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J. Friedman

**Town of Warren Inland Wetlands & Conservation Commission  
Special Meeting – Minutes  
Tuesday, October 14, 2014 - 5:30PM  
Warren Town Hall – 50 Cemetery Road**

**PRESENT:** Chairman Keith Jewell, Nancy Binns, Nora Hulton; Stacey Sefcik, Inland Wetlands Enforcement Officer.  
**EXCUSED:** Dawn Blocker, Cindy Shook; Alternate Darrin Willenbrock.

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

The regular meeting was called to order at 7:05PM. The proceedings were recorded digitally, and copies are available in the Land Use Office.

**2. APPROVAL OF MINUTES:**

**A. July 14, 2014 regular meeting.**

**MOTION** Ms. Binns, second Ms. Hulton, to approve the minutes of the July 14, 2014 regular meeting as written; unanimously approved.

**B. September 8, 2014 regular meeting.**

**MOTION** Ms. Hulton, second Ms. Binns, to approve the minutes of the September 8, 2014 regular meeting as written; unanimously approved.

**3. PENDING APPLICATIONS:**

**A. Mike Guadagno, 31 Arrow Point Road – Expansion of Shoreline Deck & Construction of Stone Wall.**

Mike Guadagno addressed the Commission regarding this matter. Mr. Guadagno explained that his shoreline deck/patio was in disrepair; since it needed to be replaced, he wished to enlarge it slightly to allow for additional seating. He explained that his dock was anchored to this deck. The deck was wooden and rested on the ground on side away from shoreline. Due to the slope, the side closest to the shoreline was on two small piers. Mr. Guadagno proposed to replace the existing deck with a slightly larger one made of pressure treated wood. Noting that the Commission had previously recommended spreading gravel underneath the deck to prevent erosion, Mr. Guadagno indicated he would do this. He then sketched on the submitted plans the location of the erosion and sedimentation controls during construction. He explained that he planned to place stones around the deck for aesthetic appeal.

Ms. Sefcik explained that she had discussed with Mr. Guadagno that the Zoning Regulations required a patio to be no more than 6 inches above natural grade. Mr. Guadagno stated that he could either excavate the back of the deck to bring it down to the level at the front of the deck, or he could build the deck on small piers similar to the existing deck, which would be six inches above the gravel bed spread underneath; he would do whichever the Commission preferred. Commission members discussed the alternatives and agreed they felt it would be preferable to build the deck with the small piers in an effort to minimize excavation.

**MOTION** Ms. Binns, second Ms. Hulton, to grant the requested permit in the matter of **Mike Guadagno, 31 Arrow Point Road – Expansion of Shoreline Deck & Construction of Stone Wall** with the condition that a bed of gravel be spread underneath the deck; unanimously approved.

**B. Terry and Cindy Shook, 37 Brick School Road – Construction of Driveway in the Regulated Area.**

Terry Shook addressed the Commission regarding this matter. Ms. Sefcik explained that the lot had originally been subdivided in the 1990s and had received approval with a shared driveway for the two lots in the same location as that now proposed by Mr. Shook. Mr. Shook explained that the lots were used as pasture for their animals, and he wished to construct a driveway as access to the site for vet visits and delivering hay. No houses were being built on either property.

Ms. Sefcik noted that a cross-section drawing of the driveway had been received. She explained that the original approval in the early 1990s had called for a 10-foot wide driveway and Mr. Shook's application proposed a 12-foot wide driveway; in speaking with Mr. Shook about this, he had indicated that he would be willing to decrease the width of the driveway to 10 feet. This would therefore result in decreased wetlands disturbance. Mr. Shook then amended his application to reflect the change from 12 feet to 10 feet and initialed it. The Commission then reviewed the maps and plans from the original approval, noting that the proposed driveway would not be as long as that originally approved. They also noted that there was no way to access this lot without a wetlands crossing.

**MOTION** Ms. Binns, second Ms. Hulton, to grant the requested permit in the matter of **Terry and Cindy Shook, 37 Brick School Road – Construction of Driveway in the Regulated Area**; unanimously approved.

**C. Arthur Howland & Associates for DH Partners, LLC, 8 North Shore Road – Construction of Tennis Court in the Regulated Area.**

Paul Szymanski, PE, addressed the Commission regarding this matter. Mr. Szymanski explained that the proposed tennis court would be located directly over the septic system on the property, so the Torrington Area Health District was requiring that the system be completely replaced at this time; therefore, the application was being modified to also include septic system repair in the upland review area. A cesspool at the front of the guest house would also be abandoned.

Mr. Szymanski also explained he had walked the site with Ms. Sefcik and as a result of that meeting the plans had been updated with a landscape buffer between the proposed tennis court and the accessway and pond. The buffer would be comprised of two 6-8" crabapples and 25 shrubs.

Ms. Sefcik explained that she had gotten the revised plans toward the end of the previous week and had not had time to review them. Mr. Jewell questioned what types of shrubs were proposed for the landscape buffer; Mr. Szymanski stated that they would be selected based on the homeowner's preferences, but would likely be suitable for a wetlands area. The Commission discussed whether it was necessary to have a planting plan for the site; Mr. Jewell expressed concern not having a planting plan prior to issuing an approval. The Commission ultimately agreed that they would prefer to continue this matter to the November meeting in order to allow time to review the revised plans and receive a list of proposed plantings from the applicant.

**MOTION** Ms. Binns, second Ms. Hulton, to continue the matter of **Arthur Howland & Associates for DH Partners, LLC, 8 North Shore Road – Construction of Tennis Court in the Regulated Area** to the November 10, 2014 regular meeting in order to receive from the applicant a planting plan for the proposed vegetated buffer; unanimously approved.

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**4. NEW APPLICATIONS (Receive and Determine Significance):**

**A. Demetrio Meduri for Star Meduri, 28 Reed Road – AFTER-THE-FACT Filling and Grading in the Regulated Area.**

**MOTION** Ms. Binns, second Ms. Hulton, to receive the application in the matter of **Demetrio Meduri for Star Meduri, 28 Reed Road – AFTER-THE-FACT Filling and Grading in the Regulated Area**; unanimously approved.

Demetrio Meduri addressed the Commission on behalf of the property owner. Ms. Sefcik explained that she had received a complaint regarding activities possibly being conducted onsite that required a wetlands permit. She contacted Mr. Meduri, who promptly responded and met her onsite to address the concerns. Mr. Meduri had chopped down trees onsite and spread out the chipping throughout an area that was upland review area near a small pond, but may in fact also include wetlands. It had been agreed at that time at the end of the summer that the material would be removed; however, when Ms. Sefcik returned to the site soil had been spread on top of the chips and grass had instead been planted. She advised Mr. Meduri that this would now require a wetlands permit. Ms. Sefcik stated that the grass had sprouted when she visited the site and she did not think it wise to disturb the area again at so much later in the season. Ms. Sefcik explained that there was no mapping of the area other than the USGS maps for the town.

The Commission discussed the need for mapping of the site as well as pictures of the area disturbed. Members asked Mr. Meduri if he planned any additional work in the area, and he stated that he did not intend to do any more work in the area at this time.

**MOTION** Ms. Binns, second Ms. Hulton, to accept the application in the matter of **Demetrio Meduri for Star Meduri, 28 Reed Road – AFTER-THE-FACT Filling and Grading in the Regulated Area**; unanimously approved.

**B. William Gawel for Harriet Shapiro, 48 Hardscrabble Road – Replace Inlet Pipe in Regulated Area.**

Noting that neither the applicant nor her representative were present, the Commission agreed to table this item to the end of the meeting.

**C. Brian Neff, PE for Leonard & Celia Ucciardo, 31 Brick School Road – Grading & Drainage Improvements in the Upland Review Area.**

**MOTION** Ms. Hulton, second Ms. Binns, to receive the application in the matter of **Brian Neff, PE for Leonard & Celia Ucciardo, 31 Brick School Road – Grading & Drainage Improvements in the Upland Review Area**; unanimously approved.

Brian Neff, PE, addressed the Commission regarding this matter. Mr. Neff submitted revised plans, noting that the applicants had decided on a larger addition and also added a terrace. The activities proposed in the revised plans were just slightly within the upland review area. Mr. Neff explained that the area where the work is proposed is relatively flat lawn area. He explained that beyond the proposed terrace area, the ground slopes down toward the wetlands.

**MOTION** Ms. Binns, second Ms. Hulton, to accept the application in the matter of **Brian Neff, PE for Leonard & Celia Ucciardo, 31 Brick School Road – Grading & Drainage Improvements in the Upland Review Area**; unanimously approved.

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**5. INFORMAL DISCUSSION WITH BRIAN NEFF, PE AND TOM MCGOWAN OF THE LAKE WARAMAUG TASKFORCE REGARDING STREAM BANK STABILIZATION PROJECTS ALONG SUCKER BROOK.**

Tom McGowan of the Lake Waramaug Taskforce and Brian Neff, PE, their engineering consultant, addressed the Commission to discuss proposed stream bank stabilization projects along Sucker Brook. Mr. McGowan submitted information prepared by the Northwest Conservation District which detailed the specific locations along the brook where stabilization was recommended due to the large amount of

material that was eroding into Lake Waramaug. Mr. Neff briefly reviewed a design he created to stabilize steeper stream banks in one of the subject areas; this would likely be the model used for all steeper areas. Mr. McGowan pointed out that for the areas that were not so steep, all that might be required would be to plant a vegetated buffer. Mr. McGowan explained that while several locations were along farm properties, there were several along residential properties as well. One location was near the road and could in fact undercut the road over time; the DOT had been notified of the need for repair in this area.

Mr. McGowan explained that they were not yet at the stage of proceeding with any of the repairs and had not yet obtained permission from any property owners to file an application on their behalf. He explained that he was hoping to find out if the Commission would be amenable to handling these projects as permitted uses as of right as per Section 4 of the Inland Wetlands Regulations. The Commission then reviewed Section 4. They discussed the need for individual applications for each project as each was ready to proceed, and how each would require plans specific to that site at the time the application was filed. Commission members expressed a willingness to consider a declaratory ruling if and when the Taskforce came forward with a request, provided what was proposed met the requirements of Section 4.

**6. INLAND WETLANDS ENFORCEMENT OFFICER'S REPORT.**

The Commission reviewed the report prepared by Ms. Sefcik regarding her enforcement activities from September 9, 2014 through October 14, 2014.

**7. CORRESPONDENCE.**

**A. Discussion of CT Association of Conservation & Inland Wetlands Commissions (CACIWC) Survey.**

The Commission agreed to table this matter to the November 10, 2014 regular meeting.

**4. NEW APPLICATIONS (Receive and Determine Significance):**

**B. William Gawel for Harriet Shapiro, 48 Hardscrabble Road – Replace Inlet Pipe in Regulated Area.**

Noting that neither the applicant nor their representative arrived to the meeting, the Commission decided to proceed with review of this application. Ms. Sefcik noted that Ms. Shapiro had indicated she would not be able to attend this meeting; however, Mr. Gawel was supposed to attend on her behalf.

**MOTION** Ms. Binns, second Ms. Hulton, to accept the application in the matter of **William Gawel for Harriet Shapiro, 48 Hardscrabble Road – Replace Inlet Pipe in Regulated Area**; unanimously approved.

Ms. Sefcik briefly reviewed the application with the Commission. The application as submitted was to replace a portion of an inlet pipe into a fire pond on Ms. Shapiro's property. She noted that when Mr. Gawel had dropped off the application, he stated only a pipe was being replaced.

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However, the property owner had since contacted Ms. Sefcik and indicated that the pond was also going to be cleaned out. The application received contained no information regarding pond cleanout, and if that was included, additional information would be required. Ms. Sefcik explained that the pipe diverted water from a stream into the pond; the pond had an overflow structure that brought water back into the stream at a point downstream. She had gone out to the site and could find the pipe outlet in the pond as the water level was very low. However, while the approximate location of the inlet had been marked with a stake, she had been unable to locate it.

**MOTION** Ms. Binns, second Ms. Hulton to accept the application in the matter of **William Gawel for Harriet Shapiro, 48 Hardscrabble Road – Replace Inlet Pipe in Regulated Area** with the

condition that additional information be provided to clarify the location of the inlet pipe and the process by which the pond was to be cleaned out; unanimously approved.

**MOTION** Ms. Binns, second Ms. Hulton, to adjourn the meeting at 7:00PM; unanimously approved.

**Respectfully submitted,**

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