

**Town of Warren
Inland Wetlands & Conservation Commission
Regular Meeting – Minutes
Thursday, August 22, 2019 – 7:00PM
Warren Town Hall – 50 Cemetery Road**

Present: **Chairman:** Keith Jewell **Members:** Nora Hulton, John Favreau, Tom Caldwell, Cynthia Shook
 Inland Wetlands Enforcement Officer: Stacey Sefcik
 Land Use Secretary: Brenda Zampaglione
 Alternate: Tom Caldwell
 Absent: Darin Willenbrock, Nancy Binns,
 Guest: First Selectman, Craig Nelson

1. CALL TO ORDER AND DESIGNATION OF ALTERNATES

- a. The regular meeting was called to order at 7:03PM by Chairperson Jewell. The proceedings were recorded digitally, and copies are available in the Land Use Office. All Regular members were seated for the meeting. Tom Caldwell was seated as an Alternate member for John Favreau.

2. PUBLIC HEARINGS

- a. None

3. APPROVAL OF MINUTES

- a. July 25, 2019 Regular meeting.
- b. August 8, 2019 Site Visit Special Meeting

MOTION: Ms. Hulton, 2nd Mr. Caldwell to **APPROVE** the **MINUTES** of the **July 25, 2019** Regular meeting; **UNANIMOUSLY APPROVED.**

MOTION: Ms. Hulton, 2nd Mr. Caldwell to **APPROVE** the **MINUTES** of the **August 8, 2019** Site Visit Special meeting; **UNANIMOUSLY APPROVED.**

4. OLD BUSINESS

- a. **C. Webb & Associates, LLC for Kelly & David Williams, 149 North Shore Road (Assessor's Map 45 Lot 17) – Shoreline Stabilization and Resurface Existing Lakefront Deck; Grading and Removal of Trees in Upland Review Area.**

Clint Webb spoke on behalf of the applicants Kelly & David Williams. Mr. Webb detailed an amendment to the application regarding the shoreline/bank stabilization plan. Mr. Webb amends that the proposal eliminates boulders being placed for bank stabilization and gave a short description to the Commission with copies of a Revised Proposed Regulated Activities Narrative for the Commission to peruse. Per Ms. Sefcik, who had previously done a site walk of the property, the majority of the concerns that she has had have been addressed.

MOTION: Ms. Hulton, 2nd Mr. Caldwell to **APPROVE** the **APPLICATION** for C. Webb & Associates, LLC for Kelly & David Williams, 149 North Shore Road (Assessor's Map 45 Lot 17) – Shoreline Stabilization and Resurface Existing Lakefront Deck; Grading and Removal of Trees in Upland Review Area; **UNANIMOUSLY APPROVED.**

b. Arthur Howland & Associates for Andreas & Gina Bauer, 49 Couch Road, Washington (Proposed Activity Located in Warren) – Regrade Existing Driveway in the Upland Review Area.

Paul Szymanski of Arthur Howland & Associates, LLC, spoke on behalf of Andreas Bauer & Gina Barac. There is an extremely steep and eroding driveway which will now be improved by giving it a new location which will reduce the slope, in addition to adding a swale which will divert water to an existing culvert. First Selectman Nelson has approved of the plan and Ms. Sefcik has no problems with the plan.

MOTION: Ms. Hulton, 2nd Mr. Caldwell to **APPROVE** the APPLICATION for Arthur Howland & Associates for Andreas & Gina Bauer, 49 Couch Road, Washington (Proposed Activity Located in Warren) – Regrade Existing Driveway in the Upland Review Area; **UNANIMOUSLY APPROVED.**

5. NEW BUSINESS – RECEIVE AND DETERMINE SIGNIFICANCE

a. David Diwik for Cedar Creek Farm, LLC, 127 Cornwall Road (Assessor's Map 28 Lot 6) – AFTER-THE-FACT Dredging and Enlargement of Existing Pond, Earthwork in the Regulated Area.

Mr. Diwik could not be at this evening's meeting. Ms. Sefcik reminded the Commission of the Site Walk/Special Meeting that was conducted on August 8, 2019 at 127 Cornwall Road. Mr. Diwik was going to dig out the pond on his property and was not aware of the regulations involved in doing so. Mr. Diwik submitted his application and an after the fact fee after receiving a formal enforcement letter. Mr. Diwik is looking to stabilize the slope site that he created. On the road side the bank will have to be stabilized in 1:3 slope. Any material that was dredged from the pond will remain where it is. Ms. Sefcik suggested that the Commission send a letter detailing what needs to be done to stabilize the area with a time budget to get the work done as soon as possible and that there will be an inspection after the work is done. In addition, the Commission will return his application.

MOTION: Ms. Shook, 2nd Ms. Hulton to **REFUSE** and **RETURN** the **APPLICATION** and a **LETTER of DEMAND** be sent as soon as possible detailing that the slope stabilization be rectified and inspected before the next IWC meeting on September 26, 2019, in the matter of David Diwik for Cedar Creek Farm, LLC, 127 Cornwall Road (Assessor's Map 28 Lot 6) – AFTER-THE-FACT Dredging and Enlargement of Existing Pond, Earthwork in the Regulated Area; **UNANIMOUSLY APPROVED.**

6. INLAND WETLANDS ENFORCEMENT OFFICER'S REPORT

No written report available at this time. Ms. Sefcik gave a verbal report to the Commissioners. Three Enforcement activities discussed at last meeting on Brick School Road, Cornwall Road and Woodville Road. Enforcement letters were sent out to all locations.

Brick School Road (Assessor's Map 32 Lot 33), the property owner came into the Land Use Office to question why he received an enforcement letter and to explain the work that had been done. Ms. Sefcik informed the Commission that work had been done by a spring house on the property. The work that was done was a depositing of material in the area and no permit was obtained. Letters were sent to the property owner and contractor that had done the work. Ms. Sefcik spoke to the property owner at the Land Use Office who stated that the work that had been done was due to a safety issue for his children and that not very much was done. Ms. Sefcik needs to do a site visit to inspect the activity. The area is now stabilized per Ms. Sefcik and she will report her site visit to the Commission at the next meeting.

15 Woodville Road (Assessor's Map 13 Lot 36) –No application or communication has been received as of yet. Ms. Sefcik did a site visit and took photographs after the last IWC meeting. It appeared to Ms. Sefcik as though some work had been done to the culvert under the driveway going up to the house and adjacent to this is a pond area. The whole area was disturbed, hay was put down, and grass is now growing. No permit has been obtained. There was no response to the letter of

enforcement sent weeks ago to the property owner or the contractor. Ms. Sefcik asked the Commission on how they would like to proceed. The Commission responded that a second notice of enforcement be sent and if that is ignored than a Show/Cause Hearing be scheduled. Ms. Sefcik will send the enforcement letter.

7. CORRESPONDENCE

- a. Ms. Sefcik distributed the Winter/Spring issue of *Habitat Magazine* to the Commissioners for perusal.

8. OTHER BUSINESS PROPER TO COME BEFORE THE COMMISSION

- a. None

9. ADJOURNMENT

MOTION: Ms. Hulton, 2nd Mr. Caldwell **ADJOURN** the meeting at 8:26PM;
UNANIMOUSLY APPROVED.

Respectfully submitted,

Brenda Zampaglione

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Land Use Secretary