

Town of Warren
Minutes of the Regular Meeting of the
Inland Wetlands and Conservation Commission
Held Thursday, October 22, 2015, 7:00 pm
in the Warren Town Hall at 50 Cemetery Road

PRESENT: Vice Chairperson Cynthia Shook; Members Nancy Binns and Nora Hulton; Alternate Thomas Caldwell; Stacey Sefcik, Inland Wetlands Enforcement Officer; and Recording Secretary Richelle Hodza
EXCUSED: Chairperson Keith Jewell, Alternates Darin Willenbrock and John Favreau
ABSENT: Dawn Blocker

1. CALL TO ORDER AND DESIGNATION OF ALTERNATES

Ms. Cindy Shook led the meeting and called it to order at 7:07 pm. The proceedings were recorded digitally, and copies are available in the Land Use Office. Alternate Thomas Caldwell was seated for Keith Jewell.

2. PUBLIC HEARING

Arthur Howland & Associates, PC for Sam Gold, LLC, **108 North Shore Road** – Demolish and Reconstruct Single Family Dwelling with Associated Drainage Improvements and Modifications to Septic System and Parking Area

Mr. Paul Szymanski, PE appeared on behalf of Sam Gold, LLC. Mr. Szymanski distributed plans to members of the Commission. He read from a list of concerns and recommendations cited by the Town's engineer Mr. Todd A. Parsons of Lenard Engineering, Inc. in a letter dated October 21, 2015. Mr. Szymanski explained in some detail how each concern would be addressed. He stated that the driveway had been redrawn to conform to Zoning Regulation 9.1.5 which states that 'all driveway curves shall have a minimum radius of 60 feet'. Next, Mr. Szymanski addressed the elevation of crawl space stating that it had been revised to 698.0 feet, or 1 foot above the 100-year flood plain. The mechanical systems in the garage had similarly been elevated. The rain gardens had been nearly doubled in size to ameliorate the problems created by subsoil-type, following guidelines established by Nonpoint Education for Municipal Officials (NEMO) of the University of Connecticut (UCONN). The house and garage were being diminished in size compared to the existing house. Roof water would be directed to rain gardens or run overland. In compliance with zoning setbacks, the propane tanks have been moved to 110 feet from the shoreline. With regard to the existing pipes on the property, Mr. Szymanski stated that some would be cut and capped at their inlet while others would be reused, as would the 6" footing drain. Minimal shoreline disturbance would occur and the entire wooded shoreline would remain. The mature trees would remain; however, there were several specifically identified trees on the plan that would be removed. These included two 9' birches, a 12" inch white pine, a 12" hickory and a 36" hickory. With that, Mr. Szymanski concluded his presentation.

Vice Chairperson Shook requested that once the erosion control systems were in place, an inspection be done by Ms. Sefcik. She also recommended that there would be frequent inspections by Ms. Sefcik to ensure that the trees continued to be properly preserved and protected throughout the duration of the construction.

Mr. Szymanski stated that in response to a letter from Mr. Thomas McGowan of the Lake Waramaug Task Force, a double row of 12" diameter Filtrex® SiltSoxx™ wattles would be laid, re-grading would be kept to a minimum, and the stockpile of material was moved further back away from the shoreline.

Ms. Shook opened the floor to public discussion.

Mr. Thomas McGowan of the Lake Waramaug Task Force was recognized to speak. He stated that in general he was very pleased with the response from the Engineering firm and the property owners. He further approved of the detailed measures that would be taken to protect the trees. Finally, Mr. McGowan recommended that the Town require a bond insure the protection of the soil and vegetation during the construction process. It was noted that the amount of the bond would be arrived at with the help of the engineer.

Mr. Harold Tittmann of Tittmann Design + Consulting LLC stood to address the Commission. He offered to allow the Enforcement Officer access to its website where progress photographs would be posted regularly during the construction period. After some discussion, it was agreed that, notwithstanding the availability of website photos, the Commission would still want the Enforcement Officer to regularly visit the site.

Ms. Heather Allen of North Shore Road, an abutting neighbor, spoke. She stated that she had not been notified about the public hearing, and as an abutting neighbor, she thought she should have been notified.

The Commission noted that it needed to consider amending the regulations to make a provision for such notification.

Ms. Allen stated that she was concerned about the trees on the property. She noted that the plans presented by Mr. Szymanski called for the removal of five mature trees. Ms. Allen wanted, and was given further explanation by Mr. Szymanski regarding precisely how the remaining trees would be protected. She requested that the Commission consider including a condition on the approval of the application stating that if, during the course of the project, additional trees appeared to require removal, the Commission would be notified before any action was taken.

Mr. Tittmann stated that his company was sensitive to the protection of trees.

Mr. McGowan addressed the Commission again wishing to include a condition for approval of the permit. Such condition would require a notice on standard 8½ x 11" paper, receipt of which must be acknowledged by the property owner, detailing the Rain Garden Maintenance Schedule as noted on the site plan.

Vice Chairperson Shook asked if there were any other public comments or concerns to be heard. There were none. A **MOTION** was made by Ms. Binns and **SECONDED** by Ms. Hulton to close the public hearing. All were in favor, the **motion CARRIED**.

3. APPROVAL OF MINUTES

A **MOTION** was made by Ms. Binns to approve the minutes of the Special Meeting held on September 9, 2015. Ms. Hulton **SECONDED** the motion, the motion **CARRIED**.

4. PENDING APPLICATIONS

- A. Arthur Howland & Associates, PC for Sam Gold, LLC, **108 North Shore Road** – Demolish and Reconstruct Single Family Dwelling with Associated Drainage Improvements and Modifications to Septic System and Parking Area.

Ms. Binns made a **MOTION** to approve the application with the following conditions:

1. The applicant shall notify the Inland Wetlands Enforcement Officer (IWEO) when erosion and sedimentation controls are installed to ensure conformance with the plan prior to the commencement of any work. Said requirement shall be added to the construction sequence as Item 6A on Sheet SD-1.
2. Site inspections by the IWEO shall occur at least weekly with additional site visits at the discretion of the IWEO.
3. An erosion and sedimentation control bond in an amount to be determined by the Town's engineering consultant must be posted with the Town prior to the commencement of any work.
4. The Rain Garden Maintenance Schedule as specified in the site plans on Sheet SD-2, shall be given to the owner for acknowledgment by signature, a copy of which shall be returned to the Town's Land Use Office.
5. All measures for tree protection specified in the plans are to be followed. THE IWEO is to be notified prior to the removal of any trees other than the five specified in the plans.
6. If permissible under the Regulations, additional fees for additional inspections by the IWEO are to be paid.

Mr. Caldwell **SECONDED**; the application, with conditions, was **APPROVED** unanimously.

- B. Laurence Neufeld and Monika McKillen, **Milton Road** (Assessor's Map 40 Lot 3) – Drainage Improvements and Extension of Driveway in the Upland Review Area Associated with Construction of Single Family Dwelling.

Mr. Neufeld presented his plan to the Commission. Vice Chairperson Shook read into the record notations made by Mr. Neufeld .

Ms. Binns made a **MOTION**, which Ms. Hulton **SECONDED**, to approve the application. All agreed. The motion was **APPROVED**.

5. NEW APPLICATIONS (Receive and Determine Significance):

- C. Webb & Associates, LLC for Kelly and David Williams, **149 and 151 North Shore Road** – Removal of 5 Trees in the Upland Review Area.

Mr. Clinton L. Webb, Jr. spoke on behalf of the applicants, Kelly and David Williams. He described the planned removal of 3 pine trees located on the edge of a steep embankment adjacent to Lake Waramaug and very near the paved roadway. Also to be removed were one oak tree and one mature pine tree located adjacent to the driveway and very near a utility pole. Mr. Webb stated that the trees would be surgically removed by a licensed arborist using a crane and bucket truck in order to ensure safety and to protect the lake from debris. The 3 pines closest to the lake would be chipped into a covered truck and hauled away. The single pine was to be chipped and stockpiled on the site to be used for landscape mulch, while the oak would be hauled away for timber. It was added that he and Ms. Sefcik had walked the site

together. Ms. Sefcik concurred that the five trees under consideration for removal were potential threats and would best be taken down before the winter.

Ms. Binns made a **MOTION, SECONDED** by Ms. Hulton, to receive the application. The motion was unanimously **APPROVED**.

Ms. Hulton made a **MOTION** to approve the application without the need for further discussion based upon Ms. Sefcik's testimony. The motion was **SECONDED** by Ms. Binns, with the condition that Mr. Webb himself oversees the work. The motion **CARRIED** unanimously.

6. INLAND WETLANDS ENFORCEMENT OFFICER'S REPORT

Ms. Sefcik distributed copies of her written report to members of the Commission and provided an oral summary. First, she informed the Commission that she had visited the site known as 100 Wolfe Road, whose owner is contemplating filing an application for repair of a dam, and the extension of its accessway. Second, Ms. Sefcik described activities at 28 Reed Road where storage of contracting materials and equipment continues. She stated that she would be sending a notice of violation and request for voluntary compliance with a strict deadline. Third, Ms. Sefcik briefed the Commission on a soils course administered by the Connecticut Department of Energy & Environmental Protection (DEEP), which she had attended. Fourth, Ms. Sefcik announced a lecture to be given by Sean Hayden, Executive Director of the Northwest Conservation District to be held on November 17 in Washington to which neighboring town commissioners have been invited. Finally, Ms. Sefcik announced that she will be proposing, for the Commission's review, increases to the fee schedules to cover the rising costs of holding public hearings and publishing legal notices, and revisions to the application forms used for Inland Wetlands permits in order to capture information required by the DEEP. Such amendments would require notifying the DEEP and holding a public hearing.

7. CORRESPONDENCE

No correspondence was introduced.


8. OTHER BUSINESS PROPER TO COME BEFORE THE COMMISSION

Discussion and possible action on a Beach Maintenance: Best Management Practices document.

Ms. Binns made a **MOTION** to table the discussion until the next meeting. Mr. Caldwell **SECONDED** and the motion **CARRIED** unanimously.

A MOTION to adjourn the meeting was made by Ms. Binns at 8:42 p.m., **SECONDED** by Ms. Hulton, and unanimously **APPROVED**.

Respectfully submitted,



Richelle Hodza
Recording Secretary