



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*  
*Ernest Cook*  
*Jeffrey Lovelace, Conservation Liaison*  
*Jim Hill, Zoning Liaison*  
*Vacancy, Planning Liaison*

**Alternate Members**

*Andre Roussel*

**Unapproved**

**Minutes - Regular Meeting**  
**Tuesday, May 8, 2018**

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

The regular Meeting of the Essex IWWC was conducted on May 8, 2018 in Room A of the Essex Town Hall at 7:00 p.m.

**Attending Members:**

Fred Szufnarowski  
Daniel Lapman  
Jeffrey Lovelace  
Jim Hill  
Ernest Cook  
Andre Roussel, Alternate seated for S Knauth

**Absent Members:**

Steve Knauth  
Jim Leo

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

Seated for the meeting were F Szufnarowski, D Lapman, J Lovelace, J Hill, E Cook, A Roussel.

**MOTION** made by J Lovelace to seat A Roussel for the meeting; **SECONDED** by J Hill; **Voting In Favor:** F Szufnarowski, D Lapman, J Hill, J Lovelace, E Cook; **Opposed:** None; **Abstaining:** None; **Approved:** 5/0/0.

**2. Approval of Minutes**

**MOTION** made by J Hill to approve the April 10, 2018 regular meeting Minutes with following amendments; 1) Page 2, second to last paragraph "will be covered *when not attended*"; 2) Page 4,

Condition H. "A letter from the *engineer* should be submitted"; 3) Page 4, Condition G. "A letter from the contractor ... that the *fishway* was built" 4) Page 3, First line; "*4 mil or equivalent*"; 5) Page 6, Last paragraph, "*and install a terrace garden*"; **SECONDED** by A Roussel; **Voting In Favor:** F Szufnarowski, D Lapman, J Hill, E Cook, J Lovelace, A Roussel; **Opposed:** None; **Abstaining:** None; **Approved:** 6/0/0.

**Discussion:** No further discussion.

**MOTION** made by J Lovelace to approve the April 26, 2018 site walk Minutes as presented; **SECONDED** by E Cook; **Voting In Favor:** F Szufnarowski, D Lapman, J Hill, E Cook, J Lovelace, A Roussel; **Opposed:** None; **Abstaining:** None; **Approved:** 6/0/0.

**Discussion:** No further discussion.

### **3. Public Hearing**

No public hearing scheduled.

### **4. Regular Meeting**

**Application No 18-2 – Edward Noble, 3 Turnstone Road.** This is an application to clean out a wetland area and to stabilize a streambed.

Ed Noble presented on behalf of this proposal.

A Roussel noted preference to the replacement of invasive plant species with native plantings.

F Szufnarowski stated that this proposal is an improvement to the existing property.

J Budrow distributed a revised site plan that included a rip-rap pad as recommended by IWWC's Engineer, Robert Doane.

**MOTION** by A Roussel to approve a permit for **Application No 18-2 – Edward Noble, 3 Turnstone Road.** This is an application to clean out a wetland area and to stabilize a streambed. Based on the information presented in this application and the accompanying documents, on the site walk 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 2 years of the date of publication and shall be completed within one year of the date of initiation and will occur between March 15<sup>th</sup> and October 15<sup>th</sup> of the year of initiation.
- b. Should the applicant determine that the permitted activity will not be completed between March 15<sup>th</sup> and October 15<sup>th</sup> of the year of initiation, the applicant agrees to appear before the Commission prior to October 15<sup>th</sup> 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. The applicant shall comply with the revised site plan which includes a rip-rap pad as recommended by Robert Doane, P.E. which shall be added to and made a part of the permanent file.
- e. A list of selected native vegetation will be submitted to the ZEO which will be appended to the application.

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

##### **5. Receipt of New Applications**

###### **- Application No. 18-3 – Dickon Pownall-Gray, 17 Riverview Street**

An application to locate an in-ground swimming pool to a point 50 feet from North Cove. Also, to locate a portion of a septic system to a point 79 feet from North Cove.

Presenting on behalf of the applicant, Chris Caufield, Caufield Ridgeway Builders acquainted the Commission with the location of the subject property which was recently purchased by D Ponwall-Gray. C Caufield stated that the applicant was looking to improve the area above the garage and during the process it was determined by the Health Officer that the current 1000 gallon septic system is insufficient, and the installation of a new septic system was requisite. C Caufield stated that the current owner would like to install a swimming pool and situate it adjacent to a terrace, which is adjacent to the screen porch and kitchen. The grade slopes downhill from the house and

terrace which allows the downhill wall of the pool to form a 4-ft high wall. A glass fence, comprised of 4-5 foot glass panels, will be installed on the uphill side of the pool. C Caufield stated that the existing natural vegetative cover will be maintained/restored in the area adjacent to the pool. There will be no onsite chemical storage related to the pool.

C Caufield stated that he excavated materials will be removed off site in 7 cubic yard dump trucks as needed. There will be no stockpiling of any of the excavated materials on site.

A Roussel asked that the notation be added to this plan referencing that there will be no stockpiling on-site of excavated materials.

F Szufnarowski stated that as per the advice of the Commission's attorney and the CT DEEP, the IWWC jurisdiction is the upland review area which is 100 feet from the watercourse. F Szufnarowski requested that the 100-foot delineation be shown in on the plan. F Szufnarowski suggested installation of silt fencing in the area of the new septic system.

**MOTION** by A Roussel to find **Application #18-3** is substantially complete for **Dickon Pownall-Gray** proposing to locate an in-ground swimming pool to a point 50 feet from North Cove. Also to locate a portion of a septic system to a point 79 feet from North Cove at **17 Riverview Street**, with the following conditions: 1) A list of adjacent property owners will be added to the application; 2) A statement will be provided affirming that there will be no storage of materials on site; 3) The 100-ft upland review area needs to be shown on the site plan; 4) Silt fencing shall be installed around the septic system; **MOTION** seconded by D Lapman; **Voting In Favor:** F. Szufnarowski, D Lapman, J Hill, E Cook, J Lovelace, A Roussel; **Opposed:** None; **Abstaining:** None; **Approved:** 6/0/0.

**Motion** by D Lapman to schedule **Application #18-3 – Dickon Pownall-Gray** for the June 12, 2018 regularly scheduled meeting. Per Section 8.1 of the Inland Wetlands and Watercourses regulations: 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, as defined in Section 2.2 of the regulations; **MOTION** seconded by J Lovelace; **Voting In Favor:** F. Szufnarowski, D Lapman, J Lovelace, J Hill, E Cook, A Roussel; **Opposed:** None; **Abstaining:** None; **Approved:** 6/0/0.

- **Application No. 18-4 – Park Enterprises, LLC, 21 Grove Street**

An application proposing a single-family dwelling, a detached accessory building, a new septic system and a driveway crossing all within an upland review area of a wetland area.

Present on behalf of the applicant was Michael Ott, P.E. Summerhill Engineers, Madison, CT who acquainted with Commissioners with the location of the subject property. M Ott presented the site plan noting that an application was submitted and permit issued a number of years ago related to the subject property for the construction of a home and a driveway across a wetland crossing. The IWWC permit was renewed in 2015. In 2016 a new application was submitted and subsequently withdrawn.

This application involves a new driveway crossing across a water-crossing and construction of a larger, single family, 4-bedroom home with a pool, a pavilion and a barn. The driveway over the water-crossing is to serve the residence in the rear. M Ott stated that he proposes to remove the existing home, barn and shed on the property. The utility services will be removed and existing septic would be abandoned. As related to the driveway proposal, the proposed location and the size is the same as the 2016 application, however the proposed pipe will be four feet longer with the addition of the two fieldstone masonry end walls.

Richard Snarski, soil scientist will conduct an evaluation of the wetlands and propose buffer plantings which he will present to the Commission at the June 12, 2018 IWWC meeting. M Ott stated that in discussions with R Snarski there is not much opportunity for habitat enhancement or resource protection however the buffer plantings will be an incremental improvement. There is a fieldstone masonry wall on the western property side and partial fieldstone masonry wall on the eastern property side, and near the existing house there is a vertical field stone wall and an old pipe coming into those walls.

M Ott noted that the Applicant is considering removing the 18" concrete pipe and possibly all of the walls, and laying the banks back to a natural slope with buffer plantings installed on both sides of the watercourse. This would require additional work in the wetland but would restore the area to a more natural state.

**MOTION** by D Lapman to conduct a site walk on Wednesday, May 16, 2018 at 5:30 p.m., behalf of **Application #18-4 for Park Enterprises LLC** proposing a single family dwelling, a detached accessory building, a new septic system and a driveway crossing all within an upland review area of a wetland area at **21 Grove Street**; **MOTION** seconded by E Cook; **Voting In Favor:** F. Szufnarowski, D Lapman, J Lovelace, J Hill, E Cook, A Roussel; **Opposed:** None; **Abstaining:** None; **Approved:** 6/0/0.

J Budrow stated that he accepted this application without the benefit of signatures from the out of state property owners. M Ott will provide the signed application for the file.

**MOTION** by A Roussel to find **Application #18-4** is substantially complete for **Park Enterprises LLC** proposing a single family dwelling, a detached accessory building, a new septic system and a driveway crossing all within an upland review area of a wetland area at **21 Grove Street** with the following conditions: 1) An amended site plan with vegetation and tree lines noted will be provided; 2) A revised plan reflecting any additional proposed work within the wetlands will be provided;

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

**Motion** by J Lovelace to schedule **Application No 18-4 – Park Enterprises LLC** for a Public Hearing which will be conducted on June 12, 2018. Per Section 8.1 of the Inland Wetlands and Watercourses regulations: based on the information presented in this application and the accompanying documents, and on the testimony given at this meeting, a public hearing will be scheduled for the following reasons; activity public hearing is in the public interest; **MOTION** seconded by E Cook; **Voting In Favor:** F. Szufnarowski, J Lovelace J Hill, E Cook, A Roussel; **Opposed:** D Lapman ; **Abstaining:** None; **Approved:** 5/1/0.

**Discussion:** D. Lapman stated that he did not think a public hearing was necessary.

## **6. Section 11 Approvals**

- **Application 18A-4 – Jamie Downie, 1 Lynn Road, Ivoryton.** Approval to repair and replace a septic system that is to a point 35-feet from a wetland area.

J Budrow stated that the septic failed on this property and he has issued an administrative approval on April 16, 2018 for the completion of the work.

**Motion** made by A Roussel that the Essex Inland Wetlands and Watercourses Commission concurs with the decision of the Wetlands Agent with regard to **Application 18A-4 – Jamie Downie, 1 Lynn Road, Ivoryton** for repair and replacement of a septic system that is to a point 35 feet from a wetland area.; **SECONDED** by E Cook; **Voting In Favor:** F. Szufnarowski, D Lapman, J Hill, E Cook, A Roussel; **Opposed:** J Lovelace; **Abstaining:** None; **Approved:** 5/1/0.

**Discussion:** J Lovelace stated his opposition related to the location of the septic system.

## **7. Other Business**

There was no new business.

## **8. Correspondence and Invoices**

The Habitat Newsletter Winter/Spring 2018. There were no invoices.

## **9. Reports**

### **a. Wetlands Official Joseph Budrow**

- The WEO reported that Nathan L. Jacobson Associates submitted a final plan on behalf of Wetlands Application #18-1 Nature Conservancy.

- The WEO reported that he will scan and email the two existing DEEP permits to treat ponds for weed control to the Commissioners.
- The WEO reported on a violation of property situated on South Main Street for the cutting of phragmites. The property owner hired Malcolm Hill, Founder and Owner of Snowy Egret Wetland Services to cut back her phragmite. Mr. Hill said the area is a tidal wetland and not under IWWC jurisdiction. The WEO will request the services of a soil scientist to determine if the subject property is a tidal wetland soil area.

**b. Chairperson, Fred Szufnarowski** - No report.

**c. Planning Commission Representative** – Vacant. No report.

**d. Conservation Commission Representative, Jeffrey Lovelace** reported that the Conservation Commission held their regular meeting on April 12, 2018. There was no business or discussion relevant to IWWC except that the beavers continue their work at Quarry Pond and have built a dam across Broadwalk Trail to hold back the water entering Quarry Pond. Commissioners are continuing work on various invasive plant species such as Japanese Knotweed and Autumn Olive. The final phase (i.e. Phase II) of clearing the trees and brush that were cut in the initial phase to create a meadow habitat in Bushy Hill several years ago has been completed. The next Conservation Commission meeting is Thursday May 10<sup>th</sup> at 7:30 p.m. The Chair, Kay Tucker was injured in a serious bicycle accident on April 13 and is recovering well.

**e. Zoning Commission Representative, Jim Hill** reported that there is an application before the Zoning Commission to convert the available upper floors of the Spencer's Corner location to residential to apartments. This project would be under federal jurisdiction and the Town would have limited authority.

## **10. Adjournment**

**MOTION** made by D Lapman to adjourn at 8:42 p.m. to the next regularly scheduled IWWC meeting to be held on Tuesday, June 12, 2018 at the Essex Town Hall, 2<sup>nd</sup> Floor Conference Room A, 29 West Avenue; **MOTION SECONDED** by E Cook; **Voting In Favor:** F. Szufnarowski, D Lapman, J Lovelace, J Hill, E Cook, A Roussel; **Opposed:** None; **Abstaining:** None; **Approved:** 6/0/0.

Stella C. Beaudoin  
Recording Secretary