

**Town of Warren
Inland Wetlands & Conservation Commission
Regular Meeting – Minutes
Thursday, April 25, 2019 – 7:00PM
Warren Town Hall – 50 Cemetery Road**

Present: **Chairman:** Keith Jewell **Members:** Vice Chairwoman, Cindy Shook, Darin Willenbrock
 Inland Wetlands Enforcement Officer: Stacey Sefcik
 Land Use Secretary: Brenda Zampaglione
 Alternate: Darin Willenbrock for John Favreau
 Absent:
 Excused: John Favreau, Nancy Binns, Tom Caldwell, Nora Hulton

1. CALL TO ORDER AND DESIGNATION OF ALTERNATES.

- a. The regular meeting was called to order at 7:08PM by Chairman, Keith Jewell. The proceedings were recorded digitally, and copies are available in the Land Use Office. All Regular members were seated for the meeting.

2. SHOW CAUSE HEARINGS CONTINUED

- a. **Matthew J. Clark and Heather A. DeJulia, 155 Cornwall Road (Assessor's Map 33, Lot 65) – Earthwork and Stockpiling in the Regulated Area without Required Permits**

Matthew Clark was present to represent 155 Cornwall Road. Mr. Clark provided a written copy of the project timeline, a letter from George Malia, Certified Soil Scientist, dated 2/27/19, in addition to hand drawn maps of the areas in question, and the After-the-Fact application. Ms. Sefcik distributed copies of all items to the Commissioners for perusal. Ms. Sefcik pointed out that the Certified Soil Scientist found the area is all Upland Review except for a small area near the boundary line closest to the driveway. Chairman Jewell asked Mr. Clark if he would be willing to plant a buffer line along the delineated wetlands to show where this boundary is and Mr. Clark responded affirmatively.

MOTION: Ms. Shook, 2nd Mr. Willenbrock **APPROVE** the **After-the-Fact application** in the Matter of **155 Cornwall Road (Assessor's Map 33, Lot 65)** – with the condition that Mr. Clark will plant a native species to demonstrate where the boundary line is @ 20 feet; **UNANIMOUSLY APPROVED.**

3. APPROVAL OF MINUTES

- a. February 28, 2019 Regular meeting.

MOTION: Ms. Shook, 2nd Mr. Willenbrock to **APPROVE** the **MINUTES** of the **February 28, 2019** Regular meeting; **UNANIMOUSLY APPROVED.**

4. OLD BUSINESS

- a. **Matthew J. Clark and Heather A. DeJulia, 155 Cornwall Road (Assessor's Map 33, Lot 65) – After-the-Fact – Deposition of Material & Grading in the Upland Review Area.**
Business finished, see above motion.

5. NEW BUSINESS – RECEIVE AND DETERMINE SIGNIFICANCE

No business

6. INLAND WETLANDS ENFORCEMENT OFFICER'S REPORT

No written report available at this time. Ms. Sefcik gave a verbal report to the Commissioners.

375 Lake Road (Assessor's Map 44, Lot 14) – Agent Determination of a Tear Down and Re-build of a detached Garage in the exact same location which is in an Upland Review Area. Plans had been submitted regarding Stockpiling of Materials which is @ 60 feet from the Wetlands.

157 North Shore Road (Assessor's Map 45, Lot 13) – Agent Determination for the building of an 18' x 20' Shed and Outdoor Shower in the Upland Review Area.

60 Brick School Road (Assessor's Map 26, Lot 1) – In 2016 the IWCC granted an Approval for construction of a Pond (in Wetlands Area). Work has begun and the Pond has been dug out. Due to recent heavy rains, pumping out of water in the digging area was necessary in order to dig deeper. Due to the heavy rains in the recent weeks there was some Off Site Run-Off of water and sedimentation due to the pumping (photos were distributed to the Commissioners by Ms. Sefcik) onto a neighbor's property across the street. Water from pumping at the site was flowing into a culvert that goes under the road, a stonewall and out into the neighbor's property to a nearby wetlands. Ms. Sefcik contacted the Landscape Architect, Dirk Sabin and the pumping was turned off. At this time, Mr. Sabin added additional erosion and sedimentation controls. Ms. Sefcik received a letter from Mr. Sabin regarding the project and it was read into the record by Ms. Sefcik. All pumping of water and digging of the Pond is now completed (1 month ahead of schedule). Landscaping will be completed by 5/31/19. Mr. Sabin assured Ms. Sefcik that the property owner wants to make things right and will address the neighbor's issues soon.

Ms. Sefcik and Ms. Zampaglione attended the Bi-Annual Land Use Conference held by the CT Bar Association in Middletown on March 23, 2019.

7. CORRESPONDENCE.

- a. Ms. Sefcik received the March 2019 issue of *CT Wildlife* magazine.
- b. Ms. Sefcik informed the Commissioner's that she received a letter from Terry Tanner, Executor of the Bernard E. Tanner Estate. Ms. Tanner wanted to inform the Commission that Mr. Elwyn Tanner was not the property owner and was not acting on behalf of the Estate (re: Minutes from February 28, 2019 Regular meeting). Ms. Sefcik apologized to the Commission as it should have been read before the minutes were approved above.

MOTION: Mr. Willenbrock, 2nd Ms. Shook, to **WITHDRAW** the earlier **MOTION - APPROVING** of the **MINUTES** from the **February 28, 2019** Regular meeting; **UNANIMOUSLY APPROVED.**

MOTION: Mr. Willenbrock, 2nd Ms. Shook, to **AMEND** the **February 28, 2019 MINUTES** to reflect that Elwyn Tanner was the **APPLICANT** for the **Declaratory Ruling** and not acting on **BEHALF** of the Estate of Bernard E. Tanner; **UNANIMOUSLY APPROVED.**

8. OTHER BUSINESS PROPER TO COME BEFORE THE COMMISSION

- a. Update on Draft 2019 Plan of Conservation and Development. Ms. Sefcik addressed the Commission on the POCD. Ms. Sefcik notified the Commission that the final draft of the POCD was complete and downloaded to the Town of Warren website for review. The Public Hearing for adoption of the POCD is on Tuesday, May 28, 2019 at 7:30 pm, Warren Town Hall, 50 Cemetery Road. Ms. Sefcik urged the Commission to peruse the POCD document before it is adopted.

9. ADJOURNMENT

MOTION: Ms. Shook, 2nd Mr. Willenbrock **ADJOURN** the meeting at 8:35PM; **UNANIMOUSLY APPROVED.**

An audience member wished to speak regarding the **60 Brick School Road** work. Chairman Jewell asked for a **MOTION** to re-open the meeting to hear the comments.

MOTION: Ms. Shook, 2nd Mr. Willenbrock to **RE-OPEN** the **IWCC meeting** for the purpose of hearing an audience member comment on **60 Brick School Road** at 8:36PM; **UNANIMOUSLY APPROVED**.

Heidi (Hedden) Latka – 63 Brick School Road (Assessor’s Map 26, Lot 16) - Ms. Latka met with the Landscape Architect, Dirk Sabin and responded that she needs help with the flooding of water from neighboring property at 60 Brick School Road (Assessor’s Map 26, Lot 1) due to the digging and pumping out of water for a pond construction. Ms. Latka stated that the water overflowing from the pond is flooding her lawn. Ms. Latka also informed the Commission that the culvert where the water is supposed to drain into is clogged with debris. Ms. Latka further explained that she had a dry lot until recently when construction of the pond had begun. The water that is overflowing onto her property from 60 Brick School Road is a danger to her well, septic system and her lawn and that she is very concerned. Chairman Jewell asked Ms. Sefcik to follow-up with Landscape Architect, Dirk Sabin as to what will be done to improve the situation. Ms. Sefcik will also monitor the issue.

10. ADJOURNMENT

MOTION: Ms. Shook, 2nd Mr. Willenbrock **ADJOURN** the meeting a second time at 8:45PM; **UNANIMOUSLY APPROVED**.

Respectfully submitted,

Brenda Zampaglione

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Land Use Secretary