

John Favreau, Chair
Cynthia Shook, Vice Chair
Nancy Binns, Member
Thomas Caldwell, Member
Tara Tanner, Member
Kit Lundberg, Alternate

TOWN OF WARREN
Inland Wetlands & Conservation Commission
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Regular Meeting Minutes
Thursday, August 17th 2023 at 6:00 PM
Lower-level meeting room of the Warren Town Hall

The regular meeting of the Town of Warren Inland Wetlands & Conservation Commission called was called to order at 6:03 PM by Chairman John Favreau.

Members present were Tara Tanner, Nancy Binns, and Vice-Chair Cindy Shook. Janell Mullen, land-use officer, was also present. Members of the public included Sara Brandon and Brian Neff, PE.

Item #2 Consideration of the Minutes-

- a. Special Meeting Minutes - July 25, 2023- Cindy Shook moved to approve. Nancy Binns seconded. The motion passed unanimously.
- b. Site Walk Meeting Minutes – July 31, 2023. Cindy Shook moved to approve. Nancy Binns seconded. The motion passed unanimously.

Item #3 New Applications

None at the time of publication of the agenda.

Item #4 Pending Applications-

IWA # 23-07-01 / Dave Schneiderbeck on behalf of Farnaz Karimi / 35 Kent Road/ After-the-fact footbridge over stream wetlands

The application was not present, so Chairman John Favreau suggest that this application be tabled until the next meeting. He also stated that the footbridge wood had yet to be replace with non-toxic materials. A motion was made by Tara Tanner to table the item until the next meeting. The motion was seconded by Nancy Binns. Motion passed unanimously.

IWA #23-07-02 / Sara Brandon / 67 Rabbit Hill Road (Map 9, Lot 30) / After-the-fact culvert installation in intermittent stream and site-work associated with driveway construction

Brian Neff, Professional Engineer of Roxbury, CT approached the Commission and stated that he had revised the Site Plan and the Erosion & Sedimentation Control Plan. He stated that he had added a cross-section of the driveway for the Commission's review. He had also modified the plan to incorporate two swales lined with rip-rap rather than a bioswale along the driveway. He stated that the sunlight along the driveway is limited and he felt that the vegetation might not grow that successfully and/or quickly. Mr Neff also added that drainage to the neighbor's property was a consideration when revising the site plan. He suggested an inspection at the event of every rain fall for erosion and sedimentation control review. He also added the note about the conduit being added on top of the culvert pipe due to Eversource's requirements. The revised elements had been included on the plan dated 7/6/2023 revised to 8/4/2023 which was review by the Commission during the discussion.

Cindy Shook asked about the shape of the rip-rap channel and if, in fact, it would be in the shape of a "V".

Brian Neff, PE responded yes and stated that a grass lined swale carries water at a higher velocity than a rip-rap swale.

Brian Neff also stated that he had advised the contractor to keep additional hay bales on the site along with 50' of silt

fencing would also be retained on the site. This was also incorporated into the updated plan along with a detailed construction sequencing.

Sara Brandon, property owner of 67 Rabbit Hill Road, stated that Jason Martinelli of Sunshine Excavation would be ready to begin the work upon approval.

John Favreau stated that the Commission often calls for a performance bond for projects that pose possible run-off issues to ensure properly functioning erosion and sedimentation controls. He added that the bond would be an assurance to the neighbors.

John Favreau outlined possible conditions to an approval: a. monthly reporting Construction Progress Report b. Significant Rainfall Reporting c. A Performance Bond to ensure sufficient E & S Controls.

Nancy Binns asked if Construction Progress Form that had been developed would be used for this project and discussed the amount of the bond. The Commission considered possible amounts to be held by the Town.

Sara Brandon stated that when Jason Martinelli, contractor, had initially installed the haybales and silt fencing it had costs \$6,000. She asked how long the bond would possibly be held. John Favreau stated that it would be held until the Construction Sequence was adequately complete.

Janell Mullen asked about the expectations for the rain events. What was the threshold and would she be in receipt of a written report. The Commission decided that 1 1/2" per 24 hour period would be considered significant rainfall and that a report would be expected from Brian Neff, PE.

Cindy Shook moved to approve the application with the updated Site Plan and the Soil Erosion & Sedimentation Control plan dated 7/9/2023 revised 8/7/2023 with the following conditions:

- a. monthly reporting to follow the Construction Progress Report template
- b. Significant Rainfall Reporting in the event of 1 1/2" of rainfall in a 24 hour period
- c. A Performance Bond to ensure sufficient E & S Controls in the amount of \$7,500.00.

Tara Tanner seconded the motion. The motion to approve the application with the stated conditions passed unanimously.

Communications Received – Janell Mullen did note communication received by Jim Meyer outlining the IWC's request for a jurisdictional ruling from DEEP regarding 37 Brick School Road. Janell Mullen added that she had spoken with the Town's counsel, and he had advised persistence and patience with turning over application review to DEEP. Janell Mullen stated that she would follow up accordingly and had been contacting three (3) individuals at DEEP employed in the Wetlands Sections.

Agent's Report – Janell Mullen reviewed her agent's report for the month. She added 13 Sunset Lake Road and had mentioned that they were advised to refresh their anti-tracking pad. She also noted that the site is extremely muddy. She also mentioned having reached out to Sean Hayden regarding a status updated to the lake dredging project which had now entered the phase associated with the Lake Waramaug Task Force.

Public Comments – there were no members of the public remaining at the time of public comment.

Nancy Binns moved to adjourn the meeting at 6:48 pm. Tara Tanner seconded the motion. The motion passed unanimously.

Respectfully submitted,

Janell Mullen
Town of Warren
Land-use official
August 17, 2023