

**CORNWALL INLAND WETLANDS AND WATERCOURSES AGENCY
MINUTES OF THE REGULAR IN-PERSON MEEETING JULY 5, 2023**

Present: Regular members D. Stevenson Hedden, Debby Bennett, Peter Demy and William Hurlburt, alternate members Jeffery Morgan and Robert Nethery and IWWEO Karen Griswold Nelson.

Absent: regular member Alan Bahn

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

APPROVAL OF MINUTES: June regular meeting minutes Motion made by Mr. Demy seconded by Mrs. Bennett to approve the minutes of the June 6, 2023 regular meeting; unanimously approved,

NEW APPLICATIONS:

App#669 – YMCA Camp Mohawk – Activities with Upland review areas constituting Modification to an existing permit – 246 Great Hill Road.

Information made part of the file.

Application and accompanying information relating to previous permitting.

Plans entitled: “Shower House Site Plan prepared for YMCA Camp Mohawk, 246 Great Hill Road, Litchfield, CT dated 2/14/2023 by Jason Dismukes, PE, 241 Torrington Rd, Goshen And “YMCA Camp Mohawk-246 Great Hill Road, Litchfield, CT dated 02/14/2023

Jason Dismukes, PE with an office in Goshen, and Patrick Marchand, Camp Director, were in attendance to represent the application.

Mr. Marchand gave an overview of the history of the camp to its current status as seasonal camp with 300 girls attending and the need to update overall shower facilities as per the plans being presented by adding two additional shower houses to better serve the campers.

Mr. Dismukes addressed the proposed activities associated with the construction of two additional shower houses with those activities proposed as part of the construction of the shower houses and the upgrade to onsite septic all within regulated areas. Mr. Dismukes addressed required DEEP permitting and other necessary design permitting and health code compliance in order to have the project approved.

It was agreed that a site walk prior to the August meeting should be scheduled by staff.

Motion made by Mr. Hurlburt, seconded by Mrs., Bennett, to accept **App#669 – YMCA Camp Mohawk – Activities with Upland review areas constituting Modification to an existing permit – 246 Great Hill Road**, make no determination of significance and table discussion of the application to the August meeting, after a scheduled site walk prior to the meeting; unanimously approved,

App#670 – Gonzales Landscaping Inc. Owner, Bodwell Engineering applicant – Activities within regulated areas for the construction a single family residence – 18 Frederick Drive.

Information made part of the record.

Site Plan – Frederick Drive, Cornwall CT prepared for Gonzales Landscaping Inc, 26 Allen Rd, Norwalk, CT by Bodwell Engineering, Cornwall CT dated May 2023 revised from 6/9/2023.

Torrington Area Health Approval dated 6/21/2023 for a 4-bedroom house.

Noting that she was representing the application, IWWO/LUA Griswold Nelson advised the Commission that the design engineer/applicant Keith Bodwell could not be in attendance, recommending that the application be accepted under

ENFORCEMENT ACTIONS:

Notice of Violation/Show Cause Hearing – Gonzales Landscaping Inc. owner- Activities within regulated areas with a permit – 18 Frederick Drive.

Motion made by Mr. Hurlburt, seconded by Mr. Demy to amend the agenda to accept **App#670 under Agenda Item Enforcement Actions/Gonzales;** unanimously approved.

PENDING APPLICATIONS;

App#668 – Gordon M./Jayne Ridgway/Ridgway Farm owners/applicant William Colby P.E.- Activities within regulated areas for the construction of a detached accessory apartment and septic system– 142 Town Street.

Information brought forth from the June meeting made part of the record:

Application including mapping entitled “Site Development Plan prepared for Gordon Ridgway, #142 Town Street Cornwall CT by Colby Engineering, Goshen CT dated 01/30/23 (revised to 5/15/2023)

05/25/2023 Permission for William Colby, PE of Colby Engineering to represent the property owners.

Torrington Area Health approval with attachments

October 19, 2022 correspondence from Northwest Conservation District

Listing of Abutting property owners to 142 Town Street

New Information made part of the record

Site Development Plan prepared for Gordon Ridgway, #142 Town Street Cornwall CT (In support of Inland wetlands Permit by Colby Engineering, Goshen CT dated 5/15/2023 revised to 6/21/2023.

Email from William Colby copied to Land Use office.

Various emails received constituting correspondence the Land Use office.

With note made by staff, that Application#668, was not part of a public hearing, that no petition had been received to cause input to be allowed from the public, the floor was opened to the applicant, Mr. Colby and the owner’s representatives, Ian Ridgway for discussion with the Commission.

William Colby, PE with an office in Goshen CT gave an overview of the proposed activities as shown in the revised site plan for the construction of a 30’ x 80 structure including a cider press, storage, and one bedroom accessory apartment with proposed activities within regulated areas.

In response to questions from staff, (kgn) as relating to comments and questions contained in various correspondence” received by the Land Use office, Mr. Colby addressed the design of the septic system including the concrete galleys, for the necessary square footage of leeching fields. Mr. Colby addressed the testing undertaken to satisfy the criteria from Torrington Area Health for the approval of the septic system as designed for both the residential component and the component relating to the making of cider and associated agricultural activities.

Mr. Ridgway addressed other comments raised as to the washing of apples on the pad, noting similar design features to the Goshen vineyard. There was general discussion of the reduced size of the parking lot, the significant riparian buffer existing on the property protective of the stream, and the design of the parking lot to handle run-off from all activities for parking. It was noted that the “washing of produce” was seasonal and was less than that the customary use by a single-family residence (200 gallons per day). Note was made of the holding tank for the apple washing, and the water to be trucked off site for proper disposal according to DEEP standards. Mr. Ridgway addressed various chemical sprays commonly used by agricultural producers during a cycle of growing apples, and the products that could be used during the flowering, bud, and fruit growing season.

After general Commission discussion and finding that the impact to the wetlands was minimal, chairman Hedden addressed multiple options to the Commission including that the application could be denied if there was cause, table the application if the Commission wanted more information, or approve as presented or approve with conditions.

Motion by Mr. Hurlburt, seconded by Mr. Demy to approve **App#668 – Gordon M./Jayne Ridgway/Ridgway Farm owners/applicant William Colby P.E. for regulated non-significant Activities within regulated areas for the construction of a detached accessory apartment and septic system– 142 Town Street** as per the site plan “Site Development Plan prepared for Gordon Ridgway, #142 Town Street Cornwall CT by Colby Engineering, Goshen CT dated 01/30/23 (revised to 5/15/2023) and support information submitted and the oral and written testimony of the applicant and representatives 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 structure and associated structures are following 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.

App#670 – Gonzales Landscaping Inc. Owner, Bodwell Engineering applicant – Activities within regulated areas for the construction a single family residence – 18 Frederick Drive.

Information made part of the record.

Site Plan – Frederick Drive, Cornwall CT prepared for Gonzales Landscaping Inc, 26 Allen Rd, Norwalk, CT dated May 2023 revised from 6.19/2023.

Torrington Area Health Approval I dated 6/21/2023 for a 4-bedroom house.

Griswold Nelson addressed the receipt of the formal “Site Plan” showing the approval for a single family residence with a code-compliant septic system on the residential site as required in the initial discussion and requirements of the Notice of Violation. Griswold Nelson gave a brief overview of the history of the violation based on her finding of impact to regulated areas (intermittent watercourses) on the site and abutting properties below. There was general discussion as to history of the site being disturbed over the years for non-residential activities, subsequent hiring of an engineer (Bodwell Engineering) and work on the site and prepare a plan and submit a wetlands application, as evidenced in the minutes, and the current condition of the site as relating to potential impact to downhill property owners. It was agreed that staff should work with Mr. Bodwell to set up a site visit and express the wishes of the Commission that the final design should include stabilization of all downhill disturbed areas as to be protective of downhill properties. Note was made of the difficulty of accessing the site from a shared driveway in disrepair and measures to be taken to ensure access to all interested parties.

Motion made by Mr. Hurlburt, second by Mr. Demy to accept **App#670 – Gonzales Landscaping Inc. Owner, Bodwell Engineering applicant William C – Activities within regulated areas for the construction a single family residence – 18 Frederick Drive** make no determination of significance and table discussion to the August regularly scheduled meeting; unanimously approved,

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.

INLAND WETLANDS OFFICER REPORT.

CORRESPONDENCE AND COMMUNICATIONS RECEIVED.

OTHER BUSINESS PROPER TO COME BEFORE THE COMMISSION.

ADJOURNMENT

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

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