

**CORNWALL INLAND WETLANDS AND WATERCOURSES AGENCY  
MINUTES OF THE SPECIAL SITE WALK  
IN-PERSON MEEETING JANUARY 4, 2024  
ESSEX HILL ROAD**

**Present: Regular members D. Stevenson Hedden, Debby Bennett, Peter Demy, William Hurlburt and Jeff Morgan, and IWWEO Karen Griswold Nelson.  
Absent: Alternate members Alan Bahn and Robert Nethery.**

**Other persons in attendance: First Selectman Gordon Ridgway, Selectmen Jennifer Markow and Rocco Bocco, Jane Hall, selectman's assistant, Treasurer Richard Bramley, Stephen McDonnell/principal/PE from the firm of Wengell, McDonnell and Costello, Inc, Highway Foreman James Vanicky, Craig Bothroyd, principal/owner Yield Industries, Torrington and Bruce Bennett.**

Chairman Hedden called the meeting to order on site at 11:05AM with a quorum established. All members and others in attendance as listed attended the presentation concurrently prior to separate (BOS & IWWA) action on the application.

**COMMISSION SITE WALK FOR NAVIGATIONAL PURPOSES ONLY**

**APP #675 – Town of Cornwall applicant/Property owner (town right of way) Carl Shea and Saadia Kahn- repair of hillside uphill of Birdseye Brook damaged by recent rain events – Essex Hill Road.**

Stephen McDonnell PE and Craig Bothroyd, addressed the proposed plans as shown in the sketch (January 2 wetlands meeting) and revised and presented at the site walk to address damage to the downhill slope (Shea/Kahn property/Town of Cornwall right-of-way) side and to install piping on the uphill side (town right of way) to address and re-direct downhill flow. Mr., McDonnell stated that the landslide on the lower bank had not been caused by flow from the upper side of road only but was a result of high ground water levels in soils already saturated from recent storm events. There was discussion regarding the method proposed to armor the lower bank appropriately to address all concerns.

There was general discussion of the process to be followed for the work to commence, including additional details as to the installation of erosion and sedimentation controls, the method of installing the downhill silt fence, protection measure for workers to access the slope, timing, responsibility of oversight, (engineer and Craig Bothroyd), timing (as soon as possible weather permitting) and length of time for the work to be completed (days not weeks), and any involved parties needed as part of the permitting.

In response to questions, (Hedden) regarding property owners (Shea/Kahn) being aware of the situation, it was stated that the Town and the Land Use office had made every attempt to contact the property owners in various methods with certified letters and correspondence left on the Shea/Kahn residence's door (kgn).

**PENDING APPLICATION APP #675 – Town of Cornwall applicant/Property owner (town right of way) Carl Shea and Saadia Kahn- repair of hillside uphill of Birdseye Brook damaged by recent rain events – Essex Hill Road.**

**In response to the request by the Board of Selectman for Action by Agency for emergency repair:**

**Motion made by Mr. Demy, seconded by Mrs. Bennet, to approve APP #675 – Town of Cornwall applicant/Property owner (town right of way) Carl Shea and Saadia Kahn- FOR EMERGENCY repair of hillside uphill of Birdseye Brook damaged by recent rain events – Essex Hill Road,**

It is the Agency's finding that the application is emergency in nature, and that the start of work prior to compliance with any mandatory time frames for action (15 day waiting period for all Inland wetlands applications), will result in both reducing and correcting damage to the wetlands and watercourses currently being impacted.

The application is approved with the following stated conditions of approval:

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/Selectman's office shall be notified prior to the start of construction.
3. All final details of the erosion and sedimentation controls are to be supplied to the Land Use for distribution to the Inland wetlands agency prior to the start of work.
4. All E&S controls are to be installed prior to the start of the construction and the E&S controls are to be inspected by the prior to the start of work.
5. 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.
6. The property owners have been contacted and agreed to the work on their property and evidence is made part of the record.

Motion unanimously approved,

**ADJOURNMENT BY ACTION OF THE COMMISSION CHAIR TO ADJOURN AT 11:40AM.**

Unanimously approved.

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