

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

TOWN OF WARREN  
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Thursday, September 22, 2022  
Special Meeting Minutes

The Special Meeting of the Town of Warren Inland Wetlands and Conservation (IWC) Commission was called to order at 7:01 pm by Chairman John Favreau on Thursday, September 22<sup>nd</sup>. Members present were Cynthia Shook, Nancy Binns, and Tara Tanner. Absent was member Thomas Caldwell and alternate Kit Lundberg. Also present was Janell Mullen serving the Commission as wetland agent.

Nancy Binns moved to approve the minutes from the regular meeting that took place on August 18<sup>th</sup>. Cindy Shook seconded the motion. The motion to approve the minutes as written passed unanimously.

The next item on the agenda was "Pending Applications". The first application to consider was application #IWA 22-07-1. The property owner, Eli Vonnegut, was able to participate telephonically. The application was for after-the-fact posts that had been installed in the upland review area and the wetlands at 231 Lake Road. The disturbance to the wetlands had occurred without a proper permit. Eli Vonnegut, applicant, discussed the updates to the application which include a survey with field delineated wetlands as well as indication of where posts had been installed without authorization. Chairman Favreau reminded the Commission that they were strictly looking at the disturbance that had occurred to the wetlands. The approval would be for the work that had been completed.

At its past meeting, the Commission had asked the applicant to begin remediating the area. The property owner, Eli Vonnegut, stated that the disturbed area had been mulched and seeded. The wetlands agent stated that she had witnessed then when on-site recently.

Nancy Binns made a motion to approve the work contingent on remediation to the disturbed wetlands involving 231 Lake Road, Assessor's Map 8 Lot 37. The approval motion was also only for the work described. If the plan were to change, the IWC was requesting a new application. Chairman Favreau seconded the motion to approve. Nancy Binns and John Favreau voted in favor of approving the application, Tara Tanner and Cindy Shook voted against it. Mullen stated that she would seek legal counsel since she wanted to verify the result of a tie vote.

The second pending application to consider was IWA #22-08-01 an after-the-fact permit for a dock at **10 North Shore Road**, Assessor's Map 43 Lot 5. Daniel VanDerWoude of North Stone Landscaping LLC was present to represent the property owner, Gary Johnson.

As requested by the Commission, Mr. VanDerWoude brought updated photos since he had modified the dock so that it would have the same footprint as the pre-existing dock at that location. The updated site plan also included the new 10' x 6' concrete pad at the water's edge. According to Mr. VanDerWoude, the concrete had been poured and the final step would be to add some crushed stone. Cindy Shook asked if the dock would be removed during the winter. The applicant's representative stated that it would. Mullen requested to go to the site once all work on the dock had been completed.

Cindy Shook moved to approve the application IWA #22-08-01. Nancy Binns seconded the approval motion. The motion passed unanimously.

The third and final "Pending Application" for the Commission to consider was IWA 22-08-02 for boathouse renovations at **40 Arrowpoint Road**, Assessor's Map 41 Lot 11. Robert J. Nicholas was present on behalf of the

property owner Dr John Sussman.

Mr. Nicholas provided the Commission with an updated plan highlighting the access points and staging points for the boathouse renovations. A water boom was depicted on the plan to protect Lake Waramaug from any construction debris as was an anti-tracking pad to minimize disturbance near the lake.

Nancy Binns moved to approve the application IWA 22-08-02 for the boathouse renovations. Cindy Shook seconded the motion to approve. The motion passed unanimously.

The next item on the agenda was “New Business” which included application #IWA 22-09-01 for boathouse renovations at 135 North Shore Road. Colin Pottbecker was present to explain the application on behalf of the Mulvehill Family Ltd Partnership. Since the existing boathouse is in immediate need of structural repairs and 75% is submerged in water, the application was relatively complex. The scope of work involves three (3) phases: structural beam replacement, wall repair, and then finally patching and cosmetic repairs. Colin Pottbecker walked the Commission through the construction sequence stating that access to and from the worksite would take place on a barge in the water. The extent of the work involving the land would be the concrete pour to fix the foundation. The foundation repairs would also involve a “dewatering” process of the structure.

The Commission discussed the possibility for a public site walk. They reached the agreement that not much would be visible by land and their presence might lead to more disturbance. Colin Pottbecker added that there isn’t much to see from the land adding that he took the structural engineer around the site in a rowboat to assess what work was needed.

The Commission requested a more thorough timeline and construction sequence from the applicant as well as an application review by Sean Hayden of the Lake Waramaug Task Force. Cindy Shook moved to receive the application IWA 22-09-01 for boathouse renovations at 135 North Shore, Map 46 Lot 1. Tara Tanner seconded the motion. The motion passed unanimously.

Under “Other Business Proper, The Commission discussed a template for construction reports so that they can receive more information from the conditions in the field. Chairman Favreau suggested that it include a list of all subcontractors that may be working on site.

Ms. Mullen presented her agent’s report.

During the public comment period, Patricia Moore raised concerns regarding run-off into her pond, which is located at 245 Lake Road.

Nancy Binns moved to adjourn the meeting at 9:22 pm. Tara Tanner seconded it. The motion passed unanimously.

Respectfully submitted,

Janell Mullen  
Land-use Staff