made by S. Spillane, seconded by V. Garfein, **With All in Favor**. A. Conroy noted
56 that additional details will be reviewed by Tom Grimaldi and will be brought to the P&Z Public
57 Hearing, but that there will not be a decision then; IWWC must make its decision first.
58
- 59 10. #2024-IW-019 through #2024-IW-024 / Multiple Owners – East Twin Lake (Jeffrey Cordisco –
60 CFD Underwater) / 204, 210, & 218 Between the Lakes Road and 73 Rocky Lane / Removal of
61 Invasive Plants and Decaying Biomass / Map 58 – Lot 3, 4, & 5 / Map 66 – Lot 34 / DOR:
62 7/22/2024
63 The applicant was not present; A. Conroy reviewed a staff memo with the list of applications
64 and questions about each one of them to check for completeness. Staff recommendations
65 included finding out what the status is from the applicant and also following the steps on the
66 “Worksheet Establishing Jurisdiction”; details were provided. J. Harney brought up the
67 unresolved Hydrilla issue and suggested this may not be the time to bring in machinery to stir
68 everything up. R. Conklin commented it isn’t known if the whole lake has the Hydrilla problem,
69 but suggested not doing things at this time of the year, but in the early spring; J. Harney agreed
70 with delaying and not causing any unintentional spread. S. Spillane commented that it would
71 not cause anybody any hardship by waiting. M. Grace expressed that incomplete applications
72 should not be considered. A. Conroy commented that the applicant should be informed with a
73 detailed list of what additional information is needed. A **Motion to Deny These Applications,**
74 **Without Prejudice, because they are Incomplete, and Encourage them to re-apply with a full**
75 **and complete application,** was made by M. Grace, seconded by S. Spillane, **With All in Favor**.

- 76 11. #2024-IW-033 / Wohl (Jeffrey Cordisco – CFD Underwater) / Removal of Decaying Biomass / 226
77 Between the Lakes Road / Map 58 / Lot 6 / DOR: 8/26/2024
78 The Commission determined that more information is needed. A **Motion to Deny This**
79 **Application, Without Prejudice**, was made by V. Garfein, seconded by M. Grace, **With All in**
80 **Favor**.
- 81
- 82 12. #2024-IW-034 / Nash (Jeffrey Cordisco – CFD Underwater) / Removal of Decaying Biomass / 198
83 Between the Lakes Road / Map 58 / Lot 2 / DOR: 8/26/2024
84 A **Motion to Deny This Application, Without Prejudice, and /Re-file With More Information**,
85 was made by V. Garfein, seconded by M. Grace, **With All in Favor**.
- 86
- 87 13. #2024-IW-030 / Nash / 198 Between the Lakes Road / Spread Sand on Lake Shore / Map 58 / Lot
88 02 / DOR: 08/12/2024
89 V. Garfein commented that there are no natural sand beaches on this lake and that sand is not
90 welcome; it washes out into the lake and is a problem. A. Conroy pointed out that the
91 **application had been withdrawn**.
- 92
- 93 14. Enforcement Updates
- 94 a. 105 Interlaken Road – A. Conroy had shared the draft of the Consent Order with the
95 property owners; it includes a no-mow zone meadow which will be cut back 1 or 2 times per
96 year. Future monitoring would require 2 inspections per year. The details of the Consent
97 Order were reviewed; A. Conroy will provide updates. A **Motion to Endorse the Consent**
98 **Order** was made by V. Garfein, seconded by M. Grace and unanimously **Approved**.
- 99 b. 433 Salmon Kill Road – No response has been received yet to the Notice; they need to
100 respond by the first meeting in October with a report of how they will remedy the situation.
- 101 c. 198 Between the Lakes Road – A. Conroy reported that the property owners were upset, but
102 they are going to have their contractor remove the sand pile; they have hired Matthew
103 Vogt, New England Aquatic Services, who recommended using a different type of sand. V.
104 Garfein and L. Burcroff commented that no sand should be used; they suggested having
105 plantings that would stabilize the shoreline instead. A. Conroy asked Mr. Vogt if he had
106 experience with phragmites removal or riparian plantings; Mr. Vogt answered that he does
107 have experience removing phragmites, but not with riparian plantings in their place because
108 new plantings are difficult to maintain when the phragmites re-grow. Mr. Vogt
109 recommends hand removal of the phragmites now. There was further brief discussion. A.
110 Conroy explained that this is a Cease and Correct Order, not necessarily a Consent Order
111 and the Commission could move this to a Consent Order, with Conditions that would be
112 required; a Permit would not obligate them to do those things. Diane Nash, property
113 owner, indicated that they would be willing to consent to the hand pulling (of the
114 phragmites) and would have New England Aquatic do the work; Mr. Vogt recommended
115 doing it twice a year. A. Conroy will draft the Consent Order for the next meeting.

116 d. 73 Rocky Lane – A. Conroy reviewed a report from Matt Vogt for the property owner, Todd
117 Spoor; the work area was defined, along with details of recommendations. Mr. Vogt wants
118 to apply for a permit to finish the work that was started, removing material around the
119 docks. Mr. Spoor explained that he has already re-seeded the area; he added that he will
120 apply for a permit to do the other work, if he gets a list of the specific requirements that the
121 Commission wants. A. Conroy asked the members about the list; it will include questions
122 about the volume of material to be removed; the deposition of materials; the erosion
123 controls; the method of removal; use of turbidity curtains; and other questions to be
124 determined. A. Conroy pointed out that as far as the Cease and Correct Order, they can't do
125 more to restore; if work is to continue, the applicant must get a new permit. A. Conroy will
126 email the list to Mr. Spoor. **A Motion: To Find that the Cease & Desist Order is No Longer**
127 **in Effect**, was made by T. Brown, seconded by S. Spillane, **With All in Favor**.

128
129 **Adjournment. So Moved** by S. Spillane, seconded by J. Harney and unanimously **Approved**.
130 The meeting adjourned at 8:05pm.