

Town of Warren
INLAND WETLANDS AND CONSERVATION COMMISSION
Regular Meeting – Minutes
Thursday, September 22, 2016 – 7:00PM
Warren Town Hall – 50 Cemetery Road

PRESENT were Chairman Keith Jewell, Vice Chair Cindy Shook, Member Nancy Binns, and Alternate Tom Caldwell. Stacey Sefčík, IWEO and Richelle Hodža, Recording Secretary, were also there. **ABSENT** were Members Nora Hulton and Dawn Blocker, and Alternates John Favreau and Darin Willenbrock.

The meeting was called to **ORDER** at 7:01 p.m. by Chairman Jewell. Mr. Caldwell was designated for Ms. Hulton.

Both the **MINUTES** of the August 25, 2016 regular meeting and those of the special meeting site walk on September 12, 2016 were **APPROVED** unanimously beginning with **MOTIONS** by Ms. Binns and **SECONDS** by Mr. Caldwell.

PENDING APPLICATIONS. Licensed Landscape Architect Dirk Sabin appeared for Ben Appen, **60 Brick School Road**, regarding the creation of a 1/4-acre pond in the Regulated Area. Mr. Sabin presented site plans and explained the proposed project. He distributed a letter from Paul S. Szymanski, P.E. dated the same as the meeting, which approved of the plan adding a recommendation to dissipate discharge at the outfall of the weir. Mr. Sabin spoke of installing a dry hydrant and explained the plan for control of erosion and sedimentation. Ms. Shook stated that, while not a direct neighbor, she owns a field nearby that of the applicant. Mr. Caldwell stated that he is an employee of a possible bidder for the job at issue. It was felt by both Ms. Shook and Mr. Caldwell, as well as the rest of the Commission and Mr. Sabin himself, that neither bias nor conflicts of interests were consequent. Mr. Sabin offered to have commissioners visit the site. A **MOTION TO VISIT TO THE SITE on Monday, October 3 at 5:00 pm** was made by Nancy Binns and **SECONDED** by Tom Caldwell. The motion **CARRIED**.

Paul Szymanski of Arthur Howland & Associates was present for The Cove, LLC regarding Lot 12-1 on Assessor's Map 45 at **North Shore Road**. The permit sought was for drainage improvements associated with the construction of a single family dwelling and improvements to existing pier and stairway at shoreline. Mr. Szymanski addressed six recommendations made by Sean Hayden of the Northwest Conservation District. Ms. Sefčík asked for clarification on grades in the Regulated Area. Members had no further questions. Ms. Shook made a **MOTION TO APPROVE**, Ms. Binns **SECONDED**. The motion **CARRIED**.

Mr. Szymanski remained before the Commission on behalf of the same client regarding adjacent Lot 12 on Assessor's Map 45 at **North Shore Road**. This application was for improvements to an existing pier and stairway at the shoreline. The Commission recalled the site walk at which it had seen the existing conditions and had no further questions. Ms. Shook made a **MOTION TO APPROVE** the application, **SECONDED** by Ms. Binns and the motion **CARRIED**.

Mr. Szymanski presented on behalf of another client Catherine Deckelbaum of **33 Arrow Point Road** seeking certain drainage improvements associated with the reconstruction of a single family dwelling. Mr. Szymanski addressed three recommendations made by Sean Hayden of the Northwest Conservation District. The Commission recalled the property, and a site walk thereof, from last year, when it had been held by a different owner. No questions were outstanding. Ms. Shook made a **MOTION TO APPROVE** the application, Ms. Binns **SECONDED**; all were in favor, and the motion **CARRIED**.

A NEW APPLICATION was presented by David Wilson, PE for Bliss Road, LLC (37 & 39 Bliss Road) and the KW Family Trust (**85 & 86 North Shore Road**) for the burial of utility lines in the Upland Review Area. Mr. Wilson explained that 3 telephone poles would be removed so that views would no longer be obstructed. The work area is close to the right of way and, in addition, certain mature trees would need to be protected. As

such, directional drilling was proposed with traditional trenching limited to making the turn around the corner. Directional drilling would enable more precision and less disturbance. Mr. Wilson explained that three separate, 3" conduits would be used to contain phone, cable, and primary power lines. A total of approximately 500 feet would be bored and a 60 foot trench would be dug. Mr. Caldwell asked more technical questions including about other obstructions, and especially wanted to know how the slurry would be dealt with. Mr. Wilson explained the controls and the need, at some point, for a vacuum truck and catch pit. Mr. Caldwell asked how long the project would take. Mr. Wilson stated that each bore should take a day and that the project should take, at best, one week. Mr. Wilson requested that the commission give Ms. Sefcik, as its agent, the power as to approve the project. Ms. Binns made a **MOTION TO AUTHORIZE AGENT DETERMINATION**; Mr. Caldwell **SECONDED**, the motion **CARRIED**.

Ms. Sefcik distributed a written Inland Wetlands Enforcement Officer's Report for the Commission's review. Ms. Binns made a **MOTION TO APPROVE THE IWEO's REPORT**. Ms. Shook **SECONDED**; the motion **CARRIED**.

OTHER BUSINESS PROPER TO COME BEFORE THE COMMISSION. A discussion of, and Possible Action on, Beach Maintenance Best Management Practices Document was tabled.

Mr. Szymanski was recognized by Chairman Jewell. He requested to be heard regarding Permit No. 16-07-01W, **121 North Shore Road**, which had been approved on July 28, 2016 with 22 conditions for the demolition of an existing single family dwelling and garage, the building of a new single family dwelling, garage, in-ground pool, the replacement of the well and septic system in the regulated area, the piping of an intermittent watercourse, the relocation of the existing driveway with wetlands crossings, and the construction of stairs at the shoreline. He distributed and summarized a letter, dated September 22, 2016, providing to the Commission the additional information requested in Conditions 14, 15, and 16.

Mr. Stephen D. Owens, pending purchaser of the property and client of Mr. Szymanski was also present. Mr. Owens had written a letter to Ms. Sefcik on September 16, 2016 requesting modifications of Conditions 13 and 17. With regard to the portion of Condition 13 addressed by Mr. Owens, the commission felt that the definition of "readily observable markers," was not in dispute. Of significant concern to the Commission, however, was the remaining portion of Condition 13 inasmuch as Mr. Szymanski stated that the Weantinoge Heritage Land Trust, Inc. did not wish to accept into its catalog of protected properties the proposed conservation easement. He added that the Warren Land Trust, Inc. was presently being approached instead. Questions arose among Commissioners about the effectiveness of placing a conservation restriction on the land records, absent a designated custodial organization. The Commission felt that a public hearing was necessary.

As to Condition 17 and the applicant's desired to extend the time of year during which construction work could be performed, the Commission determined that such a modification would also require a public hearing. Ms. Shook made a **MOTION TO HOLD A PUBLIC HEARING** at the next regular meeting on **October 27, 2016 at 7:00 p.m. at Town Hall, 50 Cemetery Road, Warren, Connecticut** on the possible modification to Conditions 13 and 17 of Permit No. 16-07-01W. Mr. Caldwell **SECONDED**, the motion **PASSED** unanimously.

A **MOTION TO ADJOURN** the meeting until **Thursday, October 27, 2016 at 7:00 p.m.** was made by Ms. Shook. Ms. Binns **SECONDED**. The motion **CARRIED**.

Respectfully submitted,



Richelle Hodža
Recording Secretary