

**WARREN PLANNING BOARD
MINUTES OF JUNE 20, 2016**

PRESENT: Mr. William Ramsey; Chairman, Mrs. Susan Libby; Vice-Chairman, Mr. Peter Krawczyk, Mrs. Melissa Sapanek and Mr. Derik Veliz

ATTENDEES: John & Carrie Fijol, Larry Mandell, Donald Hathaway and James Gagner

The Meeting was called to Order at 7:15PM.

COMMENTS & CONCERNS

Mr. Krawczyk spoke with our newest member, Derick Veliz regarding the possibility of becoming our next CMRPC Delegate. He stated that he would be interested in bringing Mr. Veliz as a guest to an upcoming meeting so he can gain a better feel for the role. All were in agreement.

Following up from our last meeting in which Mr. Nickerson addressed the Board regarding Kevin Dorman's property on Old West Brookfield Road; Mr. Veliz questioned if the Board should take a closer look at the property. Chairman Ramsey explained that unless we as are invited onto the property, we cannot access private property. Until the Zoning Enforcement Officer determines whether there is a violation, we cannot take any further action.

MINUTES

Motion to approve and sign the Minutes of June 6, 2016 as written made by Mrs. Libby; second: Mr. Veliz – unanimous.

269 DEVILS LANE – DONALD HATHAWAY

Real Estate Agent, Larry Mandell addressed the Board this evening regarding Mr. Hathaway's property located at 269 Devils Lane. In 2003, this issue was brought forth by Mr. Hathaway to which lengthy discussions took place regarding an ANR plan that was endorsed by the then Planning Board in 1988. In December of 2003, the Planning Board narrowly voted that the "way" met the definition under §1.4 "Street". On August 2, 2004, a Building Permit (No. 04-096) was issued however never picked up nor acted upon. This permit was for the construction of 30' x 40' garage. Work (foundation) commenced without the issuance of a building permit. No fee has been submitted to date. Mr. Hathaway is now looking to market his property for sale. Mr. Mandell is asking for the Board to reaffirm their original finding which would allow an agreement for both parties to sign releasing the Town from any liability. Mr. Mandell provided an unsigned copy of the "maintenance agreement" by and between Mr. Hathaway and the Town of Warren. Mrs. Sapanek questioned if a new owner would be required to sign a new agreement. Thirteen years has passed, therefore the Board requested that Mrs. Acerra contact Town Counsel for an additional review and opinion. Mrs. Acerra advised the Board that this request will have to be tabled due to limited funding in the legal line item as we are near the end of the fiscal year. All were in agreement to wait until after July 1, 2016.

JOHN FIJOL – 656 OLD WEST WARREN ROAD

Mr. Fijol addressed the Board this evening over his displeasure in the manner in which a previous meeting was held. He had in his possession, copies of the Planning Board Minutes (May 16, 2016) which were on the town's website. He stated this evening that when he read the portion that pertained to him and his property, he felt that Mr. Veliz trespassed on his property. Mr. Veliz denied that claim, however Mrs. Acerra requested the Chairman to go on record as standing behind her work and reminding all members that the Minutes were approved "as written". At no time when reviewing the Minutes did any member request any clarification or correction to the business and discussion that took place. Mr. Fijol requested to review the "handouts" that

were provided by Mr. Veliz and referenced in the Meeting Minutes of May 16, 2016. Mr. Veliz did acknowledge that he was the one who in fact contacted DEP with concerns. DEP provided an email to substantiate that claim in addition to acknowledging Mr. Fijol is in full compliance.

Mr. Fijol stated that Mr. Veliz is covering his a** and opening the town up to a lawsuit. He further demanded that Mr. Veliz resign immediately. If not, he stated he will contact his lawyer and ACLU for what he feels is a violation of his 4th Amendment Rights. Mr. Krawczyk stated that he didn't recall Mr. Veliz saying that he walked around. Mrs. Acerra once again reminded him that he voted to approve the Minutes as written. Mr. Ramsey stands behind the Minutes.

TOWN PLANNER POSITION

As previously discussed, as of FY17, the Town Planner position will be per Diem. At the June 6th meeting Mrs. Acerra provided a copy of the Planner's current contract and Scope of Services. At that time, Mrs. Acerra requested that the Board review what is currently approved and provide any comments as to what they would like to see. Also provided was a copy of Chairman Nardi's recommendations. Mrs. Libby was the only one that provided input. With no discussion, the following motion was made: Motion to approve the Contract and Scope of Services with the recommendations of Mr. Nardi and the suggestion of Mrs. Libby to require prior approval of the Planning Board made by Mrs. Libby; second: Mrs. Sepanek – unanimous.

BILLS/MEMOS/PAYROLL

Motion to approve and sign payroll for Rebecca Acerra in the amounts of \$170.83 & \$139.77 made by Mrs. Libby; second: Mr. Veliz - unanimous.

Motion to sign the invoice for Wm. Scanlan in the amount of \$1,040.00 made by Mrs. Libby; second: Mrs. Sepanek – unanimous.

OLD BUSINESS

Rolling Hills Estates Realty Trust has requested that their Earth Removal Permit be extended for another term. A motion was made to grant the extension until September of 2016 until such time a site inspection can be done made by Mrs. Libby; second: Mr. Krawczyk. A letter will be sent to Mr. Callahan as to the Board's decision.

Next Meeting Date: July 25, 2016 at 7:15 PM.

Motion to Adjourn made by Mrs. Libby; second: Mrs. Sepanek – unanimous at 8:18 PM.

Respectfully submitted,

Rebecca Acerra
Secretary

Date Approved

