

TOWN OF WARREN
Inland Wetlands & Conservation Commission
Thursday, November 16, 2023 Meeting Minutes

1. Call to Order

The Town of Warren Inland Wetlands and Conservation (IWC) Commission meeting was called to order by the Chair John Favreau at 6:03 pm. Members present were Tom Caldwell and Tara Tanner. Absent members were Cindy Shook and Nancy Binns. The alternate Kit Lundberg was also absent. Janell Mullen was present as The Town of Warren's Land Use Official as was Colin Pottbecker, applicant for Agenda Item 4A & 4B.

2. Consideration of the Minutes

Member Tom Caldwell moved to approve the minutes of the September 21st meeting as written. The motion was seconded by Tara Tanner. The motion passed unanimously.

3. Communication Received

Janell Mullen stated that no formal communication addressed to the IWC had been received.

4. New Applications

- A. Colin Pottbecker was present on behalf of property owner Kelly Williams of 149 No. Shore Road (Map 45, Lot 17) and approached the Commission to present his proposal for a replacement dock at the subject site. He described the installation of a new dock made of Ipe lumber stating that it would be brought to the site by boat and fastened to the shore with a new anchor plate. The Chair John Favreau requested that this information get added to the application. The applicant stated that the installation of the anchor plate at the shorefront would take place upon application approval and the dock installation would take place in the spring. Tara Tanner moved to receive and accept the application IWA #23-11-01. Tom Caldwell seconded the motion on the floor. The motion to receive and accept the application passed unanimously.
- B. Colin Pottbecker remained before the Commission to present a second application - #23-11-02 a proposal for a replacement dock at 27 Arrowpoint Road (Map 43, Lot 31) on behalf of property owner Michael Siegel. A very similar proposal to his first, Colin Pottbecker stated that Ipe wood was rot resistant – the material used for his premier installations. He stated that in lieu of a dock with a bubbler, which attracts geese, this dock would be removed in the off-season. Janell Mullen that the proposal complied with the zoning regulations pursuant to dock dimensions. Colin Pottbecker stated that the dock would be installed via a boat launched from the boat launch and affixed to the shore with an anchor plate and that disturbance to the shorefront would be minimal. Tom Caldwell moved to receive and accept the application. Tara Tanner seconded the motion. The motion passed unanimously. The Chairman informed the applicant that the next meeting would be on Thursday, December 21st at 6:00 pm. The applicant left the meeting at 6:16 PM.
- C. The third and final application to be received by the Commission was IWA #23-11-03 Sean Hayden of the Lake Waramaug Task Force (LWTF) on behalf of the Taubner Family & West Mountain Road, LLC (property owners). This site of this proposal is the streambank of Sucker Brook which traverses 266 Lake Road (Map 8, Lot 39) and the adjacent lot (Map 8, Lot 40). At the request of the applicant, the Chair called Sean Hayden at 6:17 pm so that he could join the meeting telephonically. Sean began his presentation by stating that he had walked the entirety of the Sucker Brook watershed to observe for erosion and sedimentation concerns in 2009. He

stated that the Lake Waramaug Task Force has been working to stabilize problematic areas of the brook over time and that these areas were two (2) of the last remaining sites. He stated that the project would employ a bioengineering technique rather than rocks and boulders. Koir logs (similar to large straw waddles) would be affixed to the riverbank and planted. Sean stated that the equipment to be used was a small rubber track excavator. Chair John Favreau inquired about the existing trees that were indicated on the plan as to be removed. Tom Caldwell followed up the Chair's question by asking if they were to be stumped as grubbed. Sean stated that the proposed site was once a gravel bank that was used to create Route 45 and that the grove of pines were planted more than fifty (50) years ago. The applicant stated that keeping the root mass intact would be key to performing the work. Janell Mullen asked the applicant who would be performing the work. Sean replied that the project had yet to go to bid and that the LWTF was seeking a license approval as its first step. The Commission determined that a site walk would be a necessary step. After some discussion, they concluded that the best date and time for the site walk would be Monday, November 27th at 4 pm. Sean Hayden stated that he would follow up with Janell Mullen with instructions for parking upon being asked the best place for the site walk attendees to meet. She reminded the applicant for payment of the application fee, as required. Deeming the application as incomplete, Tara Tanner made the motion to set the site walk for Monday November 27th at 4 pm. Tom Caldwell seconded the motion. The motion passed unanimously.

5. Old Business

- A. Chair John Favreau asked Sean Hayden to remain on the line since the next matter of business involved him as the Director of the LWTF with regards to IWA #22-12-03 – the dredging project at the Mullen property. At the conclusion of the lake dredging scope, the project had now been turned over to the LWTF as the co-applicant. Chair John Favreau stated that the Commission needed more information about the next steps of the project which would entail hauling more than 1,000 cubic yards of dredged materials from the Mullen's property. Sean Hayden stated that the work would likely only take 1-2 days. Tom Caldwell questioned the number of truckloads that he anticipated. Commission Caldwell roughly estimated that it would take up to 30 triaxle loads to remove the material from the lakeshore. Chair John Favreau asked about the vehicular route that would be employed. Sean Hayden stated that he had planned to use a shared driveway off of North Shore. Janell Mullen stated that if that were the case, the applicant would need to provide the Commission with an agreement from the property owners with interest in the shared driveway. Sean pressed Janell for documentation of when the drive had been used for the construction of 10 No. Shore. She stated that she had not been the land-use official at the time, that work had been conducted at 10 No. Shore on behalf of a property owner with interest (aka ownership) in the shared driveway, and that she was focused on how to exercise best practices now and into the future regardless of what the Town had done in the past. Tara Tanner inquired about the equipment to be utilized to get the material off the site. Sean Hayden stated that the materials removed from the lake had been tested and would qualify as "high grade topsoil". Chair John Favreau asked about the freezing of the materials and the best time to remove it from the property. The applicant acknowledged that the Commission awaited more information and stated that he would follow up.

6. Calendar of Meetings

The Commission reviewed the list of dates that Janell Mullen had prepared for the 2024 calendar. The IWC meetings were to remain on the third Thursday of every month, but the

timing would change to 6:30 pm as opposed to 7 pm to accommodate the work schedules of a few members. Tom Caldwell moved to accept the 2024 Calendar as presented pending any conflicts with Town Meetings. Tara Tanner seconded the motion. The motion to accept the 2024 Calendar of IWC meeting passed unanimously.

7. Agent's Report

Janell Mullen read her Agent's report into the record. She noted site inspections, pending licenses updates, projects that had obtained licenses but work that had been halted due to property owner's desires, and also had notated the bonds that the Commission was currently holding. Chair John Favreau asked if the bank of 159 No. Shore had been reseeded upon the installation of the hand-railing on the lake front site of the property. Janell Mullen stated that she would follow up and include it in her next report.

8. Public Comments

There were no members of the public.

9. Adjournment

Tom Caldwell made the motion to adjourn the meeting at 7:10 PM. Tara Tanner seconded the motion. The motion passed unanimously and the meeting was adjourned.

Respectfully submitted,

Janell Mullen

November 20, 2023