

**CORNWALL INLAND WETLANDS AND WATERCOURSES AGENCY
MINUTES OF THE REGULAR MEEETING JUNE 7, 2022 – CORNWALL TOWN OFFICES
HELD BY ZOOM MEETING/RECORDING ON FILE**

Present: Regular members, Peter Demy, Alternates Allan Bahn and Jeffrey Morgan and IWWEO Karen Griswold Nelson.

Absent: William Hurlburt, D. Stevenson Hedden and Debby Bennett

IWWEO/LUA Karen Griswold Nelson called the meeting to order at 7:03 PM with a quorum established. (Alternate member Allan Bahn was seated for regular member William Hurlburt and Jeff Morgan for D. Stevenson Hedden.)

APPROVAL OF MINUTES: May 3, 2022 regular meeting minutes.

Motion made by Mr. Bahn, seconded by Mr. Demy to approve the minutes of the May 3, 2022 regular meeting as presented: unanimously approved.

**NEW APPLICATIONS/PETITIONS FOR DECLARATORY RULINGS/UPLAND
REVIEW/PERMIT MODIFICATIONS**

PDR- 04-2022 Alice Gottesman owner/Bodwell Engineering – Maintenance of existing ponds – 145 Great Hill Road.

Information made part of the record.

Mapping entitled Pond Rehabilitation Plan, 145 Great Hill Road, by Bodwell Engineering and Surveying LLC.

Mr. Keith Bodwell, (Bodwell Engineering and Surveying from Cornwall, CT) was in attendance to address the application.

Mr. Bodwell gave an overview of the plans to clean and maintain the existing ponds and repair two spillways. Mr. Bodwell stated that the plans showing the placement of the spoils on the downhill slope with protective measures and the plans to make the area more mow able Mr. Bodwell stated that there was to be no expansion of the ponds as existing. In response to questions from Griswold Nelson, Mr. Bodwell confirmed that the ponds being maintained were the same as those previously approved by the Commission for maintance. In response to questions as to the timing of the proposed work, Mr. Bodwell stated that the work was expected to commence in August and agreed to give the Commission time to visit the site and defer action on the Petition.

Motion made by Mr. Bahn, seconded by Mr. Morgan to defer action on the Petition to the July meeting so to provide 30 days for site inspections by Agency members:

UPLAND REVIEW/ YMCA CAMP MOHAWK property owner – Activities within upland areas for electrical service wires - 246 Great Hill Road.

Information made part of the record.

Mapping entitled Water Service Line, prepared for Camp Mohawk 246 Great Hill Road, Litchfield CT dated 5/1/2022 prepared by Jason Dismukes.

June 4, 2022 Memo from IWWEO Karen Griswold Nelson Regarding agenda items pertaining to YMCA Camp Mohawk.

PERMIT MODIFICATION/5 YEAR EXTENSION

App#606 – YMCA Camp Mohawk – Activities within regulated areas for septic improvements and modifications to and addition of camp related structures- 246 Great Hill Road.

Information made part of the record.

Mapping entitled Water Service Line, prepared for Camp Mohawk 246 Great Hill Road, Litchfield CT dated 5/1/2022 prepared by Jason Dismukes.

Jason Dismukes, PE with an office in Goshen, was in attendance to address the application. It was noted that a site walk for navigational purposes led by project engineer Jason Dismukes for agenda items listed on the agenda had been held prior the 7PM meeting with Alan Bahn, Peter Demy, Jeff Morgan and IWWO Griswold Nelson in attendance.

There was general discussion of the two agenda items with agreement that the Upland Review by the Commission's authorized agent, Karen Nelson was appropriate. In response to the consideration of extending the existing permit in place, **App#606**, so as allow any additional modifications to the existing permit, the agency members agreed with Mr. Dismuke's request that the permit be extended and that a new application not be required. Accordingly,

Motion made by Mr. Bahn, seconded by Mr. Demy, to extend **App#606** (with the original conditions and the modified mapping submitted entitled Water Service Line, prepared for Camp Mohawk 246 Great Hill Road, Litchfield CT dated 5/1/2022 prepared by Jason Dismukes. as referenced, with an expiration date to June 7, 2027; unanimously approved.

PENDING APPLICATIONS/PETITIONS FOR DECLARATORY RULINGS

App#659 – Jonathan & Celina Stein owners/Colby Engineering applicant – Activities within regulated areas for proposed guest house/pool and re-built of an existing garage – 3 Hart Hill Road.

Information made part of the record at the May 3, 2022 meeting

Application and supporting information including authorization by the owners for William Colby to represent the application.

Mapping entitled "Site Development Plan Guest/Pool House and Re-build Garage – Property of Jonathan and Celina Stein, 3 Hart Hill Road, West Cornwall, CT prepared by Colby Engineering, Goshen, dated 04/25/2022 (modified plan made part of the record). April 26, 2022 report from George Malia, Certified Soil Scientist, dated April 26, 2022

William Colby, PE, with an office in Goshen, was in attendance to re-address the application, giving an overview of the application to construct a two bedroom/guest house pool house, a 20' x 60' in-ground pool and the reconstruction of an existing barn from a barn/apartment to a studio/study. It was noted that site walks had been conducted by (Morgen and Demy) members with no concerns raised to staff.

Motion made Mr. Demy, seconded by Mr. Bahn to approve **App#659 – Jonathan & Celina Stein owners/Colby Engineering applicant – Activities within regulated areas for proposed guest house/pool and re-built of an existing garage – 3 Hart Hill Road** as per the oral and written testimony of the applicant's representative and the site plan submitted As modified: (with the standard conditions)

1. The Land Use office shall be notified prior to the start of construction.

2. All erosion and sedimentation controls are to be installed prior to the start of the construction and the E&S controls are to be inspected by the Inland Wetlands Enforcement officer/ZEO prior to the start of work.
3. The name and telephone number of the persons or entity responsible for the erosion and sedimentation control measures is to be provided and made part of plans on file. Note added: Colby Engineering for septic only

Motion unanimously approved

App#660 – John L. Miller owner/Ivan Miller applicant – Activities within regulated areas for septic improvements, construction activities and repair of a stream bank – 186 Warren Hill Road.

Information made part of the record at the May 3, 2022 meeting

Application and supporting information dated 4/27/2022 supplied by Ivan T. Miller, entitled “Application to the Cornwall Inland Wetlands and Watercourse Agency.

Mapping entitled “Septic System Design and Stream Bank Stabilization Plan, Building Addition and Increase in Size to 4 Bedrooms – 186 Warren Hill Road, Cornwall, Ct prepared by Colby Engineering, dated 01/23/2022.

William Colby, PE, with an office in Goshen, was in attendance to re-address the application, giving an overview of the activities as relating to the septic design for the proposed building additions and increase of bedrooms to the existing single family house and the proposed stream bank stabilization plan. The sequencing of proposed activities was discussed with requests made to allow work to move forward on the modifications to the single family home to be approved and allow final action on the repair of the stream bed to allow Commission members to go on site with the project engineer. Griswold Nelson and Mr. Colby were to coordinate the site walk.

Motion made by Mr. Bahn, seconded by Mr. Morgan, to approve **App#660** for regulated non- significant activities within regulated areas for septic improvements, and construction activities AS SHOWN in the Mapping referenced WITH STANDARD CONDITIONS and to schedule a site visit for Commission members to address the repair of the stream bank prior to final consideration. Motion unanimously approved.

Griswold Nelson was to coordinate the site walk.

PDR-03 –2022 – D Michael Gawel applicant/James and Margery Garnett owners – maintenance and improvements to an existing farm pond – 233 Warren Hill Road.

Revisit regarding requests for site walks.

Robert DeLayo and Michael Gawel were in attendance to address the request for site visits by commission members before work started on the site.

It was agreed that a site would be scheduled by staff for 1:00PM on June 11, 2022 for Commission members to walk the site with Mr. Gawel and Mr. DeLayo.

INLAND WETLANDS OFFICER REPORT.

Griswold Nelson addressed ongoing work to address Town maintenance activities on Lake Road for culvert repair and Town Street for beaver habitat on the Prud’homme property.

ENFORCEMENT ACTIONS:

Notice of Violation/Cease and Correct – Dark Entry Forest Inc/ property owner and Anthony Macchiaroli /non-property owner for work within regulated areas without permits – Cook Road. Discussion deferred at the request of the property owner.

Email correspondence received from DEF representative David Colbert addressed to the Agency members was made of the record

Dear IWWA, as you know, Dark Entry Forest Inc (DEF) has been in litigation with Anthony Macchiaroli since September 2021 regarding access over DEF property. The testimony portion of the court case to establish this was closed March 29, briefs were due April 28, after which the judge has up to 120 days to rule. After he rules, we will have a clearer idea of our path forward and can then work towards addressing the Notice of Violation.

Thank you for your patience, David Colbert President, Dark Entry Forest

Notice of Violation/Show Cause Hearing – Gonzales Landscaping Inc. owner-Activities within regulated areas without a permit – 18 Frederick Drive. Order upheld at the May meeting.

Griswold Nelson addressed ongoing work with the project engineer Keith Bodwell to have the site field delineated for the wetlands and to address site visits with proper protocol/

CORRESPONDENCE AND COMMUNICATIONS RECEIVED.

OTHER BUSINESS PROPER TO COME BEFORE THE COMMISSION.

There was general discussion regarding timing for applications to be approved based on requests for site visits, timing allowed for action on applications with the matter to be revisited in July when all members could be in attendance.

ADJOURNMENT

Motion made by Mr. Morgan, seconded by Mr. Demy to adjourn at 7:53PM; unanimously approved.

Respectfully submitted