

**Town of Warren**  
**Inland Wetlands and Conservation Commission**  
**Regular Meeting- Minutes**  
**Thursday, April 26, 2018- 7:00 PM**  
**Warren Town Hall – 50 Cemetery Road**

**Present:** Vice Chairman Cindy Shook; Regular Member John Favreau; Alternate Member Tom Caldwell  
Inland Wetlands Enforcement Officer Stacey Sefcik; Secretary Heather Perssonatti.

**Excused:** Chairman Keith Jewell, Nancy Binns, Nora Hulton.

**1. Call to Order and Designation of Alternates:**

The meeting was called to order at 7:19PM. In the absence of Chairman Keith Jewell, Vice Chairman Cindy Shook chaired the meeting. All regular members were seated for the meeting. Alternate Tom Caldwell was seated for Keith Jewell. The proceedings were recorded digitally, and copies are available in the Land Use Office.

**2. Public Hearings:**

No business.

**3. Approval of Minutes:**

**A. March 22, 2018 regular meeting.**

**MOTION** Mr. Favreau, second Mr. Caldwell to table review of the minutes to the May regular meeting; unanimously approved.

**4. Old Business:**

No business to discuss.

**5. New Business- Receive and Determine Significance:**

**A. Barbara S. Johnson, Trustee, 10 North Shore Road- Demolition of existing Single Family Dwelling and Cottage; Construction of New Single Family Dwelling, In-Ground Pool, and Pool House; Construction of New Well and Septic System; Relocation of Existing Driveway; and Drainage Improvements in the Regulated Area.**

Paul Szymanski, PE addressed the Commission on behalf of the application. Mr. Szymanski gave a brief overview of the complete reconstruction of home and cottage, installation of new septic and well, relocation of existing driveway, as well as raingardens and drainage improvements along driveway. The Commission reviewed the submitted plan, with Mr. Szymanski referencing the existing and proposed locations of the septic system. Mr. Caldwell asked for more information regarding the driveway relocation. Mr. Szymanski explained that instead of a circular driveway, it would be changed to a single driveway.

Members noted the large amount of work proposed on the site and its close proximity to Lake Waramaug. Mrs. Sefcik explained that, given the large scope of work and the fact that the entire property is within the flood plain, she recommended the Commission hire professional engineer to assist with project review. She recommended scheduling the public hearing for June 28<sup>th</sup>, as that would allow ample time for review and responses to be completed in time for the public hearing.

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Mr. Szymanski noted that he and Ms. Sefcik along with Sean Hayden of the Lake Waramaug Taskforce would be walking the site next week. Several members of the Commission expressed a desire to have a site walk special meeting as well, but they refrained from scheduling at this time in order to speak with Chairman Keith Jewell.

**MOTION** Mr. Favreau, second Mr. Caldwell, to receive the application in the matter of **Barbara S. Johnson, Trustee, 10 North Shore Road- Demolition of existing Single Family Dwelling and Cottage; Construction of New Single Family Dwelling, In-Ground Pool, and Pool House; Construction of New Well and Septic System; Relocation of Existing Driveway; and Drainage Improvements in the Regulated Area**, determine it to be a significant activity, schedule a public hearing for June 28, 2018, and to direct the IWEO to hire a consulting engineer for plan review; unanimously approved.

- B. Town of Warren, 26E North Shore RD, Warren Town Beach - Drainage Improvements.** Sean Hayden, Executive Director of the Lake Waramaug Taskforce, addressed the Commission about this project. Mr. Hayden explained that he had been working with the First Selectman on this project and put together a slide show presentation for the Commission.

Mr. Hayden explained that there is a big erosion problem at the Town beach. There are two locations, one on each side of the property, where water is running through the beach area causing erosion into the lake. He explained that the water is clean, but the force of it is eroding the beach sand. Mr. Hayden explained that he walked the site with an engineer and the First Selectman, and it was agreed that the best approach would be to install energy dissipaters in each location. Two layers of 4-inch river stone would be spread at each location; one 8 feet long and the other 10 feet long. He felt this approach would help as the water is clean; it is only the force of the water coming through causing the sand erosion. Ms. Sefcik asked when the work was proposed, and Mr. Hayden said that the Town would like to begin as soon as possible so as to complete the project before Memorial Day. The Town Public Works crew would be doing the work.

Ms. Sefcik then read to the Commission Section 4.2B of the Inland Wetlands Regulations, which permitted as of right "outdoor recreation, play and sporting areas,...swimming...boating, etc." She expressed the belief that the activity described would meet the requirements of this section.

**MOTION** Ms. Shook, second Mr. Favreau to determine that the activities described in **Town of Warren, 26E North Shore RD, Warren Town Beach- Drainage Improvements** represent a permitted use as of right as per Section 4.2B of the Town of Warren Inland Wetlands Regulations; unanimously approved.

## **6. Inland Wetlands Enforcement Officer's Report:**

Ms. Sefcik stated she is looking for part-time help 8-10 hours a week plus meetings. She has a lot of projects coming up and others settling down. She went around the lake with Sean Hayden to look at properties to see how things look from the recent heavy rains.

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### 7. Correspondence:

No business.

### 8. Other Business Proper to Come Before the Commission:

#### A. **Eric Salk, 379 Lake Road- Modification of Inland Wetlands Permit #17-01-01W Issued January 26, 2017 to Include Construction of Attached Garage on North Side of Existing Dwelling.**

Paul Szymanski, PE addressed the Commission regarding this matter. The applicant had previously obtained approval for conversion of a barn onsite into a single family dwelling, with new septic system, and driveway extension. However, the applicant had since changed their plans and these were no longer proposed. The only work completed was the installation of the in-ground pool onsite and modifications to the existing house.

The applicant wished to modify the permit to instead construct an attached garage to the existing house along with a small addition. Most of the project would actually be located outside of 100 foot area. The addition would have crawl space; no basement was planned.. Mrs. Sefick stated the original permit was requesting much more work than this, and this revision of the plans would be significantly less impactful. She said she has no problem with this request, and she recommended approval.

**MOTION** Mr. Favreau, second Mr. Caldwell to approve modified plan in accordance with new plan of April 23, 2018; All approve, none opposed.

#### B. **Discussion Regarding Remediation Plans from Failure of Erosion & Sedimentation Controls at 121 North Shore Road, Associated with Inland Wetlands Permit #16-07-01W Issued July 28, 2106 and Modified November 28, 2016.**

Sean Hayden, Executive Director of the Lake Waramaug Taskforce, presented pictures to the Commission taken at the above-referenced property immediately after a significant rain event as well as earlier in the week. Ms. Sefcik reminded the Commission that as a part of the approved permit, the Commission had requested professional assistance and ongoing review of sedimentation and erosion control measures; Mr. Hayden had been doing this for the town and had accompanied Ms. Sefcik on several inspections.

Mr. Hayden stated that he had been performing some sampling at the lake and while doing so drove past the subject property and observed the conditions demonstrated in the photos. He observed a large sediment plume into the lake. He noted that the permit required the contractors to follow the 2002 E&S Control Guidelines. When he observed the site, Mr. Hayden noticed that there was not any mulch on the exposed soils. He also stated that it appeared the stormwater jumped over the silt sock, drained into the wetlands in the southeast corner of the property, into the culvert under the road and into the lake. He explained how the lake can't handle the nutrient rich sediment going into it.

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Ms. Sefcik explained that she had contacted the General Contractor in charge of the project, and they met onsite the next Monday. Mr. Hayden, Ms. Sefcik, the GC, the earthwork contractor, and the property owner's landscape architect met and walked the site. Several remediation steps were agreed to at that time. Some requirements were met, some were not. Ms. Sefcik had taken pictures, which Mr. Hayden then showed via the overhead projector.

Ms. Sefcik explained that when she first spoke with the project GC, she explained that this matter would be coming for the Commission at their April meeting. She also forwarded a copy of the agenda for this meeting to both the project General Contractor and the earthwork contractor. Neither was in attendance at the meeting.

Mr. Favreau asked steps of enforcement. Mrs. Sefcik noted that a Notice of Violation had been issued to the property owner and his contractors in May 2017; failure to follow permit conditions resulted in a similar outcome at that time. She explained options to the Commission. Mr. Caldwell asked Mrs. Sefcik if she speaks with the property owners, and she said she has spoken with them a few times. Mr. Caldwell explained how unhappy he is that the contractors are not doing what is required of them. Mr. Hayden and Mrs. Sefcik stated the contractor has completed some of the work required but not all of it. Mr. Hayden also stated that Mrs. Sefcik doesn't even need to let them know what needs to be done; the requirements are contained in the permit.

Members discussed possible enforcement action, which included the possibility of a Show Cause Hearing. Ms. Sefcik stated that she would continue to monitor the situation and, if necessary, issue appropriate enforcement notice.

**9. Adjournment.**

MOTION Ms. Shook, second Mr. Caldwell to adjourn at 8:20PM; unanimously approved.

**Respectfully Submitted,  
Heather Perssonatti**