

**Town of Warren Inland Wetlands  
& Conservation Commission  
Special Meeting – Minutes  
Monday, June 8, 2015 - 7:00PM  
Warren Town Hall – 50 Cemetery Road**

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

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

In the absence of Chairman Keith Jewell, Vice Chairman Cindy Shook called the special meeting to order at 7:02PM. The proceedings were recorded digitally, and copies are available in the Land Use Office. Alternate Tom Caldwell was seated for Keith Jewell. Alternate Darin Willenbrock arrived to the meeting at 7:05PM and was seated for Dawn Blocker.

**2. OLD BUSINESS:**

**A. Eric Salk, Curtiss Road (Assessor's Map 7 Lot 15-1) – Construct Driveway in the Regulated Area.**

Brian Neff, PE addressed the Commission regarding this matter. Mr. Neff briefly reviewed the maps and plans with the Commission. He explained that while the property also fronted on Mountain Lake Road, that area of the site was very steep, with slopes in the 20% range. Because of this, the applicant instead proposed to construct a driveway in off of Curtiss Road. Mr. Neff explained that the location of the driveway had changed slightly from that which was originally proposed to Ms. Sefcik so as to avoid a wetlands crossing and move it further away from wetlands and an intermittent watercourse onsite. The first one-third of the driveway would be located within the regulated area; at its closest, disturbance to construct the driveway would be 18 feet from the wetlands and intermittent watercourse onsite. Silt fencing was proposed the length of the driveway within the regulated area, as was an anti-tracking pad over geo-textile fabric for the first 50 feet of the driveway. Soil was to be stockpiled at the top of driveway, well outside of the regulated area, near what was likely to be a future house site. Mr. Neff said that minimal clearing would be required. The driveway would be built to allow sheet flow off both sides, with a swale only along the steeper areas.

**MOTION** Ms. Binns, second Ms. Hulton, to approve the application in the matter of **Eric Salk, Curtiss Road (Assessor's Map 7 Lot 15-1) – Construct Driveway in the Regulated Area;** unanimously approved.

**B. Lynn Gray, 8 Chester Road – Replace Drainage Pipes and Repair Driveway in the Regulated Area.**

Lynn Gray and her contractor, Howard Lethbridge, addressed the Commission regarding this matter. Ms. Sefcik stated that she had received an email from Paul Elconin of the Weantinoge Heritage Land Trust, Inc. granting authorization for the driveway and drainage work proposed onsite. Additionally, she stated she received information from Ms. Gray whereby soil information was superimposed on a map of the property. The length of the driveway, the house site, accessory building and yard were located outside of the wetlands onsite. Ms. Gray then submitted a sketch of the property depicting the four locations where gutter drainage repairs were desired. Ms. Gray and Mr. Lethbridge explained that location #1 had been repaired in the fall, prior to Ms. Gray realizing this work required a permit. That pipe daylighted at the edge of trees onsite and ran overland toward the wetlands. The pipe in location #5 was in good repair and daylighted on the lawn area. The remaining three pipes appeared to be blocked, and their outlet locations were unknown. Mr. Lethbridge explained that they would need to start digging in order to verify what actually was present onsite. All existing pipes would be replaced with 4" PVC pipes.

## IWC Minutes 060815 Special Meeting

The Commission then discussed with Mr. Lethbridge and Ms. Gray how the outlet structures would be constructed. Ms. Gray stated that she had spoken with the Northwest Conservation District, at the recommendation of the Weantinoge Land Trust, and they had recommended the pipes outlet at a depression such as a grass-lined swale. Mr. Willenbrock suggested that the outlet could also be stone-lined. Given that the proposed outlet locations were unknown at this time, the Commission suggested that Ms. Gray and her contractor contact Ms. Sefcik when work was about to begin.

**MOTION** Ms. Binns, second Mr. Willenbrock, to approve the application in the matter of **Lynn Gray, 8 Chester Road – Replace Drainage Pipes and Repair Driveway in the Regulated Area** with the condition that the Inland Wetlands Enforcement Officer be notified prior to the start of any work; unanimously approved.

**C. Connwood Foresters for The City of Waterbury Bureau of Waters, Valley Road (Assessor's Map 15 Lot 1) Location of Work on 45 Acres Between Hardscrabble Road and Town Hill Road – Request for Declaratory Ruling for Commercial Timber Harvest.**

Dave Beers, Certified Forester, addressed the Commission regarding this matter. Mr. Beers submitted checks for both the Inland Wetlands Permit and Zoning Permit fees. He also submitted revised maps to depict the area identified as a wetlands crossing as a result of the site walk with Ms. Sefcik and Ms. Shook. He explained that this particular area may or may not be used by the harvester; the other location off of Hardscrabble Road was preferable and would require no winter maintenance. If it was used, the crossing area would be covered with tree tops for protection.

**MOTION** Mr. Willenbrock, second Ms. Hulton, to approve the application as amended in the matter of **Connwood Foresters for The City of Waterbury Bureau of Waters, Valley Road (Assessor's Map 15 Lot 1) Location of Work on 45 Acres Between Hardscrabble Road and Town Hill Road – Commercial Timber Harvest with One Wetlands Crossing**; unanimously approved.

### 3. NEW BUSINESS:

**A. Brian Neff, PE, and Tom McGowan on behalf of the Lake Waramaug Taskforce, applicant; Elwyn Tanner, owner, 39 Woodville Road – Request for Declaratory Ruling for Stabilization of Streambank to Prevent Erosion of Farm Fields.**

Brian Neff, PE and Tom McGowan of the Lake Waramaug Taskforce addressed the Commission regarding this matter. Mr. McGowan explained that they wished to obtain permission for a section of stream bank on the Tanner property to be stabilized in order to minimize erosion. He explained that the erosion was active and ongoing on the 10-12 foot high bank. Mr. McGowan reviewed with the Commission pictures of the site taken by the Northwest Conservation District. The paperwork from the NWCD stated the erosion site was approximately 85 feet long at the time the picture was taken; Mr. McGowan estimated it was now approximately 125 feet long. Mr. McGowan explained that the erosion site was upstream of a farm bridge on the Tanner property; the area often backed up and flooded. Mr. McGowan explained that this site had been identified as a high priority source of erosion into Sucker Brook and ultimately Lake Waramaug.

Mr. Neff then reviewed his plans and the process that would be followed for the proposed work. Several tipping trees with exposed roots on the bank would be removed. The banks would then be cut back. Boulders located on the property would be used to armor the stream bank for approximately 125 feet. Material removed from the stream bank would be hauled to a location outside the regulated area where it would be spread out and seeded and hayed. No material would be hauled offsite. Members of the Commission asked how high the water level got in this area of Sucker Brook, and Mr. McGowan stated that at its deepest, it reached approximately 5 feet. Work was planned during a dry time of year. Commission members asked where exactly the area was located on the property, and Mr. McGowan explained that the area was behind and above the dairy barns.

## IWC Minutes 060815 Special Meeting

Members discussed whether this proposal met the requirements of a declaratory ruling. Because of the scope of the work proposed, it was determined that this would require an Inland Wetlands permit, and the Inland Wetlands Enforcement Officer should visit the site prior to the next meeting. Ms. Sefcik advised the applicant that, due to the Commission's decision to move their regular meetings to 4<sup>th</sup> Thursdays, the next meeting would be Thursday, June 25<sup>th</sup>. As this date allowed sufficient time per statutory requirements for interested parties to petition for public hearing, it was conceivable the Commission could approve this application at the June 25<sup>th</sup> meeting.

**MOTION** Ms. Binns, second Mr. Willenbrock, to accept and receive 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 Approximately 125 Feet of Stream Bank Along Sucker Brook**; unanimously approved.

**B. Enforcement Action: Brian Ackerman for Rebecca Holmes, 1 Hopkins Road, and Hopkins Brothers, LLC, Assessor's Map 3 Lot 2-1 Removal of Trees and Shrubbery along Stream Bank.**

Ms. Sefcik explained that she became aware that work was done removing trees and shrubbery adjacent to and directly along the stream bank near Ms. Holmes' property. Additionally, a mulch pile that had been located adjacent to the stream had been spread out across the cleared area, leaving the area exposed and vulnerable to erosion. Ms. Sefcik stated that when she had visited the site, she observed fresh-cut tree branches being deposited in the stream as well. The bulk of the material cut down had already been removed from the site by the time she had arrived. The contractor was instructed to remove all tree branches deposited into the stream and to seed and hay the flat area by Ms. Holmes' yard. They had also been requested to file an after-the-fact permit application, which had been received shortly after the agenda for this meeting had been filed, and a plan for the long-term stabilization of the stream bank.

Rebecca Holmes and her contractor Brian Ackerman then addressed the Commission regarding this matter. Ms. Holmes apologized that the work was done without first obtaining the necessary permits; she explained that she was not aware permits were needed for this work. Mr. Ackerman explained that the area had been several overgrown and unsightly. Additionally, they were concerned about the trees potentially falling over and causing injury; their intention had only been to clear out the area to improve safety. The Commission then reviewed pictures taken of the site. Ms. Holmes stated that she had contacted a landscape architect for input regarding how to stabilize the stream bank long term, but expressed concern that she would not have this information ready by the Commission's next meeting. Mr. Caldwell suggested that some sort of erosion control mat be spread along the stream bank and staked down to prevent erosion until the landscaping plan could be developed and reviewed at the July 23<sup>rd</sup> meeting; several Commission members agreed with this plan.

Ms. Sefcik explained that it had ultimately been determined that the stream in question was at least partially located on the property belonging to Hopkins Brothers, LLC; therefore, the applicant had been required to obtain permission from them in order to commence the application and restoration process. Ms. Holmes submitted a letter from Judith and William Hopkins of 19 Hopkins Road authorizing work to be done along the stream bank.

**MOTION** Ms. Binns, second Ms. Hulton, to accept and receive the application in the matter of **Brian Ackerman for Rebecca Holmes, 1 Hopkins Road, and Hopkins Brothers, LLC, Assessor's Map 3 Lot 2-1 Removal of Trees and Shrubbery along Stream Bank** subject to the condition that an erosion control mat immediately be put down along the exposed stream bank and a landscaping plan be submitted for the Commission's review prior to the July 23, 2015 regular meeting; unanimously approved.

## **IWC Minutes 060815 Special Meeting**

### **4. INLAND WETLANDS ENFORCEMENT OFFICER'S REPORT:**

Ms. Sefcik briefly reviewed her enforcement activities over the past few weeks. She reminded the Commission that the DEEP's 2015 Municipal Inland Wetlands Agency Comprehensive Training Program would be starting shortly, and asked if anyone wished to be registered for the program. Ms. Shook stated she would like to be registered, and Mr. Willenbrock stated he might be interested as well.

**MOTION** Ms. Binns, second Mr. Willenbrock, to adjourn the meeting at 8:15PM; unanimously approved.

**Respectfully submitted,**

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