

Essex Conservation Commission
Town of Essex
29 West Avenue
Essex, CT 06426

MINUTES

Special Meeting – July 14, 2011

Call to Order:

The Essex Conservation Commission conducted their regularly scheduled meeting on July 14, 2011 in Room B of the Essex Town Hall. Members in attendance were Kay Tucker, Rich Helmecki, Doug Demarest, Jeff Lovelace, MaryAnn Pleva and Pam Bernardini. Also in attendance, Stella Beaudoin, Recording Secretary. Goody LeLash was excused.

Ms. Tucker called the meeting to order at 7:31 p.m.

Review and Approval of the June 16, 2011 Minutes:

The Minutes were reviewed and the following changes were noted in italics.

Under Reports/Viney Hill Brook Park: Members participating in the Forest Glen barberry cleanup to include *Pam Bernardini*.

Under Correspondence: In noting that the letter to the Harbor Commission was read into the record, the following inclusion to be added: "*encouraging preservation of the access-way.*"

Motion made by Doug Demarest to approve the June 16, 2011 Minutes as amended.

Motion seconded by Pam Bernardini and passed unanimously.

Discussion of Conservation Easement on Westbrook Road

Joe Wrenn, P.E. of Indigo Land Design and Greg Faucher, builder presented.

Mr. Wrenn presented a plan prepared by Angus McDonald, land surveyor of property owned by Greg Faucher. The property is situated at the intersection of Plains Road and Rte 153 in Centerbrook. Mr. Faucher shares a driveway with Essex Paddle Club. The 3.5 acre lot adjoining Mr. Faucher's property is presently vacant. Mr. Faucher's home is built on a 3.8 acre lot.

In 2005 Mr. Faucher and Kelli Samuelson received approval from the Essex Planning Commission to subdivide the property into two parcels. As a condition of this subdivision and per the Declaration of Perpetual Conservation Restriction Easement, the easement area is 75' in width and designated as a 75' conservation easement/buffer area which runs along the (frontage) easterly boundary and fronts the right of way to both of the property lots. Mr. Faucher

stated that he agreed to the conservation easement in an attempt to preserve a portion of the property.

Mr. Faucher would like to build a home on the adjoining lot and create a driveway off of Westbrook road to serve the new house. With the conservation easement in place, there will be a common driveway which both lots will share. The conservation easement prohibits any break in the easement.

As it stands now, Mr. Faucher cannot place a driveway through the easement. Mr. Faucher needs a 25-30' swath at an angle, at the base of the ledge in order to install a private driveway to the proposed new residence. Mr. Faucher offers in turn, a conservation easement to the rear of the property which Mr. Wrenn stated is a pristine portion of the land that has a wildlife benefit.

Mr. Wrenn met with the Connecticut DEP and that agency indicated that they have no concerns or issues with this proposal in terms of drainage or the site line for safety. The existing driveway is asphalt and Mr. Faucher proposes the new driveway to be asphalt as well. The existing easement comprises about 25% of the property. Mr. Faucher is proposing a 2,100 s/f home with a double catch basin at the base of the property. Mr. Faucher has been living in his current house for seven years.

Mr. Demarest stated that the relocation of the driveway would not improve the area or the property.

Mr. Wrenn stated that the existing easement along the road has no wildlife benefit to it. The proposed easement however is separated from other residential properties and is habitat to a diverse wildlife. Mr. Wrenn noted that it would be more beneficial to utilize the property behind the house as the conservation easement. The rear easement is proposed to be approximately 75 feet.

Ms. Tucker suggested that Commission members walk this site.

Ms. Pleva suggested that members further discuss this proposal before setting a site visit.

Ms. Pleva informed Mr. Wrenn that the Conservation Commission cannot allow or disallow the change in the conditions of the easement as the Conservation Commission serves in an advisory capacity. Ms. Pleva suggested that Commission members might wish to further discuss this proposal and make recommendations to the Essex Planning Commission.

Members discussed this proposal at length. It was suggested that the Commission further discuss this proposal with Joe Budrow, Essex ZEO/WEO.

Motion made by Kay Tucker to accept the decision rendered in the restriction easement which was signed on the 27th day of June 2005 between Gregory Faucher, Kelli Samuelson and the Town of Essex. The Conservation Commission does not feel any need to alter or vary this declaration proposed by Mr. Wrenn and Mr. Faucher.

Discussion: It was agreed that members made the right decision to deny the exception. The Planning Commission wanted this easement in order to preserve the character of the country road.

Ms. Pleva stated that she is not in favor of the conservation easement swap.

Motion seconded by Doug Demarest and passed unanimously.

Old Business:

Bushy Hill Brook Preserve

Rich Helmecki cleared a trail where some trees had blown over. Mr. Helmecki stated that the grass has grown and there needs to be some work at the beginning of the trail.

Mr. Lovelace indicated that he has not had an opportunity to speak with Anne Penniman regarding the updating of the maps.

Viney Hill Preserve

Mr. Lovelace stated that the new footbridge has been installed and it looks good. The grass has grown and there needs to be work at the Blue Trail. Mr. Helmecki made some headway in clearing the opening. Broadwalk is in tough shape. It was suggested that Mr. MacWhinney, utilizing his brush hog perform work in the following areas: Broadwalk, the Blue Trail, and the Yellow Trail up to the Old Quarry. It was noted that Mr. MacWhinney should be able to accomplish all of this work within a five hour period. Mr. Lovelace will contact Mr. MacWhinney and arrange for this work to be accomplished. Mr. Lovelace will discuss with Mr. MacWhinney the possibility of Mr. MacWhinney contracting to maintain these properties on a regular basis.

Mr. Helmecki picked up the weed-whacker and has been using it to cut back the trails. Mr. Helmecki noted that the weed-whacker is in need of a new blade.

Motion by Pam Bernardini to authorize Mr. Lovelace to negotiate with Tom MacWhinney, Mud River Services to trim and clear at Viney Hill Brook Park and to request a budget from Mr. MacWhinney to maintain the property.

Motion seconded by Rich Helmecki and passed unanimously.

Ms. Tucker was in touch with All Habitat Services and Dan McGowan, project manager who looked at the area at Viney Hill Brook Park. Based on that review, All Habitat Services created a proposal to manage the phragmites along Old Quarry Pond including mobilization and demobilization and herbicide application, winter mowing and spring 2012 herbicide application. Ms. Tucker will seek approval from the Town of Essex ZEO, Joe Budrow to proceed with this work. Once Mr. Budrow has approved and signed off on this plan, Ms. Tucker will sign the contract.

Motion made by Doug Demarest to approve the services of All Habitat to clear the phragmites in the area of Old Quarry pond.

Motion seconded by Jeff Lovelace and passed unanimously.

Canfield Meadow Woods

No report.

Other

Susan Malen new alternate has been sworn in.

New Business:

John Heiser asked Ms. Tucker to interview Essex resident, Ron Skinner for consideration as an alternate to the Essex Conservation Commission. Ms. Tucker met with Mr. Skinner and he informed Ms. Tucker that he formerly was employed as a landscaper and is very interested in becoming a member of the Conservation Commission.

IWWC Report Goody LeLash:

No report.

Correspondence

Ms. Bernardini read into the record correspondence from the State of CT DEP permit for 3 Teal Lane, Essex for Robert and Sandra Galliette, to construct a t-shape wooden pier.

Motion made by Doug Demarest to adjourn.

Motion seconded by Pam Bernardini and passed unanimously.

The special meeting of the Essex Conservation Commission adjourned at 8:55 p.m.

Respectfully submitted,

Stella C. Beaudoin
Recording Secretary

The next regularly scheduled meeting of the Essex Conservation Commission will be conducted on 8.11.2011.