

**CORNWALL INLAND WETLANDS AND WATERCOURSES AGENCY
MINUTES OF THE SEPTEMBER 7, 2021 MEEETING – CORNWALL TOWN OFFICES
HELD BY ZOOM MEETING/RECORDING ON FILE**

Present: Regular members D. Stevenson Hedden, Debby Bennett, Peter Demy, Roger Kane, William Hurlburt and IWWEO Karen Griswold Nelson.

Chairman D. Stevenson Hedden called the meeting to order at 7:13PM with a quorum established,

APPROVAL OF MINUTES: July 8, 2021 special meeting minutes

Motion made by Mr. Demy, seconded by Mr. Hurlburt to approve the June 1, 2021 meeting minutes as presented; unanimously approved.

NEW APPLICATIONS/ UPLAND REVIEWS AND APPROVAL BY AUTHORIZED AGENT.

PETITIONS FOR DECLARATORY RULINGS

PDR-09-2020/21 – Joh and Constance Old owners/Josh Tyson/applicant – Activities within regulated areas for the expansion of agricultural activities – 39 Jewel Street.

Mapping entitled “Landscape Plan”, Overall Footprint Main Barn Basement Plan, Main Barn First Floor Plan, Cow Barn and Spring House Plan Cow Barn Upper Level Plan, Exterior Elevations, Cow Barn Cross Section, all sheets dated 07/21 prepared by Allee Architecture Design. LLC, Lakeville. CT for Jon and Constance Old, 39 Jewel Street” was made part of the record for discussion.

The floor was opened for discussion.

Debby Bennett and Peter Demy stated that they had been given a site tour by co-contractor Wayne Wolfe and other members acknowledged knowledge of the site and review of the plans on an individual basis,

IWWEO K. Nelson addressed her long term knowledge of the site and her request and subsequent visit by a NWCD (Northwest Conservation District) and NRCS (Natural Resource Conservation Service) agricultural technician, Sarah Ammiratto stating that her recommendations from earlier site walks regarding the treatment of the stream for a “animal crossing” and manure management had been addressed with agreement from Ms. Ammiratto that the plan showed appropriate and recommended agricultural practices.

With agreement that all concerns had been addressed

Motion made by Mrs. Bennett, seconded by Mr. Demy to determine that **PDR-09-2020/21 – Joh and Constance Old owners/Josh Tyson/applicant – Activities within regulated areas for the expansion of agricultural activities – 39 Jewel Street** constitutes as “Use as for right” as per Section 4.1 all of the activities proposed are part of an agricultural operation; unanimously approved.

Motion made by Mr. Hurlburt, seconded by Mr. Demy to amend the agenda to add **PDR10-2020-2021 Jason Dismukes, LLC applicant/James Young (104 Kent Road) – Approval of a site plan for an agricultural barn associated with a maple sugaring operation – 116 Kent Road**); unanimously approved.

Mapping entitled "Site Plan for Agricultural Barn prepared for James Young, 116 Kent Road, Cornwall, CT dated 6/23/2021" (emailed electronically to commission members) was made part of the record and screen shared.

Photographs taken by IWWEO K. Nelson, on a 12:30 – 1:30PM September 4, 2021 site walk, with permission to be with and on site by Mr. Dismukes, were made part of the record. (Copies emailed electronically to Commission members).

In response to questions from Mr. Dismukes as to whether the Land Use Office had received an email from Mr. Young authorizing him to act as his agent, K. Nelson stated that no email had been received (in response, email sent to Mr. Young by Mr. Dismukes/copied to kgn) with recommendation (kgn) that the Agency move forward while awaiting a response. Mr. Dismukes addressed the site plan and photographs showing the location of the barn in relationship to the pond on the land south of the driveway and the watercourse on the north side and under the graveled driveway. Mr. Dismukes addressed the wetlands /watercourse as being upgradient of the barn as supported in the photographs and elevations on the map supplied. In response to questions, Mr. Dismukes stated the proposed barn would be a stick frame barn constructed with frost walls with minimal excavation and stockpiling of material. It was agreed that silt fence and/or hay bales would be installed along the driveway before the construction of the barn and that all materials would remain on the upside of the driveway and subject to inspection by staff.

Motion made by Mr. Kane, seconded by Mr. Hurlburt to determine that **PDR10- 2020-2021 Jason Dismukes, LLC applicant/James Young (104 Kent Road) – Approval of a site plan for an agricultural barn associated with a maple sugaring operation – 116 Kent Road)** constitutes as "Use as for right" as per Section 4.1 as all of the activities proposed are part of an agricultural operation; unanimously approved (subject to receipt of permission from Mr. Young)

9/7/2021 timed 7.29/2021 from Mr. Young reading "Its probably too late now but please allow Jason Dismukes to be my agent for this application. Thank you. Jim Young" was received by staff and made part of the record for the Petition.

ENFORCEMENT ACTIONS:

Notice of Violation/Cease and Correct – Dark Entry Forest Inc. / property owner and Anthony Macchioaroli /non-property owner for work within regulated areas without permits – Cook Road.

Email From: David Colbert To: Karen Nelson <cwlanduse@optonline.net/ Date: September 6, 2021 at 6:08 PM - Subject: Dark Entry Forest, Inc. statement for IWWA Meeting - addressed to Karen, stating "Dark Entry Forest Inc. is working to resolve the issues raised in the Notice of Violation and is asking that we be given additional time." From David Colbert President, Dark Entry Forest, Inc. (and forwarded electronically to Anthony Macchioaroli) was made part of the record

At the request of staff for a formal motion to defer discussion of the matter,

Motion made by Mr. Demy, seconded by Mrs. Bennett, to defer discussion of the matter until the October meeting; unanimously approved.

INLAND WETLANDS OFFICER REPORT

Commission member Debby Bennett addressed her work in the Town of Cornwall with Bob Gambino and Tom Zetterstrom regarding the treatment and removal of Japanese Knot weed in the Town including the Town gravel bank/brush dump, Riverside Park, and other assorted spots including the patch next to the new pizza/brew pub under construction in West Cornwall.

There were general discussion of beaver issues in the Town and the impact of storm events.

CORRESPONDENCE AND COMMUNICATIONS RECEIVED.

OTHER BUSINESS PROPER TO COME BEFORE THE COMMISSION.

ADJOURNMENT

Motion made by Mr. Hurlburt, seconded by Mrs. Bennett to adjourn at 7:45PM was unanimously approved.

Karen Griswold Nelson