

**CORNWALL INLAND WETLANDS AND WATERCOURSES AGENCY
MINUTES OF THE REGULAR MEETING SEPTEMBER 3, 2019 - CORNWALL TOWN OFFICES**

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

Presiding chairman D. Stevenson Hedden called the meeting to order at 7:05PM in the Cornwall Town offices with a quorum established. Alternate Deborah Bennett was seated for regular member Adam Fischer.

APPROVAL OF MINUTES: August 6, 2019

Motion made by Mr. Kane, seconded by Mr. Hurlburt, to approve the August 6, 2019 regular meeting minutes as presented: unanimously approved.

Motion made by Mr. Hurlburt, seconded by Mr. MacDavid, to amend the Agenda to add **PDR03-20 - John LaPorta applicant/David Duffee and Livia Corredor owners – Repair and adaptation of an existing conduit system to an existing pond – 6 Valley Road** after Enforcement Actions: unanimously approved.

PENDING APPLICATIONS.

App#632 – William Lynn property owner – Activities within regulated area for the construction of a driveway to a single family residence – end of Day Road.

Maps entitled “Proposed Driveway – 13.170 acres compilation plan prepared for Regina A Gerbi Trustee (Map 769 as filed in Cornwall Land Records and modified) with added notes “Proposed Activity”: and portion of Map #204 Proposed subdivision Plan made part of the record.

Property owner William Lynn was in attendance to address the Commission.

Questions and concerns were raised including the size, grade and kind of the proposed culvert pipe (36” x 20’), the treatment of the outlet structures (flared end on both ends?), and the kind of bedding under the pipe and any proposed excavation of the pipe bed. With note made that the grade of the pipe was directly related to the size of the pipe, it was suggested that the contractor of record, William Gawel, supply the Commission with additional information prior to approval. Concerns regarding the size of pipe as relating to the watershed were raised with staff to supply watershed information.

Motion made by Mr. Kane, seconded by Mr. Hurlburt, to table discussion of the App#632 to the September meeting; unanimously approved.

App#634 – Town of Cornwall applicant /owner – Regulated activities for culvert replacement/repair – Lake Road and Cream Hill Road.

Roger Kane recused himself from action on the application to act on behalf of the Town.

AJ Towne of Towne and Aurell Inc., Morris CT was in attendance to address the application.

Mr. Kane addressed the awarding of the bid to Towne and Aurell, the signing of the bid to start the 90 day construction contract to complete two replacement/repair culvert projects. It was stated that the Cream Hill Road project was first in line, with expected detours on Scoville Hill and Wadsworth Road during the one week or less project duration,

Details of sequence, timing, and materials (with input from both Mr. Kane and Mr. Towne) were discussed with the Commission. The project was outlined as installation of erosion and control measures, the repair on the inlet side, including the resetting of one four foot section of RCP headwall, the installation of a 60" RCP pipe to a proper depth and elevation with new pipe bedding underneath, the pouring of a new concrete re-enforced headwall on the outlet side, final grading, new metal beam rail and top soiling, raking and reseeding of all disturbed areas.

The Lake Road repair/replacement project was expected to be started immediately after Cream Hill and completed in three weeks or less with Lake Road closed in both directions during that time.

Details of sequence, timing, and materials (with input from both Mr. Kane and Mr. Towne) were discussed with the Commission. The project was outlined as the installation of erosion control measures and water control measures prior to the removal of asphalt and the start of work for the replacement of an existing deteriorated asphalt corrugated pipe, The existing headwalls and 72" ACMP pipe were to be removed and replaced with a 40' lineal foot section of 72" RCP and two standard wing type end walls at the inlet and outlet sides of the pipe parallel with the road and specifically designed for a rural road.. Note was made that the outlet structure was a bit lower than existing. The final details included prep and paving of an 80' x 22' section of Lake Road, and final grading, new metal beam rail and top soiling, raking and reseeding of all disturbed areas.

With agreement that all concerns had been addressed, and with note made that Mr. Kane would be overseeing and the named contact person for the work.

Motion made by Mr. Hurlburt, seconded by Mrs. Bennett, to approve **App#634 – Town of Cornwall applicant /owner for regulated activities for culvert replacement/repair – Lake Road and Cream Hill Road** as per the oral and written testimony of the record; unanimously approved.

NEW APPLICATIONS AND OR MODIFICATIONS/PETITIONS FOR DECLARATORY RULINGS.

ENFORCEMENT ACTIONS:

Hollenbeck LLC – Notice of Violation/Cease and Desist – River Road South – Assessor's Parcel H04-01-03. Original Order remains in effect and revised to require than an Application for regulated activities for the removal of the deposited soil with an Erosion and Sedimentation Plan and a Construction Sequence be prepared and submitted.

Griswold Nelson advised the Commission of recent communications that indicated that a second engineer (George Johannsson/Allied Engineering) had recently been engaged (that day) and that the process for the application was again re-starting with expected results weeks away.

AMEND THE AGENDA TO ADD- PDR03-20 - John LaPorta applicant/David Duffee and Livia Corredor – Repair and adaptation of an existing conduit system to an existing pond – 6 Valley Road.

Griswold Nelson addressed conversations with Mr. LaPorta regarding additional work being undertaken at 6 Valley Road (former Calhoun property) to complete the adaption of an established conduit system to the existing pond for water management. Griswold Nelson stated that the open part of the conduit system had been addressed last year with the removal of vegetation and trees, and the reconstruction and widening of the channel for water management.

Noting that recent rain events had not resulted in any flooding on Valley Road similar to that in 2018, Griswold Nelson addressed the recent investigation of the length of the closed conduit section, its deteriorated conditions due to tree roots, etc. and the wishes to leave parts if not all of the area open for better maintenance and water management. Based on the oral testimony offered by the Griswold Nelson and the Commission's knowledge of the site.

Motion made by Mr. Hurlburt, seconded by Mr. Kane, that **PDR03-20 - John LaPorta applicant/David Duffee and Livia Corredor – Repair and adaptation of an existing conduit system to an existing pond – 6 Valley Road constituted a “Use as of right” for maintenance of an existing conduit system to an existing pond on a single family residence site– 6 Valley Road.**

UPLAND REVIEWS AND APPROVAL BY AUTHORIZED AGENT.

INLAND WETLANDS OFFICER REPORT.

In response to appropriate concerns raised (Mr. MacDavid), Griswold Nelson addressed recent activities on the Trinity Retreat Center site for the construction of a new rector's house noting that the closest activities, on the developed part of the site, were close but not within regulated areas (150 feet plus). Griswold Nelson addressed site visits to the Hart Hill Road site, stating that erosion and sedimentation controls were in place as required and that she would be following up based on the amount of area open for the construction of the foundation.

CORRESPONDENCE AND COMMUNICATIONS RECEIVED.

Griswold Nelson addressed a telephone call received prior the meeting from Tim Egan, Revolutionary Restoration and Building in Litchfield regarding the needed repair of the deteriorated wooden walkway over a stream at 1 Warrant Hill Road (formerly Kent Road). Based on member's knowledge of the site and the original permit and the approval of the walkway, it was agreed that Griswold Nelson could advise Mr. Egan to move forward on the repair immediately.

Griswold Nelson addressed knowledge of recent activities by the Housatonic Railroad to again spray vegetation and trees along the tracks in West Cornwall without advance notice to the Town. With note made that the source of the information was from the First Selectman's Office, it was agreed that the issue being pursued by numerous entities would include the concerns of the Inland Wetlands agency.

Condolences and support to valued friend and member Peter Demy were expressed by the Commission on the recent loss of his wife.

OTHER BUSINESS PROPER TO COME BEFORE THE COMMISSION.

Discussion of amendments to the Inland wetlands regulation- Section 4 regarding fire protection.

ADJOURNMENT.

Motion made by Kane, seconded by Mr. Hurlburt to adjourn at 8:00PM; unanimously approved.

Respectfully submitted,

Karen Griswold Nelson

