

**CORNWALL INLAND WETLANDS AND WATERCOURSES AGENCY
MINUTES OF THE REGULAR MEEETING AUGUST 2, 2022
CORNWALL TOWN HALL MEETING ROOM**

Present: Regular members D. Stevenson Hedden, Debby Bennett, Peter Demy and William Hurlburt, Alternate member Jeffrey Morgan and IWWEO Karen Griswold Nelson.

Absent: Regular meeting Allan Bahn and William Hurlburt.

Chairman D. Stevenson Hedden called the meeting to order at 7:05 PM with a quorum established. Alternate member Jeff Morgan was seated for regular member Allan Bahn.

APPROVAL OF MINUTES: July 5, 2022 regular meeting minutes

Motion made by Mrs. Bennett, seconded by Mr. Demy to approve the minutes of the July 5 regular meeting as presented: unanimously approved.

NEW APPLICATIONS/PETITIONS FOR DECLARATORY RULINGS

App#662- Michael & Marilyn Carano - Creation of a pond - 15 Swifts Bridge Road.

Information made part of the record.

Application with supporting information

No one was in attendance to represent the application.

Griswold Nelson addressed the information in the file and the agreement by the property owner that Commission members were welcome to make site visits to assess the situation. There was general historic discussion (Hedden) as to the changes in the area relating to the railroad tracks and the town road and bridge.

Motion made by Mr. Demy, seconded by Mrs. Bennett, to accept **App#662- Michael & Marilyn Carano for the Creation of a pond - 15 Swifts Bridge Road**, make no determination of significance and table discussion until the September 6th 2022 regular meeting; unanimously approved. ***Members to take individual site walks.

App#663 - David Duffee & Livia Corredor - property owners/Narrow Valley Masonry applicant - Repair to an existing dam and related masonry work - 6 Valley Road.

Note was made by staff that conversations with John LaPorta from Narrow Valley Masonry showed that part of the necessary work was on the Gracey property and that additional signatures and information was needed for the application to go forward.

No discussion

**PENDING APPLICATIONS/PETITIONS FOR DECLARATORY RULINGS
INLAND WETLANDS OFFICER REPORT.**

App#661 - Patrick and Kim Redmond- Activities within 150 feet of a watercourse for expansions and modifications to a single family residence - 2 Swifts Bridge Road.

Information made part of the record at the July 5, 2022 meeting.

Application with supporting information

Mapping entitled B-100A Code complying Sanitary Disposal System plan for Patrick and Kim Redmond, 2 Swifts Bridge Road, Cornwall, CT dated October 3, 2006, by Arthur Howland and Associates.

No one was in attendance to represent the application.

With note made that all Commission members had visited the site, and the general observation that all activities were indeed within 150 feet of the watercourse, it was agreed that all concerns had been answered.

Motion made Mrs. Bennett, seconded by Mr. Morgan to approve **App#661 – Patrick and Kim Redmond for regulated non-significant activities within 150 feet of a watercourse for expansions and modifications to a single family residence – 2 Swifts Bridge Road** as per the oral and written testimony of the applicant's representative and the site plan submitted, with the following 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.

Motion unanimously approved

PDR-06-2022 – Town of Cornwall applicant/owner – Repair to a deteriorating wooden bridge – Fox Road.

There was general discussion regarding the matter, with Griswold Nelson stating that she had to get the necessary information from the DEEP regarding concerns as to fish habitat and appropriate design features. Discussion tabled.

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 statement received

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

The following repeats the last couple month's statement.

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 July meeting.

Griswold Nelson addressed ongoing discussion and collaborative work to address the matter both from a wetlands and zoning standpoint. Based on the recommendation Griswold Nelson to address the status of the Notice.

Motion made by Mr. Demy, seconded by Mr. Morgan to UPHOLD THE ORDER IN PLACE; unanimously approved.

CORRESPONDENCE AND COMMUNICATIONS RECEIVED.

OTHER BUSINESS PROPER TO COME BEFORE THE COMMISSION.

Information entitled: Connecticut State Statute

Sec. 22a-40. Permitted operations and uses. Subsection (a) The following operations and uses shall be permitted in wetlands and watercourses, as of right: and b. (b) The following operations and uses shall be permitted, as nonregulated uses in wetlands and watercourses, as part of the statutes relating to the Town of Cornwall Inland Wetlands and Watercourses regulations was made part of the record for discussion.

There was general discussion of the statutes relating to the current regulations, changes to the statutes that were not reflected in the Cornwall regulations as of yet, and in particular new language relating to fire protection. The matter was to be revisited.

ADJOURNMENT

Motion made by Mr. Demy, seconded by Mrs. Bennett to adjourn at 8:05PM; unanimously approved.

Respectfully submitted by recording secretary Karen Griswold Nelson, for Mr. Demy,
Commission secretary