

TOWN OF ESSEX  
Inland Wetlands and Watercourses Commission

**Executive Board**  
*Fred Szufnarowski Chairman*  
*Daniel Lapman, Vice Chair*

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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, May 9, 2017**

**1. Call to Order and Seating of Members**

The regular Meeting of the Essex IWWC was conducted on May 9, 2017 in Conference Room A, of the Essex Town Hall at 7:00 p.m.

**Attending Members:**

Fred Szufnarowski  
Dan Lapman  
Jeff Lovelace  
Jim Hill  
Jim Leo  
Steve Knauth  
Andre Roussel, Alternate  
Bill Cook, Alternate

**Absent Members:**

**Staff:**

Stella Beaudoin, Recording Clerk  
Joseph Budrow, Wetlands Enforcement Agent

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

Seated for the meeting were Fred Szufnarowski, Dan Lapman, Jeff Lovelace, Jim Hill, Jim Leo, Steve Knauth.

## 2. Approval of Minutes

- April 11, 2017 regular meeting

**MOTION** made by S Knauth to approve the April 11, 2017 special meeting Minutes with the following amendments; 1) Page 1, Motion to read: “**MOTION** made by *J Hill* to seat B Cook for J Lovelace”; 2) Page 3, Motion on **Application No. 17-2 – Markham and Jody Rollins, 10 Meig’s Lane** to reflect that S Knauth voted in favor and the vote was approved, 5/0/0; **SECONDED** by J Leo; **Voting In Favor:** F. Szufnarowski, J Hill, J Leo, D Lapman, S Knauth; **Opposed:** None; **Abstaining:** J Lovelace; **Approved:** 5/0/1.

## 3. Public Hearing

- No public hearing scheduled.

## 4. Regular Meeting

- No regular meeting scheduled.

## 5. Receipt of New Applications

- **Application No. 17-6 – Mark Erwin, 60F Lynn Road, Ivoryton, Assessor Map 84, Lot 34 Zoning District RU** - An application to convert an existing wood road to a driveway and to construct a new single family dwelling and to install a septic system to a point 45 feet from a wetland area.

Mark Erwin presented on behalf of this proposal. M Erwin stated that this is an application for construction of a single-family home and installation of a septic system. Roger Nemergut, P.E. is the engineer on this project.

F Szufnarowski referenced the Permit application, noting that the applicant is listed as Mark Erwin and the owner of record is listed as Benjamin and David Costa. Mr. Szufnarowski confirmed that the applicant is interested in purchasing the subject property from the Costa family. J Budrow stated that Mr. Costa has provided a letter allowing the applicant to build on this land.

The Wetlands Enforcement Officer stated that this is an approved lot as a part of a subdivision on which there is an existing access dirt road which was installed when the property was subdivided in the 1980’s. J Budrow stated that there are culverts in place and there is one culvert situated in the front portion of the dirt road that needs to be replaced. The septic system is currently under review by the town sanitarian.

F Szufnarowski asked the applicant to request that his engineer add to the plan the measures that are being taken to protect the wetland resources i.e., limiting runoff, etc, in the area where the driveway crosses the wetlands.

S Knauth stated that the driveway should remain permeable and he requested that this notation be reflected on the plans.

A Roussel requested that the plan be revised to reflect the clearing limit of the trees.

D Lapman requested that the applicant provide the Commission with an approval from the sanitarian for the septic system.

**MOTION** by S Knauth to find that **Application No. 17-6** is substantially Mark Erwin, proposing to convert an existing wood road to a driveway and to construct a new single family dwelling and to install a septic system to a point within 45 feet of a wetland, at **Lynn Road**, with the following conditions: 1) The plan will be revised to reflect the measures that are being taken to protect the wetland resources where the driveway crosses the wetlands; 2) The driveway will be porous surface; 3) The Plan will be revised to show the clearing limit of the trees;; **MOTION** seconded by D Lapman; **Voting In Favor:** F. Szufnarowski, D Lapman, J Lovelace, S Knauth, J Hill, J Leo; **Opposed:** None; **Abstaining:** None; **Approved:** 6/0/0.

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 S Knauth to schedule **Application #17-6** on behalf of Mark Erwin, proposing to convert an existing wood road to a driveway and to construct a new single family dwelling and to install a septic system to a point within 45 feet of a wetland, at **Lynn Road** for the June 13 , 2017 regular meeting with the following conditions: 1) The plan will be revised to reflect the measures that are being taken to protect the wetland resources where the driveway crosses the wetlands; 2) The driveway will be porous surface; 3) The Plan will be revised to show the clearing limit of the trees; **MOTION** seconded by D Lapman; **Voting In Favor:** F. Szufnarowski, D Lapman, J Lovelace, J Leo, S Knauth, J Hill; **Opposed:** None; **Abstaining:** None; **Approved:** 6/0/0.

**MOTION** by D Lapman to conduct a site inspection on May 19, 2017 at 6:00 p.m. for **Application No. 17-6** – Mark Erwin, proposing to convert an existing wood road to a driveway and to construct a new single family dwelling and to install a septic system to a point within 45 feet of a wetland, at **Lynn Road**; **MOTION** seconded by S Knauth; **Voting In Favor:** F. Szufnarowski, D Lapman, J Lovelace, J Leo, S Knauth J Hill; **Opposed:** None; **Abstaining:** None; **Approved:** 6/0/0. Members will meet on-site.

## **6. Section 11 Approvals**

- J Budrow reported that there were no Section 11 approvals.

## **7. Other Business**

- Tim Reynolds, Plant Manager Essex Meadows to request a Permit for the installation of a fence and pipe flow device by Beaver Solutions LLC.

Tim Reynolds distributed a photo of the outlet pipes of the three culverts and the inlet pipes on the Essex Meadows property that have been impacted by beaver activity. T Reynolds stated that the beavers have raised the water level to the point of flooding the meadow, flooding the golf course and the road is beginning to flood. Beaver Solutions has been retained and they will handle the installation of the fence and pipe flow device which involves positioning one cage around three culverts with one outtake pipe to one intake fence device.

**MOTION** by J Leo to authorize J Budrow to handle administratively the installation of fence and pipe flow device by Beaver Solutions, LLC, at Essex Meadows; **MOTION** seconded by D Lapman; **Voting In Favor:** F. Szufnarowski, D Lapman, J Lovelace, J Leo, S Knauth J Hill; **Opposed:** None; **Abstaining:** None; **Approved:** 6/0/0.

## **8. Correspondence and Invoices**

There was no correspondence or invoices.

## **9. Reports**

### **a. Wetlands Official –**

- J Budrow reported that Michael Picard, 175 Saybrook Road has asked to arrange a meeting between his surveyor, himself and J. Budrow.
- J Budrow reported on wetland activity within the Centerbrook Cemetery. At the April 11, 2017 IWWC meeting it was noted that leaves are being blown into the drainage swale along Industrial Park Road. J Budrow stated that it is his opinion that this is not a wetland violation and J Budrow stated that the fencing will be improved.
- J Budrow reported on the phragmite wetland area behind Centerbrook Post Office where there has been reported ATV activity and contractor trucks who are traversing through the wetlands. J Budrow stated that a Violation letter was sent three weeks ago and J Budrow reported that there has been no response to date. J. Budrow will send a second violation letter.

### **b. Chairperson –**

- F. Szufnarowski stated that in a discussion with the Chair of the Planning Commission he was informed that there are no members on the Planning Commission that are interested in filling the liaison vacancy to the IWWC. F Szufnarowski indicated that the IWWC will look to fill the vacancy with the appointment of another regular member.

- F Szufnarowski distributed an email from the IWWC attorney in which the State of CT DEEP provided interpretation of the IWWC's purview over tidal wetlands. F Szufnarowski asked members to retain this information for future reference and use.
  - J Budrow will prepare standing motions for Permits approved administratively and for pending motions that the Commission has authorized the WEO to handle administratively. The Motion wording is to be as follows: 1) "the application will be handled administratively". 2) "The IWWC concurs with the Wetland Enforcement Officer's approval". In a situation where the Commission does not concur with the WEO's approval, the wording for that Motion is as follows: "The IWWC overrules the WEO's approval".
- c. **Planning Commission Representative** – Vacant. No report.
- d. **Conservation Commission Representative** – J Lovelace. No report.
- e. **Zoning Commission Representative** – J. Hill. The Zoning Commission will meet on Monday, May 15, 2017 regarding the development of property on behalf of **Essex Boat Works, LLC, Main Street, Essex, Assessor's Map 47, Lot 21-1** for the future marina and restaurant. A Permit was granted by the IWWC at their April 11, 2017 meeting for an application to construct a principal building with accessory site work all within 100 feet of North Cove.

## 10. Adjournment

**MOTION** made by D Lapman to adjourn at 7:46 p.m. to the next regularly scheduled IWWC meeting to be held on Tuesday, June 19, 2017 at the Essex Town Hall, 2<sup>nd</sup> Floor Conference Room A, 29 West Avenue; **MOTION SECONDED** by S Knauth **Voting In Favor:** F. Szufnarowski, D Lapman, J Lovelace, J Leo, S Knauth J Hill; **Opposed:** None; **Abstaining:** None; **Approved:** 6/0/0.

Respectfully submitted,

Stella C. Beaudoin  
Recording Secretary