

TOWN OF ESSEX
Inland Wetlands and Watercourses Commission

Executive Board
Fred Szufnarowski Chairman
Daniel Lapman, Vice Chair

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Regular Members

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

Alternate Members

Ernest Cook
Andre Roussel

Unapproved

Minutes - Regular Meeting
Tuesday, September 12, 2017

1. Call to Order and Seating of Members

The regular Meeting of the Essex IWWC was conducted on September 12, 2017 in Room A of the Essex Town Hall at 7:00 p.m.

Attending Members:

Fred Szufnarowski
Jim Hill
Jim Leo
Jeff Lovelace
Andre Roussel, seated for S Knauth
Ernest Cook, seated for Jim Hill

Absent Members:

Steve Knauth
Dan Lapman

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 J Leo to seat E Cook and A Roussel for D Lapman and S Knauth; **SECONDED** by J Lovelace; **Voting In Favor:** F. Szufnarowski, J Leo, J Hill, J Lovelace; **Opposed:** None; **Abstaining:** None; **Approved:** 4/0/0.

2. Approval of Minutes

- **August 8, 2017 regular meeting**

MOTION made by E Cook to approve the September 12, 2017 regular meeting Minutes with the following amendment; 1) Page 3, last paragraph to read “*decorative rail*”; **SECONDED** by A Roussel
Voting In Favor: F. Szufnarowski, J Leo, J Hill, A Roussel, J Lovelace, E Cook; **Opposed:** None;
Abstaining: None; **Approved:** 6/0/0.

3. Public Hearing

- No public hearing scheduled.

4. Regular Meeting

- **Application 17-8 – the L. C. Doane Company, 4 Main Street, Centerbrook.** This is an application to remove underground contamination in and near a wetland area.

J Kruczek stated as per the Commission’s request she prepared an addendum to the previously submitted plan in which she has incorporated the requests made at the August 2017 IWWC meeting.

J Kruczek stated that if it is necessary to cross the access road to get to the wetlands during construction, the area will be top soiled, seeded and mulched as a part of the restoration process of the wetlands that have been disturbed. J Kruczek stated that most of the materials in the wetlands are fill materials with an organic pee-stone top layer. J Kruczek noted that the gate is shown on the main plan in the area where the site will be accessed from the main road. The staging has been added in the area which is outside of the 100-foot boundary. J Kruczek referenced the conceptual plan of the horizontal piping and noted that the lateral piping will be placed on top of the ground and covered with gravel. On top of the electrode there is a 2’ x 2’ sump that is in gravel, which will have a perforated pipe that will capture vapor. There will be very little in-ground disturbance. J Kruczek stated that the details may differ from the conceptual plan when the vendor becomes involved, however there will be no significant changes.

F Szufnarowski suggested that Figures 1A, 1B and 1C on the addendum to be incorporated with the site plan. F Szufnarowski thanked J Kruczek for following up all of the loose ends and he noted that the requests made at the August 8, 2017 meeting have been satisfied per the revised plans.

MOTION by A Roussel to approve a permit for **Application 17-8 – the L. C. Doane Company, 4 Main Street, Centerbrook.** This is an application to remove underground contamination in and near a wetland area. Based on the information presented in this application and the accompanying documents, the site inspection 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 inland wetlands or watercourse which occur on the property, as defined in Section 2.2, and that few or no reasonable or prudent alternatives exist; The Commission makes a Summary

Ruling and grants a permit and permission for the applicant to proceed with proposed activity as stated on said application and as shown on plans accompanying the application, subject to the following conditions:

- a. In accordance with the Commission's Regulations, the activity pursuant to said permit shall be initiated within 5 years of the date of publication and shall be completed within one year of the date of initiation and will occur between October 15th and March 14th of the year of initiation.
- b. Should the applicant determine that the permitted activity will not be completed between October 15th and March 14th of the year of initiation, the applicant agrees to appear before the Commission and present a plan for the stabilization of the site during the non-permitted months.
- c. The applicant agrees to follow the advice and direction of the Town of Essex Enforcement Officer with regard to any field changes he deems necessary or may require for the protection of the inland wetlands and water course during the process.
- d. The Commission, through its Enforcement Officer, shall be notified in writing upon the initiation of the authorized activity and again upon completion of these activities.
- e. There will be a special condition in which work between October 15, 2017 and March 14, 2018 is to be permitted under the supervision of the Zoning Enforcement Officer.
- f. The contractor will submit a copy of any field changes to the Zoning Enforcement Officer for his final approval.

SECONDED by J Leo; **Voting In Favor:** F. Szufnarowski, J Lovelace, J Hill, J Leo, E Cook, A Roussel;
Opposed: None; **Abstaining:** None; **Approved:** 6/0/0.

5. Receipt of New Applications

- **Application No. 17-9 – Stephen Cline, 85 Westbrook Road** – This is an application to expand a parking area and install a culvert.

Robert Doane, P.E. presented on behalf of the applicant, Stephen Cline, successor trustee for the irrevocable trust. R Doane stated that he proposed to add 6500 s.f. to an existing building and per the zoning regulations, that activity requires parking to be added to accommodate the proposed 60 employees. A portion of the parking is within 100 feet of the wetlands. There are wetlands to south of the property, however there are no wetlands on site. The proposed driveway on the south side of the property is within 100 feet of the wetlands. A culvert will be installed to handle the drainage which flows from the State highway as it is necessary to provide a conveyance for that drainage. A 15" high density, corrugated pipe will be installed under the access of the parking to the driveway to the south. The parking area will be a non-pervious, paved lot that will run off onto the lawn area.

R Doane stated that the pipe installed under the driveway is 15 inches, the pipe coming from the road is 12 inches and the pipe leaving the site is 24 inches. The discharge capacity will be increased.

The existing septic will remain in place.

Members agreed that the application is substantially complete and a public hearing would not be necessary. It was noted that the impact on the wetlands involves flows exiting the 24 -inch pipe into the wetlands to the south.

MOTION by A Roussel that the **Application 17-9** is substantially complete for **Stephen Cline** proposing an expansion and improvement to parking for property situated at **85 Westbrook Road** **Seconded** by E Cook; **Voting in Favor:** F. Szufnarowski, J Leo, J Hill, A Roussel, J Lovelace, E Cook **Opposed:** None; **Abstaining:** None; **Approved:** 6/0/0.

A site walk will be conducted on behalf of **Application 17-9, Stephen Cline, 85 Westbrook Road**, on Monday, September 18, 2017 at 4:30 p.m. Members will meet on site.

MOTION by J Lovelace to schedule **Application #17-9** on behalf of **Stephen Cline**, property located **85 Westbrook Road**, for the October 10, 2017 regular meeting; 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 inland 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** seconded by J Leo; **Voting in Favor:** F. Szufnarowski, J Leo, J Hill, A Roussel, J Lovelace, E Cook **Opposed:** None; **Abstaining:** None; **Approved:** 6/0/0.

- **Application No. 17-10 – Norman Needleman, 9 Foxboro Road** – This is an application to add a rain garden, a splash pad and a foot path within the 100 foot upland review area of North Cove.

Robert Doane, P.E. presented on behalf of the applicant who proposes to install a rain garden, a grass walking path through a conservation area, and a 10' x 10' rip rap pad to receive the footing drain and discharge from the rain garden. This proposal is located within 100 feet of the wetlands. R Doane stated that the walking path that meanders through the property is a result of modifying the common dock to the subdivision. Originally there were stairs coming up an embankment adjacent to the subject property, however the applicant would like to avoid building stairs on the embankment. The walkway will service all of the properties that are utilizing the dock.

R Doane commented on the drainage system going into the rain garden which is runoff from the roof and the driveways, and it runs down through a pipe into the rain garden. There is ground water infiltration at the rain garden and run-off through planted area. During times of significant outlet for the rain garden, that channel goes to the rip rap pad that is at the base of the slope. That rip rap pad is the same elevation of the pipe that goes to corner of house, to the pipe that serves as ground water outlets.

There was some discussion about the amount of foot traffic on the grass path and the potential for erosion.

MOTION by E Cook that **Application 17-10** is substantially complete for **Norman Needleman** proposing the installation of a rain garden, a grass walking path through a conservation area and a 10 x 10 rip rap pad to receive the footing drain and discharge from the rain garden, for property located at **9 Foxboro Road, Essex** with the following conditions; 1) Additional information will be provided on the pathway; 2) The Planning Commission will provide a report to the IWWC indicating their approval/denial of this proposal and outlining any conditions associated with the approval of this proposal; **SECONDED** by E Cook; **Voting in Favor:** F. Szufnarowski, J Leo, J Hill, A Roussel, J Lovelace, E Cook **Opposed:** None; **Abstaining:** None; **Approved:** 6/0/0.

MOTION by J Leo to schedule **Application #17-10** on behalf of **Norman Needleman**, property located **9 Foxboro Road**, for the October 10, 2017 regular meeting; 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 inland 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** seconded by A Roussel; **Voting in Favor:** F. Szufnarowski, J Leo, J Hill, A Roussel, J Lovelace, E Cook **Opposed:** None; **Abstaining:** None; **Approved:** 6/0/0.

- **Application #17-11 – John and Susan Abbot, 151 River Road** - This is an application to demolish an existing house and replace with a new single-family dwelling and terraced rear yard to include plantings.

Chad Frost, landscape architect and Stuart Fairbank, McDonald, Sharpe Engineering presented. The intent of this project is to remove and rebuild the current house. The Gateway Commission approved this proposal and the Zoning Board of Appeals approved two variances in August 2017. C Frost stated that he is here this evening to discuss a minor impact on the wetlands.

C Frost referenced the plan noting that the driveway drops down to a steep decline. There is a man-made, existing pond and a significant grade change from River Road, to over a 50-foot grade change on the subject property. The existing pipe that crosses River Road and dumps onto this property, goes down to a steep ravine which is an intermittent stream that exists on the property and dissipates, and by sheet flow deposits into the pond. The pond has an exit pipe that flows into the wetland and eventually down to the river.

C Frost stated that the driveway needs to cross where an intermittent stream has been identified and he stated that a plunge pool will be installed which will discharge on the far side with another plunge pool, allowing the discharge to maintain its course down the hillside. All the stormwater from the driveway is collected and treated by infiltrator systems located on the downhill (back) side of the house.

F Szufnarowski asked for details on the existing pond and the proposed improvements.

C Frost stated that the pond has a high nitrogen level and the water from the lawn rushes to the pond and the run-off contributes to the nitrogen levels. C Frost proposes the creation of a sedimentation filtration strip, and he will grade and reestablish natives along the pond's edge. There is currently a recirculating pump in the pond. However, a sand filtration system will be installed which will create a slow overturn of the water in the pond and will drop the nitrogen level down to a normal level. The elevation of the pond is essentially the elevation of the river.

MOTION by J Lovelace that **Application 17-11** is substantially complete for **John and Susan Abbot** proposing to demolish an existing house and replace with a new single family dwelling and terraced rear yard to include plantings, for property **located at 151 River Road, Essex** with the following condition; 1) A plan for a cross section of pipe installation under the north side of the driveway shall be submitted to the Commission; **SECONDED** by A Roussel; **Voting in Favor:** F. Szufnarowski, J Leo, J Hill, A Roussel, J Lovelace, E Cook **Opposed:** None; **Abstaining:** None; **Approved:** 6/0/0.

MOTION by J Lovelace to schedule **Application #17-11** on behalf of **John and Susan Abbot**, property located **151 River Road**, for the October 10, 2017 regular meeting; 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** seconded by E Cook; **Voting in Favor:** F. Szufnarowski, J Leo, J Hill, A Roussel, E Cook, Lovelace; **Opposed:** None; **Abstaining:** None; **Approved:** 6/0/0.

6. Section 11 Approvals

J Budrow reported there were no Section 11 approvals.

7. Other Business

- A. J. Shea Construction, Request to work after October 15 on site at 63 Main Street, Essex (marina and restaurant).

J Lovelace read into the record a letter dated September 5, 2017 from Brian Shumbo, project manager, A. J. Shea Construction.

This application proposes a plan for erosion and stabilization controls for the Carlson Landing Project at 63, Main Street, Essex. Activities for the period between October 15th through March 14th include excavation and site preparation, pile driving, concrete work including footings, walls and slabs and construction of the wood frame building. Erosion control measures consist to silt fencing and hay bales along the bulkhead and downhill of any construction and the installation of 1 ¼" crushed stone on all travel paths around and in and out of the job site to keep the roadways clean.

J Budrow stated that the Carlson Landing project had been previously approved by the Zoning Commission and the IWWC.

Joseph Shea stated that all of the roadways will be an inch and a quarter stone and he noted that 90% of the activity is on the other end of the parcel and he expects the job to take twelve to fourteen months for completion.

MOTION by J Lovelace to allow a special condition permitting work between October 15, 2017 and March 14, 2018 under the supervision of the Zoning Enforcement Officer on behalf of **Application #17-5, Essex Boat Works, LLC, Main Street, Essex, Assessor's Map 47, Lot 21-1**. This is an application to construct a principal building with accessory site work all within 100 feet of North Cove; The Commission further grants an extension to the duration for completion of the work from 12 to 15 months from the date of initiation; **SECONDED** by J Leo; **Voting In Favor:** F. Szufnarowski, J Lovelace, J Hill, J Leo, E Cook, A Roussel; **Opposed:** None; **Abstaining:** None; **Approved:** 6/0/0.

8. Correspondence and Invoices

There was no correspondence and no invoices.

9. Reports:

- a. **Wetlands Official** – J Budrow, no report.
- b. **Chairperson** – F. Szufnarowski, no report.
- c. **Planning Commission Representative** – Vacant. No report.
- d. **Conservation Commission Representative** –
J Lovelace displayed maps of Viney Hill Brook Park and area next to Quarry Pond that has been flooded. J Lovelace reported that the Conservation Commission has been working with Robert Doane to remediate the site and the installation. R Doane has recommended the installation of French drains.
- e. **Zoning Commission Representative** –
J Hill reported that the Zoning Commission has approved the Carlson Landing project.

10. Adjournment

MOTION made by J Leo to adjourn at 8:46 p.m. to the next regularly scheduled IWWC meeting to be held on Tuesday, October 10, 2017 at the Essex Town Hall, 2nd Floor Conference Room A, 29 West Avenue; **MOTION SECONDED** by A Roussel; **Voting In Favor:** F. Szufnarowski, J Lovelace, Hill, J Leo, E Cook, A Roussel; **Opposed:** None; **Abstaining:** None; **Approved:** 6/0/0.

Stella C. Beaudoin
Recording Secretary