

**Town of Warren Inland Wetlands & Conservation Commission**  
**Regular Meeting – Minutes**  
**Thursday, June 25, 2015 - 7:00PM**  
**Warren Town Hall – 50 Cemetery Road**

**PRESENT:** Chairman Keith Jewell, Nancy Binns, Nora Hulton; Alternates Tom Caldwell and Darin Willenbrock; Stacey Sefcik, Inland Wetlands Enforcement Officer.  
**EXCUSED:** Cindy Shook.  
**ABSENT:** Dawn Blocker.

**1. CALL TO ORDER AND DESIGNATION OF ALTERNATES.**

Chairman Keith Jewell called the regular meeting to order at 7:00PM. The proceedings were recorded digitally, and copies are available in the Land Use Office. Alternate Darin Willenbrock was seated for Dawn Blocker, and Alternate Tom Caldwell was seated for Cindy Shook.

**2. APPROVAL OF MINUTES:**

**A. May 11, 2015 regular meeting.**

**MOTION** Ms. Binns, second Mr. Willenbrock, to approve the minutes of the May 11, 2015 regular meeting as written; unanimously approved.

**B. June 8, 2015 special meeting.**

The Commission agreed to table this to the July 23, 2015 regular meeting.

**3. PENDING APPLICATIONS:**

**A. Brian Neff, PE, and Tom McGowan on behalf of the Lake Waramaug Taskforce, applicant; Elwyn Tanner, owner; 39 Woodville Road – Stabilization of Two Sections of Lake Waramaug Stream Bank to Prevent Erosion into Lake Waramaug.**

Tom McGowan of the Lake Waramaug Taskforce and Elwyn Tanner addressed the Commission regarding this matter. Ms. Sefcik stated that she had visited the site with Mr. McGowan and Mr. Tanner earlier in the week, and she concurred that the areas in question were unstable and likely to cause a great deal of erosion into Sucker Brook and ultimately Lake Waramaug. Mr. McGowan referenced pictures of the site in a report prepared by the Northwest Conservation District, and he stated that in the year since the picture was taken, the area of concern had actually grown to about 125 feet in length. He explained that there was a smaller area of erosion adjacent to the larger area initially under review; after discussions with Mr. Tanner and Ms. Sefcik in the field, it had been decided to include that area within this application. Ms. Sefcik explained that as the two locations were very close to each other and the stabilization work required was very similar to that at the original site. She stated that it made sense to combine the projects if at all possible. Mr. McGowan and Mr. Tanner stated that while they would like to be able to do both locations as soon as possible, they might not start the second area right away. The first location, as it was much more eroded, was the more immediate priority.

Mr. McGowan then briefly reviewed with the Commission the plans for the project prepared by Brian Neff, PE.

**MOTION** Mr. Willenbrock, second Ms. Binns, to approve the application in the matter of **Brian Neff, PE, and Tom McGowan on behalf of the Lake Waramaug Taskforce, applicant; Elwyn Tanner, owner; 39 Woodville Road – Stabilization of Two Sections of Lake Waramaug Stream Bank to Prevent Erosion into Lake Waramaug.**

- B. **Brian Ackerman for Rebecca Holmes, 1 Hopkins Road, and Hopkins Brothers, LLC, Assessor's Map 3 Lot 2-1 – AFTER-THE-FACT Removal of Trees and Shrubbery along Stream Bank. (Continued at applicant's request to July 23, 2015 regular meeting.)**

Ms. Sefcik reminded the Commission that Ms. Holmes had requested additional time to obtain a landscaping plan for the disturbed stream bank area. She noted that the requested erosion control mat had been installed, although not for the entire length of the stream bank.

4. **NEW APPLICATIONS:**

- A. **Berkshire Engineering & Surveying, LLC for John Durschinger, 381 Brick School Road – Replace Culverts, Expand Driveway & Construct Garage with Associated Drainage in the Upland Review Area.**

Dennis McMorrow, PE, addressed the Commission regarding this matter. Mr. McMorrow explained that the property owner wished to construct a garage and breezeway addition on an existing parking area at his home. Because of this, very little grading was required. He noted that the wetlands onsite had been flagged by Stansfield Environmental Services. While the garage would be located less than 10 feet from wetlands, the garage location was in fact downhill from the wetlands; the elevation of the garage was 1-1/2 feet below that of the wetlands. A 2' high landscaping wall was proposed between the garage and the wetlands to serve as a wetlands boundary reminder; an underdrain would also be installed in this area.

Additionally, two existing pipes under the driveway were caving in, so the applicant proposed to replace them. The first was in the Town right of way and the second was about halfway up the driveway to the house. A member of the Commission questioned whether the Town Highway Department had been notified about the planned repair. Mr. McMorrow stated that he believed Mr. Durschinger had done so, and Ms. Sefcik stated that she would show the plans to Josh Tanner, Highway Supervisor, as well. Mr. McMorrow explained that the parking area would be enlarged somewhat to create a turnaround area; however, it would be gravel, not paved. In addition, a large existing paved area behind the proposed garage would be cut out, topsoiled, and seeded.

Mr. Caldwell questioned in which direction the roof of the new garage would be pitched, and Mr. McMorrow stated that he did not know for sure, but estimated that it would be lengthwise to the breezeway area. Mr. McMorrow explained that he could not be present at the next month's meeting, and he asked if the Commission would want him to arrange for an associate to attend to answer any questions. Ms. Sefcik stated that Mr. Durschinger had been in contact with the Land Use Office throughout the planning of this project and had worked with Mr. McMorrow to put together a well prepared application. She stated she would be visiting the site and could speak with Mr. McMorrow before the next meeting if there were any concerns. The Commission agreed with this plan.

**MOTION** Ms. Binns, second Mr. Willenbrock, to receive and accept the application in the matter of **Berkshire Engineering & Surveying, LLC for John Durschinger, 381 Brick School Road – Replace Culverts, Expand Driveway & Construct Garage with Associated Drainage in the Upland Review Area**; unanimously approved.

- B. **Richard Kaicher, 33 Arrow Point Road – AFTER-THE-FACT Replace Existing Concrete Boat Ramp & Repair of Curtain Drain.**

Richard, Josephine, and David Kaicher addressed the Commission regarding this matter. Ms. Sefcik explained that she had become aware of work being done at the Kaichers' shoreline. It appeared that a concrete boat launch had been installed without first obtaining an Inland Wetlands permit.

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When she visited the site, she observed the new boat launch as well as a great deal of sand at the shoreline. She asked the Kaichers to come in to fill out an after-the-fact permit application, which they promptly did. During that time, the Kaichers explained that they wished to spread additional sand over the boat launch area and replace existing piping associated with a French drain along the property line with 31 Arrow Point Road.

Mr. Richard Kaicher explained that the boat ramp had been in that location for approximately 22 years, and it had sustained extensive ice damage. He apologized, explaining that they were not aware an Inland Wetlands permit was required for repairs to existing structures. Mr. David Kaicher also addressed the Commission to explain that they wished to fix the existing curtain drain, which had also been in place for approximately 22 years. Their contractor for this part of the project, Bill Sambrook, was also present, and he explained that the rocks at the top of the system had been silted in, so he proposed to remove and replace the piping and stones in a section of the curtain drain about fifty feet back from the shoreline. Since the top was silted over, the system was not working.

Ms. Sefcik showed the Commission pictures of the old shorefront taken in 2010 by the Lake Waramaug Taskforce from a boat in Lake Waramaug. She then showed them pictures taken of the new concrete boat launch; these pictures were taken from the Kaichers' shoreline. Ms. Sefcik questioned whether the Kaichers' happened to have any information regarding the original size of the boat launch in comparison to what was now there; she explained that, while it was very hard to be sure, from the pictures it appeared the new boat launch could be larger than what was there previously. She explained that this was more of a zoning issue pertaining to the Shoreline Setback Regulations; however, if the Kaichers happened to have such information, it would be helpful.

Commission members discussed the significance of the work done at the shoreline. It was noted that concrete could be toxic to marine life while it was curing. Mr. Richard Kaicher explained that they did not plan to put new sand at the shoreline; they only wished to reclaim sand that had entered the lake due to erosion. Mr. Jewell explained that this was why the Commission discouraged sand placement at the shoreline, because it could erode off the shoreline and into the lake. Mrs. Kaicher stated that they often went into the water with a rake to bring the sand back to their shoreline. Ms. Sefcik pointed out that sand can often travel and deposit elsewhere in a lake, leading to increased weed growth.

The Commission discussed the fact that the curtain drain might be able to be addressed as an agent determination. However, Mr. Jewell stated that he believed a public hearing in the public interest might be warranted for the remainder of the application. The Commission discussed the significance of the work at the shoreline; Mr. Jewell stated that he did not feel comfortable determining significance at this time, however, he believed holding a public hearing would be a good idea as additional information could then be received. Ms. Sefcik suggested the Kaichers could contact the Northwest Conservation District for input on their shorefront; if the Commission wanted to obtain input from the Lake Waramaug Taskforce as well, a public hearing would allow this opportunity.

**MOTION** Ms. Binns, second Mr. Willenbrock, to authorize the Inland Wetlands Enforcement Officer to handle work related to the replacement of the curtain drain system as an agent determination; unanimously approved.

**MOTION** Ms. Binns, second Mr. Caldwell, to accept and receive the application in the matter of **Richard Kaicher, 33 Arrow Point Road – AFTER-THE-FACT Replace Existing Concrete Boat Launch and Reclamation and Placement of Sand at Shoreline** and to schedule a public hearing in the public interest at the July 23, 2015 regular meeting; unanimously approved.

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**5. INLAND WETLANDS ENFORCEMENT OFFICER'S REPORT:**

Ms. Sefcik briefly reviewed her enforcement activities for the period from June 8, 2015 through June 25, 2015.

**6. CORRESPONDENCE:**

Ms. Sefcik reminded the Commission that the Department of Energy and Environmental Protection had mailed out information regarding the comprehensive online training program for commission members. She asked if anyone else, in addition to Ms. Shook, would like to be registered. Mr. Jewell and Mr. Willenbrock both stated that they would like to register as well.

**7. OTHER BUSINESS PROPER TO COME BEFORE THE COMMISSION:**

No business was discussed.

**MOTION** Ms. Binns, second Mr. Willenbrock, to adjourn the meeting at 8:24PM; unanimously approved.

**Respectfully submitted,**

**Stacey M. Sefcik**  
**Inland Wetlands Enforcement Officer**