



Town of Warren  
Conservation & Inland Wetlands Commission  
50 Cemetery Road  
Warren, Connecticut 06754  
[www.warrenct.org](http://www.warrenct.org)

Thursday, December 16, 2021, commencing at 7:00pm  
Lower-Level Meeting Room of Town Hall  
Regular Meeting Minutes

**1. Call to Order, Roll Call, Seating of Alternates**

Chairman John Favreau called the meeting to order at 7:02 p.m. **PRESENT** including the Chairman, Vice Chair Cindy Shook, Nancy Binns, Thomas Caldwell, and alternate Tara Tanner seated for Nora Hulton. **ABSENT**: Darin Willenbrock, and Nora Hulton.

**2. Additions to the Agenda** (Includes applications received by Land Use Office by 4:00 pm, Dec 15, 2/3, vote required)

- a. None at this time

**3. Consideration of the Minutes**

- a. Minutes of the Public Hearings and Regular Meeting of August 26, 2021
  - i. Ms. Binns made a **MOTION** to approve the revised August 26, 2021, Public Hearings and Regular Meeting Minutes, Mr. Caldwell **SECONDED, MOTION CARRIED.**
- b. Minutes of the Public Hearings and Regular Meeting of October 28, 2021
  - i. Ms. Shook made a **MOTION** to approve the Public Hearings and Regular Meeting Minutes for October 28, 2021, Ms. Binns **SECONDED, MOTION CARRIED.**
- c. Minutes of the Special Meeting Site Walk of November 8, 2021
  - i. Mr. Caldwell made a **MOTION** to approve the Special Meeting Site Walk Minutes for November 8, 2021, Ms. Tanner **SECONDED, MOTION CARRIED.**
- d. Minutes of the Regular Meeting of November 18, 2021
  - i. Ms. Binns made a **MOTION** to approve the Regular Meeting Minutes for November 18, 2021, Ms. Tanner **SECONDED, MOTION CARRIED.**

**4. Pending Applications**

- a. **IWA 21-11-01** / 8 Countryside Lane, Assessor's Map 22, Lot 3 / Philip T. and Kelly A. Good / Tree cutting with stump removal and grading, and setting of boulders possibly within the regulated area (Received by Commission 11/18/2021)

Chairman Favreau stated that the Wetlands have not yet been flagged and this application will be **TABLED**

b. **IWA 21-11-02** / 48 Cornwall Road / Assessor's Map 40, Lot 4 / Barbara DiNicola for Jennifer and David Tucker / Construct screened porch and carport within the regulated area (Received by Commission 11/18/2021)

Chairman Favreau reviewed the application and the Commission stated they did not have any further questions regarding this application.

Ms. Binns made a **MOTION** to **APPROVE** this application, Ms. Tanner **SECONDED, MOTION CARRIED.**

#### 5. **New Applications** (Received and determined significance)

Ms. Hodza stated that there have been a few applications that received Agent Determination

#### 6. **Other Business Proper**

a. Resignation of Nora Hulton, effective 12/14/21

b. Discussion of membership and filling vacancies, and DEEP certification

It was discussed that Ms. Shook has her DEEP certification and it has been submitted to Ms. Hodza. Chairman Favreau suggested that Ms. Tanner be moved to a full member position. Chairman Favreau stated that he will bring this to the Board of Selectmen and will also discuss alternates for the New Year.

#### 7. **Inland Wetlands Officer's Report**

a. Eel Pond Dam

Ms. Hodza reported that on December 9, 2021, Mr. Meeker of 43 Kent Rd. alerted that there may be some work being done at Eel Pond. The owner of 35 Kent Rd. is selling their property. A condition of the sale as to Ms. Hodza's understanding is to remove the beaver dam. The dam that exists at Eel Pond is a Connecticut State registered dam. The majority of the dam is on 35 Kent Rd property and a small area of it is on 43 Kent Rd. Ms. Hodza visited the site herself to see exactly what was going on. The dam itself is a concrete dam, that was registered with the state of CT in 1984 and the state oversees these dams. Ms. Hodza stated that Mr. Meeker had been informed of this from the beaver trapper. The beavers have built their dam on top of the existing concrete dam. Ms. Hodza stated that because of the beavers building on top of the existing dam, that is what the problem is. Ms. Hodza stated that the Inland Wetlands agency does not have any jurisdiction over the dam itself, but because of the Inland Wetlands agency anything that comes up about this dam has to be addressed because it's directly affecting the Wetlands. There has not been an application submitted, but it has been brought to her attention and it's a serious matter.

Ms. Hodza stated that she had conversations and emailed with the real estate agent who is selling the house. Ms. Hodza was told by the agent that it is the state telling the agent that they need to remove the beaver stuff in order to view the condition of the dam. Ms. Hodza read the emails that were addressed to the Land Trust, Mr. Hayden and to the real estate agent. These emailed can be found at the Land Use Office for the public.

Ms. Hodza reviewed Connecticut agency regulations section 22A-409-2 of the Connecticut general statutes governing dam safety and inspection.

Chairman Favreau asked are there any current inspections in that file for that particular property? Ms. Hodza stated "No".

Ms. Hodza stated that the Inland & Wetlands Commission is not doing anything at this time unless an application is submitted. The property owner will need to submit that application according to the dam safety department.

Chairman Favreau stated that if the release of the dam is done in any way it is a tremendous amount of water and it brings with it the contents of that water and it causes erosion downstream if it's not done in a controlled manor.

Ms. Hodza concluded that this is an education opportunity for the Commission, and that the Commission needs to just be aware.

Ms. Hodza also reported that on 53 Curtiss Rd she approved a very minor modification to move the propane tank. The tank is still within the upland review area. Chairman Favreau asked has it been approved by TAHD? Ms. Hodza stated yes it has been but that is not within our jurisdiction. Another application that was received an Agent Determination was 6 Arrow Point Rd to install 4 trees.

Ms. Hodza reported that the Land Use Office has had 41 applications to date and thank you to the Commission for all their hard work.

Ms. Binns asked for a copy of the meeting schedule for 2022. The Land Use Assistant will send those out to the Commission.

#### **8. Communications Received**

a. Appeal on IWA #21-06-03 / 37 Brick School Rd

b. Appeal on IWA #21-06-01 / 85 Curtiss Rd

Ms. Hodza stated that the information for both of these files can be found in the Land Use Office if anyone would like to review them.

Ms. Binns asked do these appeals hold up anything? Ms. Hodza stated no, this does not hold up anything and that the applicant has the right to pursue a zoning application but that is the risk of the applicant takes for him/herself.

#### **9. Public Comment**

Ms. Tammen, 50 Curtiss Rd- Ms. Tammen asked is there an approval from TAHD regarding the propane tank at 53 Curtiss Rd? Ms. Tammen reminded that according to Robert's Rule, a member of the Commission may not need to have been present at a meeting in order to approve the minutes. That is from the latest edition 12.

Chad Stoller, 1 Bobcat Lane- Mr. Stoller had a follow up question on the application that Mr. Good had submitted. The question is, if he does find that he has suitable space in that Wetlands property that he owns to park his vehicles, do we as owners of Bobcat Lane have the right to deny his access to use Bobcat Lane? Ms. Hodza stated that these questions can be asked directly to the Land Use Officer or even to his attorney, but that Ms. Hodza is happy to address any of Mr. Stoller's questions during business hours at the Town Hall.

Chairman Favreau- Would like to show is gratitude and appreciation to all of this committee for our hard work, long hours, and diligent review of the materials and overall good work. Chairman Favreau is also going to be recommending that the town consider that the Land Use Officer position becomes a full-time position given the amount of work. Chairman Favreau stated that we are a watershed and that the Town of Warren contributes 75% of the water into Lake Waramaug which is an economic powerhouse and engine that the economy of this particular region has depended on for over 150 years. Chairman Favreau will be bringing this to the Selectmen and making this proposal for the new year. Warren has become a desirable place to live because of its rural character, quality of life, its quality of water and water features.

Ms. Binns wanted to acknowledge Chairman Favreau's hard work and leadership of this Commission.

#### **10. Adjournment (Next Regular Meeting Thursday January 27, 2022)**

Ms. Binns made a **MOTION** to adjourn the meeting at 8:00pm, Mr. Caldwell **SECONDED**, **MOTION CARRIED**.

**Respectfully Submitted,**

**Robin Tanner-Hoskinson**

Land Use Clerk / Recording Secretary

Date: 12/22/2021 Time: 11:00 am

Link to Zoom Recording

[https://us06web.zoom.us/rec/play/nG8Wa6kkWhonWt\\_uE0UHBzfhyQ6CsZKjgLWB0-MudKLScm0g96akfHkoVRDIkJ7NXFmElujMU1iZ6Da.5UuU1G1Ah9aPl5zX?continueMode=true&\\_xzm\\_rtaid=rL9J9CRwRvu8cbcJzHwYYg.1640188690548.1d0fe99704f8af750aa73f9ec830ea31&\\_xzm\\_rhtaid=253](https://us06web.zoom.us/rec/play/nG8Wa6kkWhonWt_uE0UHBzfhyQ6CsZKjgLWB0-MudKLScm0g96akfHkoVRDIkJ7NXFmElujMU1iZ6Da.5UuU1G1Ah9aPl5zX?continueMode=true&_xzm_rtaid=rL9J9CRwRvu8cbcJzHwYYg.1640188690548.1d0fe99704f8af750aa73f9ec830ea31&_xzm_rhtaid=253)