

INLAND WETLANDS & WATERCOURSES COMMISSION

REGULAR MEETING

OCTOBER 28, 2024 – 6:30PM (VIA ZOOM)

- 1 1. Call to Order. The meeting was called to order at 6:31pm.
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3 2. Roll Call & Seating of Alternates. Present: Larry Burcroff, John Landon, Sally Spillane, Russ
4 Conklin (Alternate), John Harney (Alternate), Tracy Brown (Alternate), Abby Conroy (Land Use
5 Director), Miles Todaro (Land Use Tech Specialist and Georgia Petry (Recording Secretary).
6 Absent: Vivian Garfein, Maria Grace and Cary Ullman. R. Conklin was seated Voting Alternate
7 for C. Ullman; J. Harney was seated Voting Alternate for M. Grace; T. Brown was seated Voting
8 Alternate for V. Garfein.
9
10 3. **Approval of Agenda.** An Item of New Business, #5a, a new application; and Other Business, #11,
11 Discussion of recent CAZEO training. A **Motion to Approve the Agenda, as amended**, was made
12 by J. Landon, seconded by S. Spillane and unanimously **Approved**.
13
14 4. **Approval of Minutes of October 15, 2024. So Moved** by J. Landon, second by R. Conklin and
15 **Approved**, with one abstention (T. Brown was not at the meeting)
16
17 5. Public Comment – None
18

19 **New Business**

- 20 5.a. #2024-IW-044 / Stephanie Field Martin and William Todd Spoor / 73 Rocky Lane / Dredge
21 Accumulated Sediment on Either Side of an Existing Dock / Map 66 / Lot 34 / DOR: 10/28/2024
22 Matthew Vogt, New England Aquatic Services, was available to answer questions; the owner
23 was also present. Mr. Vogt described the dredging as about 2,000 sq. ft. of disturbance and
24 about 74 cubic yards of wet material. L. Burcroff and S. Spillane commented that it was a lot of
25 material and asked how it would be removed; Mr. Vogt answered they haven't decided on the
26 process yet. R. Conklin asked for more description; Mr. Vogt indicated that they would use
27 turbidity curtains. R. Conklin commented that he preferred the suction method of removal and
28 the use of the turbidity curtains, not the digging method. Mr. Spoor asked why the work can't
29 be done the same way as the original method; R. Conklin responded that the IWWC did not sign
30 off on that work, it was submitted after the fact. Mr. Spoor asked if the suction method was
31 acceptable; R. Conklin commented that it was the best choice, offered better control and that
32 they have to say which method they will use now. J. Harney expressed that the Hydrilla
33 shouldn't be disturbed; maybe the suction and containment method is best; R. Conklin agreed.
34 T. Brown asked Mr. Vogt if he has experience with Hydrilla and using this method; Mr. Vogt

35 answered yes, he has some, he could do some monitoring and added that the containment is
36 important. T. Brown asked about the time of year; R. Conklin answered that March/April would
37 be best. Mr. Spoor responded that his first choice is to have the original contractor come back
38 and finish the job; his second choice is having Mr. Vogt use the suction method. S. Spillane
39 commented that this is a presentation, not an application; she wants the presentation from the
40 one who is going to do the work. A. Conroy suggested that any approval would be conditioned
41 on the use of the turbidity curtain and the need to be clear of the methodology to be used. A.
42 Conroy asked if questions regarding Hydrilla have been addressed. L. Burcroff indicated that the
43 time of year is important; R. Conklin commented that you don't want to have bare spots and to
44 let the native algae cover it. R. Conklin added that they hadn't had good experience with the
45 other contractor, who doesn't have one of these curtains; they need a presentation from the
46 one who is going to do the work. Mr. Vogt pointed out that he is helping with the permitting
47 process; he will discuss the matter with M. Spoor and prepare for the next meeting. Mr. Spoor
48 expressed that that there was still no clear direction and asked why this isn't an application; he
49 wants specific guidance and is getting discouraged. T. Brown suggested that they need to know
50 who is going to do the work; the method to be used and why; the use of the turbidity curtain;
51 and the time of year to be done. J. Harney commented that the suction method is best; no
52 boats. R. Conklin wants the GIS map. L. Burcroff noted the next meeting is November 12, 2024.

53
54 6. 2024-IW-027 / Salisbury Winter Sports Association, c/o Ken Barker / 80 Indian Cave Road /
55 Construct a Pond for Water Supply and Snow Making / Map 15 / Lot 25 / DOR: 7/22/2024
56 Pat Hackett and Ken Barker were present to answer questions. A. Conroy noted that Engineer
57 Tom Grimaldi had not finished his review. Mr. Barker mentioned that the extension had been
58 granted to November 29, 2024. T. Brown commented that she had not reviewed the material
59 yet; A. Conroy pointed out that all members must listen to the recordings before the next
60 meeting. J. Harney expressed that the IWWC must protect wetlands and habitats; he asked why
61 not leave the site use as-is or try alternative methods. R. Conklin asked how much wetlands
62 disturbance there would be; J. Harney suggested it would be significant. A. Conroy talked about
63 the "Factors for Consideration" Worksheet Establishing Jurisdiction and suggested the members
64 start relying on it for consistency about questions and process; if changing the character of a
65 wetland is considered a significant impact or in the public interest, then there must be a Public
66 Hearing. T. Brown suggested that this would set a precedent and asked if was too late for a
67 Public Hearing; A. Conroy answered no, but the timeline is tight. Mr. Barker asked why this was
68 being discussed now; J. Harney expressed that it is a big project that affects a significant amount
69 of wetlands and habitat; there are alternatives. R. Conklin asked Mr. Hackett to go over the
70 numbers again. Mr. Hackett offered a lengthy description and mentioned that he will add a
71 Table with additional numbers and details. A. Conroy asked if the original report from Jay Fain
72 was still accurate; Mr. Hackett answered yes. A. Conroy asked the Commission if they thought
73 this was significant and if they want a Public Hearing. A. Conroy will print out the worksheets, to
74 help standardize the process going forward. **A Motion to Hold a Public Hearing on this**
75 **Application, on the Basis of Significant Impact**, was made by J. Harney. T. Brown had several

76 additional questions for Mr. Hackett, including the depth for native plants and the fencing,
77 which he addressed. The **Motion was seconded by R. Conklin, and Approved by T. Brown, S.**
78 **Spillane, J. Landon and L. Burcroff.** The **Date for the Public Hearing is Wednesday, November**
79 **13, 2024 at 7:00pm.** R. Conklin commented that he would like to hear from Tom Grimaldi and
80 have Mr. Hackett’s response before the Public Hearing. A. Conroy noted that it might not be
81 possible and that the whole presentation must be built at the Public Hearing.
82

83 7. #2024-IW-028 / Wake Robin (SLR) / 104 & 106 Sharon Road / Redevelopment and Expansion of
84 Wake Robin Inn Property / Map 47 / Lot 2 / DOR: 7/22/2024

85 Mark Arigoni, Jonathan Marrale and Steven Cohen represented the application. Mr. Arigoni
86 gave an update: they are in the middle of the PZC Public Hearing process; the Principals have
87 been meeting with the neighbors; they have a new set of plans as of 10/16/2024; they will have
88 fully engineered plans the next time they meet with this Commission. Mr. Arigoni then gave a
89 lengthy description of the new concept site plan and changes. A. Conroy asked Mr. Arigoni to
90 provide a revised DEEP reporting form; Mr. Arigoni agreed.
91

92 8. #2024-IW-036 / 280 BTLR LLC (Great Falls Construction) / 280-300 Between the Lakes Road /
93 Install a Driveway and Associated Drainage in the Upland Review Area as a part of a New House
94 Construction / Map 67 / Lot 07 and 07-2 / DOR: 9/23/2024

95 Bob Stair and Todd Parsons were present for the application. IWWC members J. Landon, J.
96 Harney and R. Conklin recused themselves from the discussion. There were not enough
97 Commission members present (only 3 remained) to take a vote. Mr. Stair asked for a Special
98 Meeting to be held in November for this application. Members will be polled to determine
99 which of 3 suggested dates would be best to have a quorum present for a vote.
100

101 9. #2024-IW-040 / 280 BTLR LLC (Great Falls Construction) / 280 Between the Lakes Road / To
102 Relocate a Portion of Between the Lakes Road and Install Drainage Improvements / Map 67 / Lot
103 07-2 / DOR: 9/23/2024. Public Hearing is scheduled for November 25, 2024 at 7:00pm.
104

105 10. Enforcement Updates

- 106 a. 105 Interlaken Road – A. Conroy needs to follow-up with this one.
 - 107 b. 433 Salmon Kill Road – A. Conroy will follow up on this also.
 - 108 c. 198 Between the Lakes Road – no update
- 109

110 11. Discussion of Recent CAZEO Training – there was no further discussion.
111

112 General Comments: S. Spillane expressed that she does not want to have a smaller IWWC and is
113 against the idea. A. Conroy commented that there is a lot to consider.
114

115 **Adjournment. So Moved** by S. Spillane, seconded by T. Brown and unanimously **Approved.**
116 The meeting adjourned at 8:33pm.