

**CORNWALL INLAND WETLANDS AND WATERCOURSES AGENCY  
MINUTES OF THE REGULAR IN-PERSON MEEETING APRIL 4, 2023**

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

**Absent: regular member Alan Bahn, alternate members Jeffery Morgan and Robert Nethery.**

Chairman D. Stevenson Hedden called the meeting to order at 7:00 PM with a quorum established.

**APPROVAL OF MINUTES: March 4, 2023 regular meeting minutes and April 1, 2023 special meeting minutes.**

No action made on March 4 minutes due to lack of members in attendance at the March meeting, Note was made by Mr. Hurlburt that the motion of approval for PDR-09-2023 should list member in attendance Mr. Demy (not Mr. Hurlburt)

**Motion** made by Mr. Demy seconded by Mr. Hurlburt to approve the minutes of the April 1, 2023 special meeting; unanimously approved,

**NEW APPLICATIONS: None.**

**PENDING APPLICATIONS**

**App#665 – Giorgio Bovenzi and Shinrin-Yoku owners – Allied Engineering Assoc. Inc. – Regulated activities for the construction of a driveway for a single family residence within regulated areas – 60 Town Street.**

Information on file from the March regular and April 1, 2023 special meeting including

- Application and accompanying paperwork. Mapping entitled “Proposed Overall Site Plan prepared for Giorgio Bovenzi 60 Town Street by Allied Engineering Associates – dated 12/19/2022 Proposed driveway Profile prepared for Giorgio Bovenzi, 60 Town Street by Allied Engineering Associates dated 12/19/2022 Proposed wetlands crossing prepared for Giorgio Bovenzi, 60 Town Street by Allied Engineering Associates dated 12/19/2022 State of Connecticut Activity reporting form.
- Soils mapping and Wetlands Watercourse Delineation Report, 60 Town Street, prepared by Jay Fain and Associates, dated September 24, 2022 as and emailed to the Commission members (as prepared based on conversations with town staff regarding driveway access) was made part of the record. George Johannesen. PE with an office in Canaan, CT was in attendance to address the application.

Questions referring to observations made at the April 1, 2023 site walk

Mr. Hurlburt –road base design and materials to be used. In response, Mr. Johannesen stated that the design was hopefully cut and fill with some finish material (top soil) to be brought in in needed.

- Mrs. Bennett – suggestion that any clean fill and topsoil needed from off-site be free from invasives. In response, Mr. Johanessen addressed the suppliers to be used with the understanding that efforts shall be made to ensure that any fill to be brought would be clean fill.

**Motion** made Mr. Hurlburt, seconded by Mrs. Bennett, to approve **App#665 – Giorgio Bovenzi and Shinrin-Yoku owners Allied Engineering Assoc. Inc. – applicant for regulated non-significant activities for the construction of a driveway for a single family residence – 60 Town Street** as per the oral and written testimony of the applicant’s representative and plans submitted “Mapping entitled “Proposed Overall Site Plan prepared for Giorgio Bovenzi 60 Town Street by Allied Engineering Associates – dated 12/19/2022 Proposed driveway Profile prepared for Giorgio Bovenzi, 60 Town Street by Allied Engineering Associates dated 12/19/2022 Proposed wetlands crossing prepared for Giorgio Bovenzi, 60 Town Street by Allied Engineering Associates dated 12/19/2022 (with the following conditions:

1. 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.
2. The Land Use office shall be notified prior to the start of construction.
3. 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.
4. The site design engineer shall be responsible for the supervision of the site during all phases of construction for activities within regulated areas including maintenance of the erosion and sedimentation controls as shown.
5. The site design engineer shall be responsible for providing certification that the construction of the driveway is in compliance with the site plan. All inspection and certification expenses are at the expense of the property owners.

Motion unanimously approved.

**ENFORCEMENT ACTIONS:**

**Notice of Violation/Show Cause Hearing – Gonzales Landscaping Inc. owner-Activities within regulated areas with a permit – 18 Frederick Drive. No change.**

**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.**

Information made part of the record. Email correspondence from David Colbert  
Sent: Thursday 3/20/2023 9:46PM To: Karen Nelson [cwlanduse@optonline.net](mailto:cwlanduse@optonline.net)  
Subject: Statement for April 2023 IWWA meeting

Dear Cornwall IWWA,

Litigation is still pending as to the Macchiaroli case. Regarding the current E&S status, as you know, DEF has installed hay bales and silt fencing, which it will continue to monitor. If you have any questions, please feel free to contact DEF.

Thank you, David Colbert, President, Dark Entry Forest, Inc.

**INLAND WETLANDS OFFICER REPORT.**

Griswold Nelson addressed recent activities in the Land Use office, including the process of permitting and the burden of proof for the certification of structures (culvert crossings, driveways etc.) on the Commission versus the property owner or design professional. The matter was to be revisited.

**CORRESPONDENCE AND COMMUNICATIONS RECEIVED.**

Draft communications from the Housatonic Herbicide Working Group sent to the Commission was addressed with corrections and suggestions for verbiage change to be addressed by the IWWE0

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

**EDUCATIONAL CREDITS** --- to be revisited when all commission members were in attendance.

**BYLAW AND REGULATION REVIEW – KGN**

**ADJOURNMENT**

**Motion** made by Mr. Demy, seconded by Mr. Hurlburt, to adjourn at 7:35PM; unanimously approved.

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