

Permit Fee: \$75.00
Significant Activity: \$150.00

1W App # 711

WETLANDS APPLICATION

TOWN OF CORNWALL, CONNECTICUT

Cornwall Land-Use | Annex Office | 26 Pine Street Cornwall, CT 06753

860-672-4957 | landuse@cornwallct.gov

I. OWNER/APPLICANT INFORMATION

Name of Applicant: James + Elizabeth Fishmen

Address of the proposed project: 60 Cream Hill Road

Phone: 860-672-6279; 347-860-5954

Email: Jfishmen@law.pace.edu

II. PROPOSED ACTIVITY/PROPOSED USE

Description of proposed project: Construction of berm to mitigate flooding from beaver activity; See attached narrative.

III. PLOT PLAN/SITE PLAN

Please attach a site plan/plot plan that indicates the location of the wetlands/watercourse as well as the upland review area in relation to the proposed project. The applicant may be required to provide mapping prepared by a CT Certified Soil Scientist.

The plot plan/site plan shall indicate the location of the subject lot's property lines, structures, and other improvements that currently exist on the property as well as the proposed location and dimensions of the proposed project. The plot plan/site plan shall also indicate the location where materials will be stockpiled, the extent of the disturbance area, and the location of erosion & sedimentation controls.

See attached

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IV. ADDITIONAL INFORMATION : *See attached narrative*

- A. Distance (in feet) of the proposed disturbance at closest point to the wetlands?
- B. Explain the topography of the lot, especially how it relates to the wetlands/watercourses on site.
- C. What erosion and sedimentation control measures will be used to mitigate the impacts to the wetlands/watercourses?
- D. Will materials be stockpiled during the course of construction? If yes, where will they be located and how will they be stored?
- E. What equipment will be used on site? Will it traverse wetlands?
- F. Will any trenching take place within the wetlands for electrical or water lines, etc?
- G. Please calculate the total impervious coverage of the lot both before and after this project.

Pre-construction:

Post construction:
- H. How many cubic yards of materials will be brought to the site, removed from the site, or moved around the site for this project?
- I. If this project is considered as "significant activity", please describe the alternatives that have been considered.
- J. What is the proposed project timeline?

V. PROPERTY OWNER SIGNATURE: *(or attach authorization letter from property owner)*

See attached

Date Submitted: *7/27/26*

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For office/staff use only:

APPLICATION CHECK LIST:

- Application ✓
- Fee ✓ \$75 ck # 407 pd 7/30/26
- Site Plan
- Supplemental materials— *eg copy of TAHD approval*

DATE TO BE RECEIVED BY IWC:

DATE DENIED/APPROVED:

PERMIT NOTES:

CONDITIONS:

DATE OF INSPECTIONS/FOLLOW-UP:

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I. OWNER/APPLICANT INFORMATION

Name of Applicant:

James Fishman and Elizabeth Fishman

Address of the proposed project:

60 Cream Hill Road

Phone: 860-672-6279; 347-860-5954

Email: jfishman@law.pace.edu

II. PROPOSED ACTIVITY/PROPOSED USE

Description of proposed project:

The Problem

Until three years ago the land in question was lawn but had not been wetlands. The property on the northeast side of 60 Cream Hill Rd. had been bounded by small stream that eventually entered into the Mill brook.

A few years ago, beavers arrived, likely from the Beaver dam on Cream Hill Road north of our property. They built a dam on the stream bounding the eastern part of our property. The beaver dam created the lake north of where the stream ran. We began getting leakage, which expanded, and put a part of the property underwater. The situation kept getting worse. An increasing part of the property became non-mowable and impossible to walk on. Bart Jones, who is knowledgeable about beavers, walked the property and thought even our garage was in eventual danger.

Initially, I hoped to move the beavers elsewhere, but learned that both Connecticut and Massachusetts by statute prohibit that. Nor did it seem right to sneak into New York and drop the beavers in one of that state's streams.

I contracted with the firm Beaver Solutions to do a site inspection for \$400. They provide ways to alter the landscape so as to permit beavers and humans to coexist. Because of the amount of water, they were skeptical that a solution was viable. They said they could attempt a solution for \$2400, but the beavers would come back. Their warranty was but one year and I cannot afford such an annual expense for a one year truce.

I contacted the wetlands commission and received permission to trap the beavers. I then received permission from the state to trap and remove them. I used Danny Marino of Cornwall as trapper, and he applied for and received appropriate permits. He removed seven beavers last fall and one this spring.

The beavers' dam became breached naturally after they were removed., releasing some water. The water level has declined, allowing the wet area to temporarily to dry out. However, any time there is a significant rainstorm the water returns and floods our property.

The Project

We are requesting permission to build a berm or another type of low barrier that will contain water so that it continues to flow into the stream instead of leaking on our property. I am also requesting permission to remove the remains of the Beaverdam. Ultimately, the project is aimed at returning the flow of water as it was in the past, and our property would be as before.

We would retain a professional contractor knowledgeable in the best and most appropriate way to build a non-intrusive barrier to keep water off of our property. This may entail stones combined with the dirt that constitute a berm, which is essentially a mound of dirt. I imagine the height of this project would not be more than two feet or less if that would be sufficient to keep water from leaking onto the lawn. The Contractor would be responsible for determining the most efficient and appropriate way to deal with the flooding issue and would be responsible for handling erosion and sediment issues that may arise.

All construction materials will be on our property, likely next to the area where barrier would be built. The materials probably could be covered by a tarp.

G. Will be no trenching(?) of electrical or water lines. All the coverage of the lot will be the same, except it will be dry.

H. Only contractor estimate the amount of soil in cubic feet at this time.

I. Do not consider this a significant activity.

J. I imagine the best time to commence this work would be late fall before the ground freezes, but the contractor would know best.

The location and segmentation controls would be determined by the contractor and the Cornwall land-use office.

III. PLOT PLAN/SITE PLAN

Please attach a site plan/plot plan that indicates the location of the wetlands/watercourse as well as the upland review

area in relation to the proposed project. The applicant may be required to provide mapping prepared by a CT

Certified Soil Scientist.

The plot plan/site plan shall indicate the location of the subject lot's property lines, structures, and other improvements

that currently exist on the property as well as the proposed location and dimensions of the proposed project. The plot

plan/site plan shall also indicate the location where materials will be stockpiled, the extent of the disturbance area,

and the location of erosion & sedimentation controls.

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IV. ADDITIONAL INFORMATION

A. Distance (in feet) of the proposed disturbance at closest point to the wetlands?

The proposed barrier is at the bank of the stream. A major part of the wetlands seems to be a lake I believe was formed after the beavers near our property built a dam.

B. Explain the topography of the lot, especially how it relates to the wetlands/watercourses on site.

The lot is basically lawn, which has a raised vegetable garden, a garage, and a larger garden that borders Cogswell Road on it. The problem with the wetlands is at the Northeast part of the lot. Past the dam, the creek flows well below the border of our property.

C. What erosion and sedimentation control measures will be used to mitigate the impacts to the wetlands/watercourses?

A building of a berm of stones and dirt should contain the streaming of the wetlands onto the lot. Additional erosion and sedimentation controls if necessary will be applied by the contractor or upon advice by the Cornwall Land Use Office.

We also request permission to remove the partially breached dam, which would ease the flow of water and return the stream's flow to what it once was.

D. Will materials be stockpiled during the course of construction? If yes, where will they be located and how will they be stored?

All construction materials will be stored on our property, likely next to the area where the berm will be built.

E. What equipment will be used on site? Will it traverse wetlands?

Most likely equipment will be a backhoe and something to place stones on the edge of the barrier border. It will not traverse wetlands except on our property

F. Will any trenching take place within the wetlands for electrical or water lines, etc?

No.

G. Please calculate the total impervious coverage of the lot both before and after this project,.

Pre-construction: **impervious coverage of the lot will be the same before and after, except it will be dry.**

Post construction: **The berm will be approximately 129 feet long and one to two feet high.**

H. How many cubic yards of materials will be brought to the site, removed from the site, or moved around the site for this project?

We believe the cubic yards in would be 129 feet long times two feet high and perhaps one foot in dept for a total of 268 cubic yards, but this is a guess. Nothing would be removed except the branches for the dam.

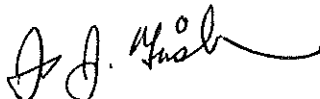
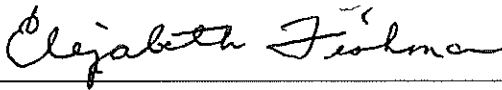
I. If this project is considered as "significant activity", please describe the alternatives that have been considered.

It is not a significant activity.

J. What is the proposed project timeline?

I imagine the best time to do this project would be in late fall before the ground freezes.
The contractor probably knows best.

V. PROPERTY OWNER SIGNATURE: *(or attach authorization letter from property owner)*

Date Submitted:

July 27, 2026

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CONDITIONS:

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Coggswell Road

Water.

Breached Beaver Dam

Property Line (stream →)

Proposed Berm or Barrier
Wetlands after

Heavy Rain

Stones + dirt to here

stream is lower here
Brush

129 Feet

raised
vegetable
garden

Garage

Site Plot and Plan

60 Cream Hill Road

Stone Wall Property Line

93.33 Feet