

Town of Warren Inland Wetlands & Conservation Commission  
Regular Meeting Minutes  
Thursday, April 20<sup>th</sup> at 6:00 PM

Chairman John Favreau called the meeting of the Town of Warren Inland Wetlands & Conservation Commission to order at 6:01 pm. Members present were Tom Caldwell, Cindy Shook, and Tara Tanner as well as alternate, Kit Lundberg. Member Nancy Binns was absent. Kit Lundberg was seated for the absent member. Others present included William Munn and Adrienne Sieverding of Hendricks Churchill, Bill Colby of Colby Engineering & Consulting, Allan Buttrick and Susan Vera Moran of Sunset Lake Road, Mark Gally and Atty Marcus O'Neill, as well as Rudy and Beth Montgelas. Janell Mullen was also present as the Town of Warren's Wetland Enforcement Officer (WEO).

Item #2 on the agenda was the consideration of the minutes of the Regular Meeting of March 16, 2023. John Favreau suggested a typographical correction as did Janell Mullen. Tara Tanner moved to approve the minutes as corrected. Kit Lundberg moved to second the motion to approve the minutes of the March 16, 2023 meeting as corrected. The motion passed unanimously. This item also included the approval of the Site Walk Meeting Minutes of March 29, 2023. Cindy Shook stated that she had not read the minutes and would be abstaining from the vote. Tom Caldwell confirmed that he would be doing the same. Chairman John Favreau moved to approve the minutes as written. Tara Tanner seconded the motion. The motion passed with the two abstentions.

Item #3 on the agenda was "Pending Applications". Item 3A involved IWA #23-03-01 which was an application presented by William Munn of Hendricks Churchill on behalf of Charles Eaton. This application had been received at the March meeting of the IWC and proposed boathouse renovations at 387 Lake Road (Map 44, Lot 1). The boathouse renovations included adding a second floor to an existing structure within 100' of Lake Waramaug. William Munn began the presentation by outlining the proposed site work, construction staging, and CTDOT's recommendations associated with the state roadway. He clarified questions from the March meeting such as the choice not to use a turbidity curtain. This project would implement the use of a silt sock in lieu of silt fencing and staked haybales. The nature of the sandy soils and the flat terrain at the shoreline would make the silt sock the preferred option according to a email dated 3/21/2023 written by George Logan to William Munn.

Following the applicant's presentation, John Favreau questioned the removal of an existing tree near the boathouse. The revised plan dated 4/17/2023 indicated the removal of a tree and the excavation of its stump. Kit Lundberg inquired about its species and caliper which had not been identified on the plan. Janell Mullen pulled the Google imagery of the mapped site so that the Commissioners could visualize the tree in question. Chairman John Favreau recommended that it be stump ground and not excavated to minimize disturbance. William Munn noted that this would be updated. Kit Lundberg asked if the project would entail other landscaping. The applicant stated that a privet hedge would be removed for site access and then replanted. No other landscaping would be taking place. Chairman John Favreau confirmed that the bluestone patio that was indicated on the site plan was pre-existing. Cindy Shook moved to approve the application with the suggestion to stump grind the tree to be removed. Tara Tanner seconded the motion to approve. The motion passed unanimously.

Item 3b involved IWA#23-3-02. The applicant Bob Nicholas was not present on behalf of John Durschinger. This application was for the installation of a garage and pool in the upland review area at 381 Brick School Road (Map 33, Lot 06). Janell Mullen stated that she had received a note with an updated plan along with a phone number to call should the Commission "have questions". Chairman John Favreau called the cellular number that was provided and left a message. The Commission was not able to proceed with the item without a property owner and/or an applicant present. The item was tabled until the May meeting.

The final item under "Pending Applications" involved IWC#23-3-03 which was the application for the development of a single-family home with associated driveway and garage at Sunset Lake Road (Map 17, 56). The house and a portion of the driveway was to be located in the upland review area, which is defined as 100' within the flagged wetlands as indicated on the revised plan dated 04/05/2023. Janell Mullen, WEO, stated that she had received the construction sequence from the applicant as requested. The Chairman John Favreau stated that this application was one of the subject properties that was visited during the March site-walk. Allan Buttrick, property owner, began his presentation by stating that many of the revisions made to the plan had been a result of the discussion at the site walk. Susan Moran and Bill Colby were also present to present the application. Bill Colby of Colby Design and Engineering stated that he had updated the placement of the silt fencing as well as indicated the location of the stockpiling of the materials. Allan Buttrick stated that the curtain drains were now diverting run-off away from the wetlands. The Commission reviewed the updated plan. Tara Tanner moved to approve the application with the revisions associated with

the site plan dated 04/05/2023. Tom Caldwell seconded the motion. The motion passed unanimously. Janell Mullen reminded the applicant to contact her to schedule a site visit once the erosion and sedimentation controls had been installed prior to any further site work/construction as a condition of the wetlands license.

The next item on the agenda was #4 New Applications. Janell Mullen, WEO, stated that she had not received any new applications to be received at the April meeting.

Item 5A involved any “Other Business to come before the Commission” involving 39 Arrowpoint Road – remediation of the after-the-fact tree removal. The property owner, Mark Gally and his representative, Attorney Marcus O’Neill were present and approached the table. Mark Gally, property owner, handed the Commission multiple pages of tree cataloging that he had conducted as a result of the tree clearing. He began his presentation by stating that the individual involved with the sitework had inadvertently removed trees outside of the approved scope of work. He stated his willingness to work with the Commission to mitigate the impacts of the disturbance. Attorney O’Neill stated that they would be willing to present a remediation proposal to the Commission, but first wanted to have a discussion to best understand how to prepare an adequate proposal. Janell Mullen added additional context to their presentation by stating that the construction of a single-family dwelling had been the proposal associated with the approved wetlands license. A pre-construction meeting had been conducted prior to any tree removal and that a follow up site visit made her aware of the fact that 4 trees ( which were originally to be retained) had been removed and 2 (originally to be removed) had actually been retained. Additionally, she questioned the “well organized” boulders on the site and the gravel driveway that extended all the way to the silt fence proximal to the shoreline. She stated that this diverged from the approved driveway on the plan and would need to be remediated as well as it was within the upland review area. Chairman John Favreau stated that gravel is considered to be impervious. It was suggested that equipment would not be utilized to remediate the site as it would cause further disturbance. Janell Mullen stated that her objective was not to retain the same number of trees that had been indicated on the approved site plan, but to minimize the disturbance that was outside of the wetlands license approval at this time. She would work with the property owner and his attorney to get this accomplished. The Commission agreed that she was authorized as agent to work with them towards compliance.

Item #6 on the agenda was “Communications Received”. Janell Mullen stated that the two (2) items she had received involved the Construction Progress Report and the Erosion & Sedimentation Control Reports associated with 85 Curtiss Road. Chairman John Favreau requested that the Commission be forwarded copies when she received them via email. She agreed to do so.

Item #7 was the Agent’s Report. Janell Mullen reviewed her report with the Commission and reminded them that these get posted to the IWC webpage monthly.

The final item on the agenda was Public Comment. Chairman John Favreau acknowledged the two members of the public. They stated their names as Rudy and Beth Montgelas. Rudy Montgelas reminded the Commission of the Arrowpoint Road Water Authority and of certain specifics that pertain to water access in this area. He commended the Commission for their thorough review of applications and encouraged that they continue to work with the water authority on pertinent items.

Kit Lundberg moved to adjourn the meeting. Tara Tanner seconded the motion. The motion passed unanimously and the meeting was adjourned at 7:42 pm.

Respectfully submitted,

Janell Mullen  
Town of Warren  
Land-use Official (WEO & ZEO)  
April 20, 2023