

TOWN OF ESSEX
Inland Wetlands and Watercourses Commission

Executive Board
Fred Szufnarowski Chairman
Daniel Lapman, Vice Chair

29 West Avenue • Essex, Connecticut 06426
Telephone (860) 767-4340 • FAX (860) 767-8509

Regular Members

Jim Leo
Steve Knauth
Jeffrey Lovelace, Conservation Liaison
Jim Hill, Zoning Liaison
Vacancy, Planning Liaison

Alternate Members

Bill Cook
Andre Roussel

Unapproved

Minutes - Regular Meeting
Tuesday, February 14, 2017

1. Call to Order and Seating of Members

The regularly scheduled meeting of the Essex IWWC was conducted on February 14, 2017 in Conference Room A, of the Essex Town Hall at 7:00 p.m.

Attending Members:

Fred Szufnarowski
Dan Lapman
Andre Roussel, Alternate
Bill Cook, Alternate

Absent Members:

Jim Hill
Steve Knauth
Jim Leo
Jeff Lovelace

Staff:

Stella Beaudoin, Recording Clerk
Joseph Budrow, Wetlands Enforcement Agent

F. Szufnarowski called the meeting to order at 7:00 p.m.

MOTION made by F Szufnarowski to seat A Roussel and B Cook; **SECONDED** by D Lapman; **Voting In Favor:** D. Lapman, F. Szufnarowski, A Roussel, B Cook; **Opposed:** None; **Abstaining:** None; **Approved:** 4/0/0.

Seated for the meeting were F Szufnarowski, D Lapman, A. Roussel, and B. Cook.

2. Approval of Minutes

- **January 10, 2017**

MOTION made by D. Lapman to approve the January 10, 2017 Regular Meeting Minutes as presented; **SECONDED** by A Roussel; **Voting In Favor:** D. Lapman, F. Szufnarowski, A Roussel, B Cook; **Opposed:** None; **Abstaining:** None; **Approved:** 4/0/0.

- **January 10, 2017 Special Meeting**

MOTION made by D. Lapman to approve the January 10, 2017 Special Meeting Minutes with the following amendment; 1) Page 5, third paragraph, last sentence to end, “[providing there are 5 intervening business days between the date of submission and the date of the meeting.]”; **SECONDED** by A Roussel; **Voting In Favor:** D. Lapman, F. Szufnarowski, A Roussel, B Cook; **Opposed:** None; **Abstaining:** None; **Approved:** 4/0/0.

- **Site Walk on December 18, 2016**

MOTION made by D. Lapman to approve the Sunday, December 18, 2016 Site Walk Minutes on behalf of **Application 16-19, Sarah Ayotte, 21 Grove Street** as presented; **SECONDED** by A Roussel; **Voting In Favor:** D. Lapman, F. Szufnarowski, A Roussel, B Cook; **Opposed:** None; **Abstaining:** None; **Approved:** 4/0/0.

3. Public Hearing

- No public hearing scheduled.

4. Regular Meeting

- There were two draft MOTIONS for Declaratory Ruling presented by J. Budrow.

MOTION made by D. Lapman to approve the draft Motions for Declaratory Ruling, as presented by J. Budrow; **SECONDED** by A Roussel; **Voting In Favor:** D. Lapman, F. Szufnarowski, A Roussel, B Cook; **Opposed:** None; **Abstaining:** None; **Approved:** 4/0/0.

- There were two new applications presented at this evening’s meeting and one application was received.

5. Receipt of New Application

Application #17-1 – Charles Doane, 100 Plains Road, Tax Assessor Map 53, Lot 18 - An application to amend to previous Application No. 16-1.

At the February 2016 regularly scheduled meeting, Application 16-1 was approved by the IWWC for a Permit to replace an existing 20’ x 22’ barn with a new barn on the same footprint at a point 24 feet from a wetland area. The barn was replaced in 2016

The 2.99 acre parcel is about 80% wetlands. There are two dry areas to the front of the lot and it is on this dry portion of the property that there were two barns situated. The larger barn to the northeast was in a state of disrepair and was replaced in 2013. A wetlands permit, Application #13-8, was previously approved on April 9, 2013 for the construction of a 28’ x 50’ barn.

Charles Doane and Gary Riggio presented this evening on behalf of Application #17-1. C. Doane referenced the 2016 IWWC Permit to replace the building and to do upgrades to the driveway. C Doane

stated that his contractor, Gary Riggio suggested the construction of a boulder wall along the wetland and the addition of fill, which would reduce the grade, the pitch, and the run off into the wetlands, and to raise the grade in the driveway to improve the site line and make a safer entrance and exit from the property. This additional work was performed when the smaller barn was replaced in 2016.

J. Budrow, Wetlands Enforcement Officer determined that the scope of work performed in 2016 exceeded the work that was originally proposed and approved by the Commission.

C Doane stated that as related to previously issued Permit #16-1, Robert Doane, P.E., submitted an amended and revised site plan, dated Nov 22, 2016 reflecting the expanse of graded area, the location of the boulder wall, and the amount of fill being brought in. R. Doane submitted a letter on January 31, 2017 explaining the revised site plans and the extent of the work.

J Budrow stated that he inspected the site since the work has been accomplished, and he is not sure how far the useable area has been expanded from last year to this year. J Budrow noted that a good deal more fill was brought in than originally proposed and he noted that C Doane had previously stated that there would be no stockpile of dirt or materials related to this proposal, and that he planned to utilize a small amount of fill to perform minor grading in order to make uniform the driveway that is located just past the existing building.

G Riggio stated that there was no work done within the wetlands.

F Szufnarowski stated that the Commission appreciates the extra effort C. Doane extended to obtain a survey so that the Commission could conduct a more complete review and the Commission is here to work with Mr. Doane to accomplish his goals. F Szufnarowski stated that the amount of fill that was brought onsite was something that should have been discussed with J. Budrow prior to bringing in this material.

C Doane stated that G Riggio and R. Done did not find the amount of fill to be an issue and he noted that no additional alterationS to the property is proposed.

J Budrow stated that if the Commission finds that the site plan is complete and the application is complete, he suggested that this Commission schedule this Application for the March 14, 2017 meeting.

MOTION by A Roussel to find that Application #17-1 is substantially complete for **Charles Doane**, proposing grading, the construction of a boulder wall and 720 cubic yards of fill, for property located at **100 Plains Road**; **MOTION** seconded by D. Lapman; **Voting In Favor:** D. Lapman, F. Szufnarowski, A Roussel, B Cook; **Opposed:** None; **Abstaining:** None; **Approved:** 4/0/0.

Based on the information presented in this application and the accompanying documents, and on the testimony given at this meeting, the Commission finds that the proposed activity is a regulated activity not involving significant impact or major effect upon the inlands wetlands or watercourse which occur on the property, as defined in Section 2.2, and that few or no reasonable or prudent alternatives exist; **MOTION** by B. Cook to schedule Application #17-1 on behalf of **Charles Doane**, property located at **100 Plains Road**, for the March 14, 2017 regular meeting; **MOTION** seconded by A. Roussel; **Voting In Favor:** D. Lapman, F. Szufnarowski, A Roussel, B Cook; **Opposed:** None; **Abstaining:** None; **Approved:** 4/0/0.

- **Application No. 17-2 – Markham and Jody Rollins, 10 Meig’s Lane.** This is an application to allow a patio, fire pit and cooking station to a point 30 feet from South Cove.

J Budrow stated that the applicant is not available to present this evening. J Budrow stated that this application is ready, as proposed, to go to the regular meeting as the site plan and the application appear to be complete. J Budrow stated that the applicant would like to take down the second story deck and rebuild with a slightly larger deck and to expand the patio to include a fire pit and a cooking station and perform associated grading. This deck which will extend around the pool will be closer to the water. J Budrow stated that the closest that the blue stone will be installed to the head wall is 16 feet and fire pit is proposed to be 28 feet from the head wall.

A Roussel stated that he is looking for more detail as to how the applicant proposes to collect the water from the new construction.

F Szufnarowski stated that the Commission is seeking guidance from IWWC’s Engineer on the magnitude of the design storms for this application.

Commissioners agreed that further information is needed, **Application No. 17-2 – Markham and Jody Rollins, 10 Meig’s Lane** before it is considered to be substantially complete.

MOTION by B Cook to continue to the March 14, 2017 regularly scheduled meeting, **Application #17-2** on behalf of **Markham and Jody Rollins**, property located at **10 Meig’s Lane**, an application to allow a patio, a fire pit and a cooking station to a point 30 feet from South Cove; **MOTION** seconded by D Lapman; **Voting In Favor:** D. Lapman, F. Szufnarowski, A Roussel, B Cook; **Opposed:** None; **Abstaining:** None; **Approved:** 4/0/0.

6. Section 11 Approvals

- **Joe Budrow, WEO** reported on the following Section 11 Approval:

J Budrow reported that he issued an administrative permit to **Application #17A-1** on behalf of **Christian Meisner**, property located at **32 Hemlock Drive**, an application to allow minor improvements to an existing house to a point 67 feet from South Cove. This property has existing decks situated on a house that is located 80 feet from the coastal jurisdiction line. J Budrow stated that some of the deck staircases require replacement, and closest deck is 80 feet from coastal jurisdiction line and the garage is 90 feet from the coastal jurisdiction line. J Budrow stated that there is no steep grade leading to the wetland. J. Budrow stated that he will inspect the property after the work has been conducted.

MOTION by A Roussel to concur with the administrative approval issued by J Budrow to **Application # 17A-1**, on behalf of **Christian Meisner**, property located at **32 Hemlock Drive**, an application to allow minor improvements to an existing house to a point 67 feet from South Cove. **MOTION** seconded by D Lapman; **Voting In Favor:** D. Lapman, F. Szufnarowski, A Roussel, B Cook; **Opposed:** None; **Abstaining:** None; **Approved:** 4/0/0.

7. Other Business

There was no other business.

8. Correspondence and Invoices

J Budrow reported that Eversource is conducting tree cutting along power lines. This work is exempt from the purview of the IWWC. J. Budrow stated that additional materials and a map will be included in the informational materials for the March 14, 2017 meeting.

There were no invoices.

9. Reports:

- a. Wetlands Official Joseph Budrow reported on two upcoming applications:
 - 1. An application filed by the Essex Conservation Commission for the installation of a pond leveler in Wollock's Pond.
 - 2. An application for the Walnut Street Bridge replacement.
- b. Chairperson, No report.
- c. Planning Commission Representative - Liaison Vacancy - No report.
- d. Conservation Commission Representative Jeffrey Lovelace, Liaison – No report.
- e. Zoning Commission Representative - Jim Hill, Liaison - No report.

10. Adjournment

MOTION made by D. Lapman to adjourn at 7:57 p.m. to the next regularly scheduled IWWC meeting to be held on Tuesday, March 14, 2017 at the Essex Town Hall, 2nd Floor Conference Room A, 29 West Avenue; **MOTION SECONDED** by B. Cook; **Voting In Favor:** D. Lapman, F. Szufnarowski, A Roussel, B Cook; **Opposed:** None; **Abstaining:** None; **Approved:** 4/0/0.

Respectfully submitted,

Stella C. Beaudoin
Recording Secretary