

TOWN OF WARREN
Conservation & Inland Wetlands Commission
50 Cemetery Road
Warren, Connecticut 06754
(860) 868 - 7881
landuse@warrenct.org



Thursday, January 27, 2022, commencing at 7:00 pm
Lower-Level Meeting Room of Town Hall

Public access also available by video conference. See below for login.

Regular Meeting Minutes

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

Chairman John Favreau called the meeting to order at 7:00pm. **PRESENT:** included Chairman Favreau, Vice Chair Cindy Shook, Thomas Caldwell, Tara Tanner, and Nancy Binns (on zoom).

2. Election of Officers for the year 2022

Chairman Favreau asked for a proposed slate, or for the officers to remain the same. Vice Chair Ms. Shook stated she was good with staying the same. Chairman Favreau asked for a motion to elect the Officers for the year of 2022: John Favreau as Chairman, and Ms. Cindy Shook as Vice Chair, Ms. Tanner, Ms. Binns, and Mr. Caldwell as members.

Ms. Binns made a **MOTION. VOTE HELD- MOTION CARRIED.**

3. Additions to the Agenda (*Includes applications received by Land Use Office by 4:00 pm, Jan 26, 2/3, vote required*)

Chairman Favreau stated there were 2 applications received and will be added to the agenda under New Applications.

- a. **IWA# 22-01-01** / Beth Whitty of Beth Whitty Landscape Design on behalf of Mike and Debbie Turner / 151 Melius Rd, Assessor's Map 33 Lot 37 / Installation of pool and potential patio (*Received by Land Use Office 1/26/2022*) (*To be received by Commission 1/27/2022*)
- b. **IWA# 22-01-02** / Colin Pottbecker of Waters Edge Land and Marine on behalf of Meredith Kosann / 21 Arrow Point Rd, Assessor's Map 45 Lot 29 / Dock Replacement (*Received by Land Use Office 1/26/2022*) (*To be received by Commission 1/27/2022*).

Ms. Shook made a **MOTION** to add these applications to the agenda, Mr. Caldwell **SECONDED, MOTION CARRIED.**

4. Consideration of the Minutes of December 16, 2021

Ms. Binns made a **MOTION** to accept the Minutes of December 16, 2021, Mr. Caldwell **SECONDED, MOTION CARRIED.**

5. Pending Applications

- a. **IWA 21-11-01** / 8 Countryside Lane, Assessor's Map 22, Lot 3 / Philip T. and Kelly A. Good / After-the-fact tree cutting with stump removal and grading and setting of boulders possibly within the regulated area (*Received by Commission 11/18/2021, tabled to 1/27/2022*).

Chairman Favreau stated that the timing threshold and follow up to this application to mark the Wetlands and for the Commission to take a site walk has passed. Chairman Favreau suggested to the Commission that the application is denied without prejudice and the applicant will have to come back to the Inland Wetlands Commission once the required and additional information is provided and since the ground is frozen and snow covered, the ability for a soil scientist to mark the Wetlands is challenging at this time until the spring.

Ms. Tanner made a **MOTION to DENY** this application without prejudice, Mr. Caldwell **SECONDED. MOTION CARRIED.**

Chairman Favreau stated that the applicant will be informed that this application has been denied without prejudice, and that the applicant can reapply once the directives of this Commission have been completed.

6. New Applications (Received and determined significance)

- a. **IWA# 22-01-01** / Beth Whitty of Beth Whitty Landscape Design on behalf of Mike and Debbie Turner / 151 Melius Rd, Assessor's Map 33 Lot 37 / Installation of pool and potential patio (*Received by Land Use Office 1/26/2022*) (*To be received by Commission 1/27/2022*)

Chairman Favreau asked for Ms. Whitty to explain the application and what she is wanting to do exactly on the property. Ms. Whitty stated that the application is for a pool and potential patio in the paddock area next to the barn. The paddock area is not being used for animals and the landowners would like to put a pool in that area. Ms. Whitty had with her a copy of the Wetlands map from the Land Use Office that she supplied to the Commission. Chairman Favreau stated that there are some questions and clarifications needed before approval. Chairman Favreau stated that if the survey map was updated because it's from 1997, there would be a better understanding of the Wetlands. What the survey map shows was proposed but what was actually built and in Land records has changed some. Chairman Favreau stated that the Commission needs an exact measurement from the Wetlands to the proposed pool and potential patio, and to know if it's in or outside of the regulated area. Chairman Favreau stated that if there is a way for Ms. Whitty to measure from the current stone wall to the current corners of the paddock, then the pool and potential patio are outside of the Wetlands.

Chairman Favreau stated that the other items that will need to be brought to the Commission are if trenches will be dug and where that will be happening on the property, where the stockpile will be placed, and the erosion control to protect the Wetlands. Chairman Favreau stated that at the next meeting Ms. Whitty needs to provide if the proposed activity will be in the regulated area or not for the next scheduled meeting on February 24, 2022.

Ms. Shook made a **MOTION** to receive and accept the application, Ms. Binns **SECONDED**, **MOTION CARRIED.**

b. IWA# 22-01-02 / Colin Pottbecker of Waters Edge Land and Marine on behalf of Meredith Kosann / 21 Arrow Point Rd, Assessor's Map 45 Lot 29 / Dock Replacement (Received by Land Use Office 1/26/2022) (To be received by Commission 1/27/2022).

Chairman asked for Mr. Pottbecker to explain the application and that they are looking to replace an existing dock for his client. Mr. Pottbecker stated that also in the application it includes a boat lift and swim float. The dimensions and general information of the dock pieces were submitted with the application.

Chairman Favreau stated that the application is made for the replacement of the dock only. Mr. Pottbecker stated that the information for the boat lift and swim float is included in the cover letter and that the additional dimensions and drawings are submitted with the application.

Chairman Favreau stated that the application needs to be fully complete and needs to explain what you are fully applying for. That all needs to be submitted in writing Part 3 section A of the application not only in the cover letter.

Chairman Favreau asked if the new dock will be removable? Mr. Pottbecker stated yes, the new dock is removable. Ms. Shook asked what is the new dock made out of? Mr.

Pottbecker stated a galvanized frame, South American Hardwood, its insect resistant and easy to maintain. All the hardware is galvanized, plastic floats filled with foam, and stainless fasteners for the decking.

Chairman Favreau asked is it all floating? Mr. Pottbecker stated which is included in the application per the drawing, there's a 20 ft gangway down which goes out 30 ft. The only thing touching the ground are 2 anchors at the end that are supported with concrete. Mr. Pottbecker showed the Commission on his drawing that can be found in the file in the Land Use Office for public record. Ms. Shook asked how do you put in the concrete? Mr. Pottbecker stated that they are premade, and his company has a boat that is able to carry these concrete landings and install them.

Chairman Favreau asked where is the boat lift going to be located? Mr. Pottbecker showed the Commission on one of the submitted drawings it will be on the side of the dock as indicated. Chairman Favreau asked is it an additional structure on the side? Mr. Pottbecker stated yes, it is an additional structure on the side. Chairman Favreau stated that this needs to be explained and written on the application. Chairman Favreau stated that the Commission needs to know what material everything will be made out of because it's going into the lake.

The Commission suggested for the applicant to come back with a new application including all information written on the application including a dock replacement, boat lift, and swim float for the next meeting on February 24, 2022.

Ms. Shook made a **MOTION** not to receive and accept the application, Mr. Caldwell **SECONDED. MOTION CARRIED.**

7. Other Business Proper

a. Resignation of Inland Wetlands Officer

Chairman Favreau stated that the Town has hired a new Land Use Officer. Chairman Favreau gave a quick overview of the new Land Use Officer. Her name is Janelle Mullen, she is DEEP certified, and certified by the CT association of zoning officers along with many other qualifications. Chairman Favreau stated that Ms. Mullen has a conflict with the 4th Thursday of the month, so that this Commission will be changing its meetings to the 3rd Thursday of the Month which will be determined by the next meeting in February 2022.

Ms. Binns asked what will her hours be? Chairman Favreau stated that he was not sure but that he will find that out.

8. Communications Received

- a. Russell Plumb & Emma Lozman: Re: Kickles llc property between 187 and 219 Kent Rd Warren.

Chairman Favreau stated that he received an email from Russell Plumb. For a point of information, Mr. Plumb and Ms. Lozman own Kickles LLC and purchased the property between 187 and 219 Kent Rd, which was the Sawing High Climbers, garage according to that application received. As a point of information that application to this Wetlands Commission follow the property not the property owner. That application is still in effect.

Chairman Favreau read the email into the record.

Chairman Favreau indicated to Mr. Plumb that he needs to understand where the property lines actually are before deciding as to whether or not there needs to be any communications needs to be submitted to the property owners for doing any activity in the regulated area. Once the property lines have been drawn the Land Use Enforcement Officer will do that particular review and take any course of action that will need to take place.

Mr. Caldwell stated it sounds like a civil issue. Chairman Favreau stated that the trespassing is a civil issue but the concern for this Commission is what disturbances have happened in the regulated area.

9. Public Comment

Nina Rutsch Stoller- 1 Bobcat Ln.- Ms. Rutsch Stoller thanked the Commission for their attention to this matter, and to deny the application. Her next concern for her and their neighbors is how do they go about the repairs to the land and multiple trees that have been cut down. Mr. Caldwell stated that with the Wetlands not being marked, it will be unsure at this point what will need to be replaced fully. Chairman Favreau stated that the application has been denied without prejudice because it is now not complete. Chairman Favreau stated that the applicant will be informed that they will have to reapply because there has been activity within a potential regulated area. Mr. Caldwell stated that everything is on hold until the letter and the requested information can be done. Ms. Shook asked if Chairman Favreau had done a site walk on that property? Chairman Favreau stated, No. Ms. Shook asked, what is this applicant goes away and never comes back? Chairman Favreau stated that he will be informed to come back to this Commission and if not then he is in violation. Ms. Rutsch Stoller asked should she reach out again when the land has thawed? Ms. Rutsch Stoller was informed to monitor the agendas and to reach out to the new Land Use Officer. Also, for the record she gave permission to the Commission to do a site walk from her property.

10. Adjournment (Next Regular Meeting Thursday February 24, 2022)

Ms. Shook made a **MOTION** to adjourn the meeting at 7:54 pm, Mr. Caldwell **SECONDED**,
MOTION CARRIED.

Respectfully Submitted,

Robin Tanner-Hoskinson
Land Use Clerk / Recording Secretary
Date: 1/31/2022 Time: 12:03pm

Link to Zoom Recordings:

https://us06web.zoom.us/rec/share/U60TV4_FCP_pyFw0V7-3TNf1-cus2VxlzkwmGeEdjaDfi8zCBjq1GBQYrwOtwKJ.XoBUN_0ZSTBuTyXB