

**Town of Warren
Inland Wetlands & Conservation Commission
Regular Meeting – Minutes
Thursday, November 21, 2019 – 7:00PM
Warren Town Hall – 50 Cemetery Road**

Present: **Chair:** John Favreau; **Vice Chair:** Cynthia Shook; **Members:** Nancy Binns, Nora Hulton;
 Inland Wetlands Enforcement Officer: None
 Land Use Secretary: Brenda Zampaglione
 Alternate: Tom Caldwell
 Absent: Darin Willenbrock

1. CALL TO ORDER AND DESIGNATION OF ALTERNATES

- a. The regular meeting was called to order at 7:05PM by Vice Chair Shook. The proceedings were recorded digitally, and copies are available in the Land Use Office. All Regular members were seated for the meeting.

2. ELECTION OF OFFICERS

- a. Nominations were accepted for the position of Chair. John Favreau was nominated for Chair and accepted the nomination.

MOTION: Ms. Binns, 2nd Mr. Caldwell to **NOMINATE** John Favreau for the position of **CHAIR** of the Town of Warren, **Inland Wetlands & Conservation Commission; UNANIMOUSLY APPROVED**

3. APPROVAL OF MINUTES

- a. October 24, 2019 Regular meeting

MOTION: Ms. Binns, 2nd Ms. Hulton to **APPROVE** the **MINUTES** of the **October 24, 2019** Regular meeting; **UNANIMOUSLY APPROVED**

4. PUBLIC HEARINGS

- a. None

5. OLD BUSINESS

- a. **David Diwick 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 – **LETTER OF DEMAND**. No response received as of 10/16/19

Brian Neff was present to represent David Diwick, Cedar Creek Farm, 127 Cornwall Road. Mr. Neff distributed a site plan for the Commission's perusal as well as a new application. The previous application and check were to be returned to Mr. Diwick by the previous ZEO per a MOTION made by this Commission at the August 22, 2019 meeting. The application and check were never returned. The check will be used for the new application submitted at this meeting.

Grass seed and hay bales were placed on the embankment for retention, the area is now stabilized. The smaller pond will be dredged and used as a basin to catch run-off and debris. The small pond has not been dredged in a long time and will be expanded for this purpose. The purpose of the work is to return the pond to its' original condition when it was first constructed. Work will be done when the weather is dry (Summer).

MOTION: Ms. Hulton, 2nd Ms. Binns to **RECEIVE/ACCEPT** the **Application** in the matter of David Diwick, Cedar Creek Farm, LLC, 127 Cornwall Road (Assessor's Map 28, Lot 6) – Dredging and Enlargement of Existing Pond, Earthwork in the Regulated Area; **UNANIMOUSLY APPROVED**

- b. **Scott Thyberg, 58 Mountain Lake Road (Assessor's Map 7, Lot 6) – Cease & Desist Order**
– Tree Clearing and Earthwork done in a Regulated Area Without Permits.

Mr. Thyberg still has **NOT** filed an **After-The-Fact application** as per the minutes from September 26, 2019 meeting as requested by this Commission. Per this Commission, Secretary Zampaglione is to send an application with a reminder, via certified mail with a deadline to Mr. Thyberg. This item will remain on the agenda until an application has been received.

- c. **15 Woodville Road (Assessor's Map 13, Lot 36) – Earthwork in the Regulated Area WITHOUT Permits – 2nd Notice of Violation – No response received as of 10/16/19 to NOV.**

Per the Commission, a 3rd Notice of Violation will be sent and will be the final letter. 15 Woodville Road will remain on the agenda for next month.

Per Secretary Zampaglione, there is no evidence in the file or computer that a letter was sent by former ZEO. The Commission has asked Secretary Zampaglione to find the original letter, prepare a draft based on that letter, give to Chair Favreau for editing, then send another notice. Chair will sign the letter.

Per order of Chair Favreau, Secretary Zampaglione will cross reference all permits issued with the permanent files, minutes and the computer to insure the permits were typed and sent to all applicants, due to the lack of evidence of such letters.

6. NEW BUSINESS – RECEIVE AND DETERMINE SIGNIFICANCE

MOTION: Ms. Hulton, 2nd Vice Chair Shook to **ADD** the application in the matter of **George Hurta, Bobcat Road (Assessor's Map 22, Lot 7) – Proposed New Driveway** to the **AGENDA; UNANIMOUSLY APPROVED**

- a. **George Hurta, Bobcat Road (Assessor's Map 22, Lot 7) – Proposed New Driveway**

Mr. Hurta has a house at 8 Bobcat Road and has an existing driveway for this lot. A map was distributed to the Commission for perusal and drainage was discussed.

MOTION: Vice Chair Shook, 2nd Ms. Binns to **APPROVE** the **Application** in the matter of George Hurta, Bobcat Road (Assessor's Map 22, Lot 7) – Proposed New Driveway; **UNANIMOUSLY APPROVED**

- b. Vice Chair Shook mentioned that she received a complaint regarding Kent Road (Route 341) somewhere around house #45 (between the Beldock residence and the antique shop). The complaint is that people are going into the area near the water way, often at night. People were seen bringing in items and often carrying something out. Vice Chair Shook asked if Commissioners were aware of activity being done in this area. Chair Favreau will speak to the Beldock's to see if they are aware of the activity.

7. CORRESPONDENCE

- a) *Habitat* Newsletter September/October 2019

8. OTHER BUSINESS PROPER TO COME BEFORE THE COMMISSION

- a. Inland Wetlands Conservation Commission Proposed 2020 Meeting Schedule

MOTION: Ms. Hulton, 2nd Ms. Binns to **ACCEPT** the **2020 Meeting Schedule** as presented; **UNANIMOUSLY APPROVED**

- b. **FOIA** pamphlet was distributed to the Commission by Secretary Zampaglione

9. ADJOURNMENT

MOTION: Ms. Binns, 2nd Vice Chair Shook **ADJOURN** the meeting at 7:40PM;
UNANIMOUSLY APPROVED.

Respectfully submitted,

Brenda Zampaglione

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Land Use Secretary