

**CORNWALL INLAND WETLANDS AND WATERCOURSES AGENCY
MINUTES OF THE JULY 3, 2018 REGULAR MEETING - CORNWALL TOWN HALL**

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

Presiding chairman D. Stevenson Hedden called the meeting to order at 7:01PM in the Cornwall Town Hall with a quorum established. Alternate member Debbie Bennett was seated for regular member William Hurlburt

APPROVAL OF MINUTES: June 5 regular and June 27, 2018 special meetings.

Motion made by Mr. Kane, seconded by Mrs. Bennett, to approve the June 5th regular meetings as presented; unanimously approved.

Motion made by Mr. Kane, seconded by Mr. MacDavid, to approve the minutes of the June 26th special meeting as presented.

PENDING APPLICATIONS.

Modifications to App#605 - Eversource Energy owner/ Housatonic Valley Association applicant for regulated non-significant activities within 150 feet of the Housatonic River for the "River Bend" project in West Cornwall – 36 Lower River Road. Approved August 2016.

July 3, 2018 correspondence from Michael Jastremski, HVA Watershed Conservation Director to the Cornwall Inland Wetlands Commission was made part of the record for discussion. With note made that the memo was meant to address two issues raised at the June 26th Special walk meeting, general discussion ensued regarding the information provided in the correspondence. The matter regarding modification to the entry for connection to the town road was deemed appropriate. Noting that plans as proposed showed a grade in excess of 12 percent on the access ramp, continued concerns were discussed regarding the gravel versus lattice method proposed and alternate methods that could comply with the wetlands regulations. There was discussion of past practice by the Commission to require paving on driveways and access with grades in excess of 10 percent due to impact to wetlands and watercourses and if the grade shown could be approved by the Planning & Zoning Commission. It was agreed that the application be tabled with direction given to staff to address the issues raised and bring solutions back to the Commission.

Motion made by Mr. Kane, seconded by Mr. MacDavid to table final action on the application with the finding that the Commission endorsed the overall idea of the application unanimously; unanimously approved.

Note was made that the record of the application contained no correspondence regarding possible site contamination and therefore was not within the Commission's authority to address.

**NEW APPLICATIONS AND OR MODIFICATIONS/PETITIONS FOR DECLARATORY RULINGS.
UPLAND REVIEWS AND APPROVAL BY AUTHORIZED AGENT.**

Mr. Hedden recused himself from the proceedings to represent the Petition.

02-PDR-18 – Steve Hedden applicant/Mohawk Mountain Ski Area – Removal of invasives and weeds along the edge of a pond – 46 Great Hollow Road.

Information in the oral and written testimony of the application including clarification of the location of the pond (between the two parking lots), the intent to remove invasives and a written construction sequence was discussed and reviewed. It was noted that the application represented a courtesy based on the fact that the property is state owned.

Motion made by Mr. Kane, seconded by Mr. MacDavid, that 02 -**Petition for a Declaratory Ruling (PDR) – 18** constitutes a use as of right according to Section 4: unanimously approved.

03-PDR-18/App 620 – Cornwall Water Company applicant/owner –Regulated and Non-regulated activities within regulated areas to rebuild a spring/drinking water source for the state of Connecticut (Section 4.1.Permitted Uses as of Right and Non Regulated Uses – Subsection e. relating to water companies)– 348 Furnace Brook Road.

June 11, 2018 correspondence to the commission, Subject Work on Cornwall Water Co, Spring - 348 Furnace Brook Road, and description of work to rebuild spring for the State of Connecticut, with sixteen action items listed in order of timing.

The Commission reviewed the information supplied including mapping of the site and the written correspondence submitted There was general discussion of the Commission's jurisdiction with agreement that item 9- 11 (install gunite to spring floor, install crush stone to spring floor, and return spring to operation) was as of right according to Section 4. Subsection e relating to water companies but that the balance of the construction activities could be considered regulated.

Motion made by Kane, seconded by Mr. MacDavid, to accept **App#620** for regulated non-significant activities, to find certain activities included in **03PDR-18** for the actual repair of the spring was as of right according to Section 4.e and to table final action on the entire application until the August meeting; unanimously approved.

04-PDR-18 Josh Tyson applicant/Michael and Kathryn Schaper owners – Maintenance of silt and reflecting ponds as previously done in 2011 and 2015- 195 Great Hill Road.

June 30th construction sequence prepared by Josh Tyson/Frost Excavating was made part of the record.

Note was that the file contained two previously approved Petitions for Declaratory Ruling #549 dated June 2011 and 09-PDR-15 dated July 2015 for the same work by different contractors. It was agreed that the new petition constituted the same work successfully completed in the two previous petitions for declaratory ruling.

Motion made by Mr. Kane, seconded by Mr. McDavid to determine that 04-PDR-18 constitutes a use as of right for maintenance of residential property with the understanding that all spoils would be disposed of in non-wetlands area; unanimously approved.

App#619 – A Christine Gray applicant/Benjamin Gray owner – Activities within regulated areas for a 3 lot subdivision – 14 Bolton Hill Road.

With note made that the application constituted a necessary report for the submission of a subdivision

Motion made by Mr. Hedden, seconded by Mr. MacDavid, to accept the application and table the discussion and report until the August meeting; unanimously approved.

INLAND WETLANDS OFFICER REPORT.

CORRESPONDENCE AND COMMUNICATIONS RECEIVED.

OTHER BUSINESS PROPER TO COME BEFORE THE COMMISSION.

Amendments to the Inland wetlands regulations for amendments to Section 4 regarding fire protection. New permitting forms.

ADJOURNMENT.

Motion made by Mr. Kane, seconded by Mrs. Bennett, to adjourn at 7:50Pm; unanimously approved.

Respectfully submitted,

Karen Griswold Nelson