

John Favreau, Chair
Cynthia Shook, Vice Chair
Nancy Binns, Member
Thomas Caldwell, Member
Tara Tanner, Member

TOWN OF WARREN
Inland Wetlands & Conservation Commission
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Warren, Connecticut 06754
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Regular Meeting Minutes
Thursday, April 18, 2024 at **6:30 PM**
Lower-level meeting room of the Warren Town Hall

1. The Town of Warren Inland Wetlands & Conservation Commission meeting was called to order at 6:30 PM by Chairman John Favreau. Present were members Cindy Shook, Tom Caldwell, Nancy Binns and Tara Tanner. Janell Mullen was present as the wetlands agent. Applicants present included Jeremy & Charles Spath of Stuart Somers Co, LLC, Mark Riefenhauser, PE of Smith & Company, Wesley Wyrick, John Mullen, and Paul Szymanski, PE. A member of the public included Deb Ouellette.
2. Consideration of the Minutes
- A. Nancy Binns moved to approve the minutes of the regular meeting of March 21, 2024, Tom Caldwell seconded the motion to approve as written. The motion passed unanimously.
B. Nancy Binns moved to approve the minutes of the site walks of April 9, 2024 as written. Tara Tanner seconded. The motion passed unanimously.

- B. New Applications
There were no new applications to be received.

4. Pending Applications

- A. IWA# 24-02-01 / Jeremy & Charles Spath of Stuart Somers Co, LLC / **Anita Way** (Map 22, Lot 56) / Single-family house, garage, and driveway / Driveway to pass through wetlands (*site walk conducted on 2/27, application received on 3/21*)

Jeremy Spath, applicant, addressed the Commission's concerns that were noted during the site walk and the meeting of March 21st. He outlined the water dispersion methods to be installed within the wetlands at the driveway crossway. He mentioned updates to the calculations of materials to be brought to the site and deposited within the wetlands and/or the upland review area as notated on the amended application dated April 16, 2024.

The applicants, Jeremy & Charles Spath noted that Torrington Area Health Department had approved the site plan as modified as of today (April 18, 2024).

Charles Spath, licensed surveyor of Stuart Somers Co, LLC, added that riprap would be added to the driveway crossing as a base underneath the three (12") pipes to avoid point loading into the wetlands. Janell Mullen asked why the size of the pipe was chosen by the engineer. Charles Spath stated that it was based on rainfall calculations.

John Favreau asked about possible stormwater run-off due to the somewhat steep decline of the driveway long-term. Charles Spath stated that once grass has grown and the water can dissipate, he doesn't anticipate any issues. Charles further stated that he could add a little 10' – 15' depression outside of the upland review area to collect the sediment from possible run-off.

Nancy Binns moved to approve IWA #24-02-01 on the condition that a depression would be added to manage stormwater as mentioned by the applicant. It was noted that this would be monitored on site by Janell Mullen during the construction. Tom Caldwell seconded the motion to approve with the stated

condition to manage stormwater. The motion passed unanimously.

- B. IWA #24-03-01 / Wesley Wyrick on behalf of John & Karen Mullen / **152 Curtiss Road** (Map 17, Lot 15-01) / Single-family house, driveway, and other improvements / Portion of driveway will be within the upland review area and/or adjacent to an intermittent stream (*received on 3/21, site walk conducted on 4/9*) Mark Riefenhauser, PE of Smith Company began the application presentation by summarizing the changes that have been made to the site plan. He indicated that the trees to be removed within the vicinity of the driveway with a caliper of greater than 12” had been added to the plan.

The engineer stated that if the utilities were to be trenched underground, they would be located to the left of the driveway. Chairman John Favreau stated that if trenching were to take place then they would need an update to be provided to their agent as a modification to be processed as an agent approval.

Mark Riefenhauser added that check dams were added to disperse the water flow from the driveway. He stated that there were to be a total of six (6) added to the driveway, which has a 2% cross slope. Member Nancy Binns asked the engineer to explain a check dam. The engineer stated that it slows down the flow of water by creating a “speed bump” for the flow of water to slow it.

Wesley Wyrick, representative to the property owner Mullen (having no relation to the wetlands agent Janell Mullen), added that at the base of the driveway, they would be adding a berm to help manage the flow of water to the northside of the driveway. Mark Riefenhauser added that they would create a berm near the to be discontinued driveway to address concerns with the slope and the erosion downslope from the property.

Tom Caldwell made a motion to approve IWA #24-03-01 with the corresponding site development plan 3/7/2024 revised to 4/15/2024. Tara Tanner seconded the motion to approve. The motion passed unanimously.

- C. IWA # 24-03-02 / Elizabeth Chandler on behalf of the Warren Land Trust / **Cunningham Preserve** (Map 16, Lot 4) / Portion of proposed trails to traverse wetlands and/or upland review area (*request for a jurisdictional ruling received on 3/21, site walk conducted on 4/9*) Rebecca Neary telephonically joined the meeting at 7:01 on behalf of the Warren Land Trust. John Favreau noted that the application came before the Commission as a Jurisdictional Ruling due to the fact that several of the trails were using an existing “woods road” and that no materials were to be deposited into the wetlands and that the new trails were to be created by people using chainsaws and clippers on foot. Chairman John Favreau stated that Don Lawson has reflagged some portions of the trails and that it would be the best approach to skirt the old roadbed in a significantly wet area on the new trail. It was noted that the request was for a Jurisdictional Ruling involved a specific stage of trail development in the Cunningham Preserve that caused very minimal disturbance to the wetlands. Further work may need to be permitted.

Nancy Binns moved to accept and approve the trail proposal in the Cunningham Preserve Property as a jurisdictional ruling. Tom Caldwell seconded the motion. The motion to accept and approve the trails to be established and maintained at the Cunningham Preserve by the Warren Land Trust passed unanimously.

5. Other Business to come before the Commission.

A. Modification – 203 Kent Road (Map 21, Lot 27) – shifting of house location by 25’

Paul Szymanski was present on behalf of the property owners of Kickles, LLC with an updated site plan dated January 30, 2020 revised to March 28, 2024 with respects to 203 Kent Road. He explained that the plan was very similar to the previously approved plan and that Torrington Area Health Department had approved the update. Tara Tanner moved to accept and approve the modification. Tom Caldwell seconded the motion. The motion passed unanimously.

6. Communications Received

There was no formal communication received by The Town of Warren Inland Wetlands & Conservation Commission.

7. Agent's Report

Janell Mullen reviewed her wetlands agent's report for permitting, inquiries, and enforcement activity. She noted that tree clearing in the wetlands was the most common enforcement concern at the time of her report.

8. Public Comments

There were no public comments.

9. Adjournment

Nancy Binns made a motion to adjourn at 7:23 PM. Tara Tanner seconded the motion to adjourn. The motion passed unanimously.