

**Regular Meeting**  
**Inland Wetland and Watercourses Commission**  
Tuesday, January 20, 2026 – Town Hall – Council Chambers – 7:30 PM

**I. Call to Order**

Chairman Charles Dimmick called the meeting to order at 7:32PM.

**II. Pledge of Allegiance**

**III. Roll Call**

Tim Graver called the roll.

**Present:** Charles Dimmick, Chairman; Chuck Thompson, Tim Graver, Francisco Perez

**Absent:** Joe Davis, Greg Guyer, Will McPhee, Vice Chairman;

**Staff Member Present:** Lina Cortez-Frazer, Assistant Town Planner

**IV. Determination of Quorum**

Following roll call, it was determined there were enough members present for a quorum

**V. Approval of Minutes**

1. 1/6/2026

C. Dimmick asked for objections to approve the minutes with no corrections. There were no objections and the minutes were approved.

**VI. Communications**

**VII. Inspection Reports**

**VIII. Enforcement Actions**

1. **Show Cause Hearing - 630 Cook Hill Rd.**

L. Cortez-Frazer states that staff has issued a show cause hearing due to the activity that was seen during an inspection. She shares with the commission a site plan that was done in 2007 and photos that were taken during the site inspection. L. Cortez-Frazer explains which sections of the regulations that she believes were potentially being violated that were observed.

C. Dimmick explains that some of the activities might have been approved as of right, but that is up to the commission to decide.

Timothy Lee, Esq., addressed the commission. T. Lee states that his client, Vincent Buontempo, owner of 630 Cook Hill Rd., should have originally gone to the commission for a request of determination if the activity is as of right or not. He explains that his client did not know that he was supposed to come to the commission even if an activity is considered as of right. T. Lee states that he believes that the activity that has occurred on the property is as of right. He explains that the owner is maintaining a farming operation and that the activity that has been done is related to that.

T. Lee explains that there have been a number of structures that have been erected on the property that are used for animal shelters and to protect animal feed from the elements. None of the structures have foundations, they are not constructed in the wetlands, and are essential to the farming operation. T. Lee further explains that there has always been a drive going through the property, consisting of crushed stone with 3 inches of asphalt over it. This is used to get to the pastures farther back on the property and to do other farming activities. C. Dimmick states that that drive was not always there and that it was put in without a permit.

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V. Buontempo explains that some of the fencing was replaced to create pastures for the animals. T. Lee states that when V. Buontempo purchased the property there was fencing already there but were needed to be replaced. C. Dimmick asks if any of the fencing runs into the wetlands, because years before the commission had asked the owner at the time to remove fencing from the wetlands. T. Lee states that he would have to look at the map that was shared with him by staff today and compare where the fencing and storage containers are placed compared to the wetlands.

C. Dimmick brings up that it was mentioned that some of these activities can be as of right if it is essential to the farming operation. He states that they need to make sure that it is essential in that location or if it could be moved outside the wetland review area.

L. Cortez-Frazer shows on the map where the drive goes through the property, the storage containers, and the fencing. T. Graver asks if there are disturbances in the wetlands and L. Cortez-Frazer states that there are. F. Perez asks if the storage containers can be relocated outside of the upland review area. T. Lee states that they will take that into consideration.

The commission talks about if all of the activities that have occurred would be considered as of right or not.

C. Dimmick brings up that the pond on the property has water flowing into it as well as out of it, which would make it a free-flowing stream according to state statute. Therefore, there are different regulations than if it was just wetlands.

T. Graver mentions that as of right relates to grazing of animals and routine manure upkeep. He states that it does not include paving, storage, construction of building, and grading and filling activities. T. Lee reads the regulation into the record and states how they are as of right.

C. Thompson asks where the manure pile is located on the property. V. Buontempo states that he kept it where the previous owners had kept it and points it out on the map. L. Cortez-Frazer states that it needs to be 100 feet from the wetlands.

L. Cortez-Frazer proposes to the commission that they take a site walk on the property.

**MOTION:** C. Dimmick makes a motion that this is a justified show cause hearing.

***Motion was passed by commission members present.***

The commission talks about the next steps.

**IX. Unfinished Business**

**1. Site Plan**

**APP #2026-01**

**Blackberry Woods LLC**

**DOR 1/6/2026**

**Blackberry Woods Lot 21**

**MAD 3/12/2026**

**MOTION:** T. Graver made a motion to move staff working of the drafter motion, seconded by C. Dimmick.

T. Graver asks if the location map has been updated. Austin Downes, of SLR Consulting, states that it has been updated. The commission discusses where the wetland markers should be placed on the property. T. Graver states that he thinks it should be along the upland review line.

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**MOVED:** *The Cheshire Inland Wetlands and Watercourses Commission, having considered the factors set forth in Section 10.2 of the Inland Wetlands and Watercourses Regulations of the Town of Cheshire, information gained from the Commissioners' knowledge of the area, and information provided by the applicant and others during public proceedings, finds the following:*

- 1. The proposed activity involves the construction of a single-family residence and associated site improvements, including site grading, driveway construction, retaining walls, drainage infrastructure, utilities, and erosion and sedimentation controls at Lot 21, Blackberry Place.*
- 2. The proposed work is limited to the regulated upland review area, with no direct disturbance to delineated inland wetlands or watercourses, and the limits of clearing are clearly identified on the approved plans.*
- 3. The extent of disturbance within the regulated upland review area is minimal and necessary to support reasonable residential use of the property.*
- 4. With the installation and ongoing maintenance of erosion and sedimentation controls, the proposed activity is not expected to result in adverse impacts to wetland functions or values.*
- 5. The identification of wetland boundaries and limits of clearing through permanent field markers will aid in the long-term preservation and maintenance of regulated areas.*

*The Commission finds that the proposed activity will not have a significant adverse effect on the adjacent wetlands and watercourses.*

*Based on these findings, the Cheshire Inland Wetlands and Watercourses Commission grants Permit Application #2026-01 for the regulated activities at Lot 21, Blackberry Place.*

*The permit is granted on the following terms, conditions, stipulations, and limitations (collectively referred to as the “**Conditions**”) each of which the Commission finds to be necessary to protect the wetlands and watercourses of the State and the Town of Cheshire:*

- 1. Erosion and sedimentation controls shall be installed prior to the commencement of any earth disturbance and shall be properly maintained for the duration of construction.*
- 2. All clearing, grading, and construction activities shall remain strictly within the approved limits of work as shown on the approved plans and shall remain outside of the delineated inland wetland.*
- 3. Permanent markers or plaques identifying the inland wetland boundary and limits of clearing shall be installed prior to construction, in locations and of a type approved by the Commission or its agent and shall be maintained in perpetuity for future preservation and site maintenance.*
- 4. All temporarily disturbed areas within the regulated upland review area shall be permanently stabilized upon completion of construction.*

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5. *Any work beyond the limits of this approval or any modification to the approved plans shall require prior review and approval by the Commission or its duly authorized agent and may be subject to enforcement action.*

6. *Notice shall be provided to the Commission's agent for inspection of erosion and sedimentation controls and verification of boundary markers and final site stabilization prior to issuance of a Certificate of Compliance. No approval has been granted associated with this request for any work in areas of mapped inland wetland soils. Work beyond the limits of disturbance approved by the commission will require additional approvals.*

***Motion was passed unanimously by commission members present.***

**X. New Business**

|                               |                      |
|-------------------------------|----------------------|
| 1. <b>Site Plan</b>           | <b>APP #2026-02</b>  |
| <b>Peragallo Construction</b> | <b>DOR 1/20/2026</b> |
| <b>Mt. Sanford Lot #2</b>     | <b>MAD 3/26/2026</b> |

T. Graver brings up that this came before the commission before but with a different applicant and work has already started on the site. C. Dimmick states that if it is a transfer of ownership of the previous permit, they can work with staff to extend the permit to the new owner. T. Graver brings up that there is an error on the plans submitted and that it says the upland review area is 25-feet from the wetlands when it should be 50. This would put the house farther into the upland review area.

**XI. Adjournment**

C. Dimmick adjourned the meeting at 8:42PM.

Attest: Colleen Costello