

**CORNWALL INLAND WETLANDS AND WATERCOURSES AGENCY  
MINUTES OF THE  
MAY 2, 2017 REGULAR MEETING - CORNWALL TOWN OFFICES**

**Present: Regular members Adam Fischer, William Hurlburt, Roger Kane, Andrew MacDavid, alternate members Deborah Bennett and Peter Demy and IWWO Karen Griswold Nelson.**

**Absent: D. Stevenson Hedden.**

Acting chairman Roger Kane called the meeting to order at 7:00PM in the Cornwall Town offices with a quorum established. Mrs. Bennett was seated for regular member/chairman Hedden.

**APPROVAL OF MINUTES: April meeting minutes.**

At the request of staff, action on the minutes was deferred until after agenda item, Inland Wetlands Officers Report.

**PENDING APPLICATIONS.**

**NEW APPLICATIONS AND OR MODIFICATIONS/PETITIONS FOR DECLARATORY RULINGS.**

**NOTICE OF VIOLATION/CEASE AND CORRECT**

**Notice of Violation/Cease and Correct – Robert and Nell Nicholas owners – Deposition of material within regulated areas without a permit – 26 Bolton Hill Road.**

Notice and Cease and Correct Order and supporting information was made part of the record. Written correspondence from property owner Rob Nicholas dated April 28<sup>th</sup> to the IWEEO and the commission was made part of the record.

Mr. Robert “Rob” Nicholas was in attendance and addressed the written correspondence that he had submitted in response to the Notice and Order.

Griswold Nelson advised the Commission that both she and Northwest Conservation District executive direction and certified soil scientist Sean Hayden had been on site that morning and that augered cores around the edges of the fill material by Mr. Hayden clearly showed that the entire pile had been placed in wetlands soils. Mr. Nicholas provided a previous wetlands delineation that showed areas of wetlands soils with note made by Griswold Nelson that the onsite visit that morning clarified that the fill was in wetland soils. It was stated that her recommendation was that an application be submitted for the remediation of the site with agreement that Griswold Nelson would work with site contractor, Josh Tyson as to the process for the appropriate removal.

Mr. Nicholas submitted an application for the recommended activities.

**Motion** made by Mr. Hurlburt, seconded by Mr. Fischer, to accept the application of Mr. Nicholas for regulated activities; unanimously approved.

**UPLAND REVIEWS AND APPROVAL BY AUTHORIZED AGENT.**

**INLAND WETLANDS OFFICER REPORT.**

Griswold Nelson provided information regarding recent updates as to the status of the repair of the Nash Pond. Based on staff concerns and the directive of Mr. Hedden, the Commission discussed the wording of the April regular meeting minutes to ensure that the minutes properly reflected what had been discussed as to the safety of the dam and the process for repair.

With agreement that the minutes properly reflected the conversations with the representative for the applicant at the April meeting, Peter Heynen, from Milone and McBroom.

**Motion** made by Mr. Hurlburt, seconded by Kane, to approve the minutes of the April meeting as presented; unanimously approved.

**CORRESPONDENCE AND COMMUNICATIONS RECEIVED.**

**OTHER BUSINESS PROPER TO COME BEFORE THE COMMISSION.**

**ADJOURNMENT.**

**Motion** made by Mr. Hurlburt, seconded by Mr. Fischer to adjourn at 7:30PM; unanimously approved.

Respectfully submitted

Karen Griswold Nelson