**CORNWALL INLAND WETLANDS AND WATERCOURSES AGENCY**

**MINUTES OF THE REGULAR MEETING OCTOBER 1, 2019 - CORNWALL TOWN OFFICES**

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

**Absent: Deborah Bennett**

Presiding chairman D. Stevenson Hedden called the meeting to order at 7:05PM in the Cornwall Town offices with a quorum established. Alternate Peter Demy was seated in seated recently vacated by the resignation of long time member Adam Fischer.

At the request of staff:

**Motion** made by Mr. Hurlburt, second by Mr. Kane, to amend the agenda to add **New application** **#635 - Hollenbeck LLC/ After the fact permit application for the removal of fill within regulated areas - River Road South under New Applications**: unanimously approved**.**

**APPROVAL OF MINUTES: September 1, 2019**

**Motion** made by Mr. Hurlburt, seconded by Mr. MacDavid to approve the minutes of the September meeting as presented: 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” on portion of Map #204 Proposed subdivision Plan were referenced as part of the record for discussion.

Contractor William Gawel was in attendance to address the Commission. Mr. Gawel submitted information entitled “Area and Hydraulic Ratios for Corrugated Steele Pipe Flowing Full” and “End Section”.

Questions and concerns raised at the last meeting including the size, grade and kind of the proposed culvert pipe, the treatment of the outlet structures (flared end on both ends, , and the kind of bedding under the pipe were addressed. Mr. Gawel stated that, based on the estimated flow through the culvert as evidenced in the size of the box culvert on Route 45 and the overland flow based on the physical topography of the site and the location of the current crossing, he was proposing a 60” arch corrugated aluminum arch steel pipe (actual dimensions 71” x 47”) with flared ends upstream and downstream. Mr. Gawel stated that both flared end sections, upstream and downstream, would be finished with rock and rip rap. Mr. Gawel stated that his decision was basis on the physical evidence of pipe sizes upstream stream and downstream and the added amount of overland flow based on the topography that required the larger pipe from the one upstream. Mr. Gawel stated that the type of pipe (arched) being proposed would allow less fill over the pipe. Mr. Gawel stated that he would be installing guard rails and boulders on the inlet side, that the bedding under the pipe would be processed trap rock and material excavated from the stream bed and the site, after completion would be finished off with expected 20% of winter rye based on the expectation of two weeks of construction to be started during the fall season. In review of the plan on file, it was agreed that other details regarding the installation of erosion and sedimentation controls during the entire construction sequence, including the boxing out of the driveway, were the same.

**Motion** made by Mr. Hurlburt, seconded by Mr. Kane to approve Application **#632** as per the oral and written testimony of Mr. Gawel, and the amended Construction sequence on file with the following conditions:

1. The permittee shall supply the name and 24 hour contact information for the party responsible for the erosion and sedimentation controls and site supervision to the Land Use office prior the start of any site activities.
2. The permittee shall notify the Land Office by written notification (electronic or written) prior to the commencement of any site activities.

The site contractor of record is responsible for site supervision. All site supervision is at the expense of the applicant.

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

**#635 - Hollenbeck LLC/ After the fact permit application for the removal of fill within regulated areas - River Road South under New Applications**:

**Motion** made by Mr. Hurlburt, seconded by Mr. MacDavid to accept **App#635** (delivered to the Land Use office on September 30th prior to the posting of the agenda); unanimously approved.

Mapping entitled “Proposed Fill Removal Plan prepared for Hollenbeck LLC, River Road South, dated September 20th” by Allied Engineering, sheets C-1 Proposed Fill Removal Plan, ES-1 and ES-2 Proposed Erosion and Sedimentation Plan” was made part of the record. Also included and made part of the record was “State of CT Inland wetlands reporting form” and Letter of Authorization.

Direction was given to IWWEO Nelson to advise the applicant’s representative that the acceptance of the application allowed staff and commission members to visit the site. It was noted that the information was being forwarded to the Army Corps. It was noted that the application did not contain an Inland wetlands report from the soil scientist that had flagged the wetlands on the site.

**Motion** made Mr. Hurlburt, seconded by Mr. MacDavid to make no determination of significance and to table discussion until the November meeting: unanimously approved.

**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.

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

**INLAND WETLANDS OFFICER REPORT.**

**Japanese Knot weed program/for Deb Bennett.**

Griswold Nelson addressed recent communications between Deb Bennett, the Land Use office, Tom Zetterstrom, and the Town regarding the treatment of Japanese Knotweed on town owned land.

Griswold Nelson addressed the recent zoning sign off on the 86 Popple Swamp Road property owned by the Strazza’s based on site inspections by both herself and site engineer Pat Hackett.

Griswold Nelson addressed her work on securing permitting for the Town of Cornwall/ Volunteer fire department from the Army Corp of Engineers to be able to take equipment into the Housatonic River under the Route 7 bridge in Cornwall Bridge to clear debris and stones from the intake pipes installed in the river to allow fire equipment to draw water from the river for fire emergencies. It was noted that this type of work exceeded the local authority for fire protection measures but in conversations, the cost of repair to fire equipment based on the current situation was enough to pursue an “after-the-fact” Army Corp permit to allow the process to move forward quickly.

**CORRESPONDENCE AND COMMUNICATIONS RECEIVED.**

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

**Discussion of amendments to the Inland wetlands regulation- Section 4 regarding fire protection. (To be discussed under Inland wetlands officer’s report)**

**ADJOURNMENT.**

**Motion** made by Mr. Hurlburt, seconded by Mr. Kane to adjourn at 7:50PM; unanimously approved.

Respectfully submitted

Karen Griswold Nelson, secretary for the Commission