



TOWN OF ESSEX
Inland Wetlands and Watercourses Commission

Officers

Michael Furgueson, Chairman
David Kirsch, Vice Chair

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Regular Members

Ernest Cook
Fred Szyfnarowski
Noreen Brennan-Rowe

Alternate Members

Noreen Brennan-Rowe
Lisa Krall

Record of Vote – April 11, 2023

The Essex Inland Wetlands and Watercourses Commission (EIWWC) conducted their regularly scheduled meeting on Tuesday April 11, 2023 at 7:00 p.m. The meeting was held both in person and via Zoom (link was provided to the public on the Town of Essex website).

Members seated for the meeting were were Michael Furgueson, Ernest Cook, David Kirsch, Carolyn Field (alternate), and Lisa Krall (alternate).

MOTION made by E Cook to approve the minutes from the March 14, 2023 meeting with the following amendments:

- **Page 2-**
 - **Section 4**
 - Capitalize “Commission”
 - Change said to explained
 - Reword 3rd sentence to read: “This activity had been reported by a neighbor to C. Duques. C. Duques and R. Doane subsequently went to the property to meet the owner and review the activity that took place.”
 - Insert “M Annicelli” after “The owner”
 - Change 2nd paragraph from the bottom to “In response to M. Annicelli’s statement that in her opinion the Town and its officials could have handled this matter differently, M Furgueson stated, saying that over 50% of applications that the commission sees are “after the fact”. The IWWC and Town has expended much effort in a public awareness campaign about wetlands regulations. Yet, he stated that it is, nonetheless, property owners’ responsibility to be aware of and comply with the Town’s land use regulations. In addition, he stated that recently the Town of Essex increased fees for corrective applications, although they can be waived at the Commission’s discretion.”
 - Change 2nd to last sentence in first full paragraph to “The property owner does not wish to do any additional work at the property within the upland review area.”
- **Page 3-**
 - Remove “penalty” before “fees associated”

SECONDED by C Field; **Voting in Favor:** M Furgueson, E Cook, D Kirsch, C Field, and L Krall; **Opposed:** None; **Abstaining:** None; **Approved:** 5/0/0; **Discussion:** No Discussion

MOTION made by E Cook to approve the minutes from the March 22, 2023 Site Walk as submitted; **SECONDED** by C Field; **Voting in Favor:** M Furgueson, E Cook, D Kirsch, C Field, and L Krall; **Opposed:** None; **Abstaining:** None; **Approved:** 5/0/0; **Discussion:** No Discussion

MOTION made by D Kirsch to close the public hearing for Application No. 23-02 River Road, Essex; **SECONDED** by E Cook; **Voting in Favor:** M Furgueson, E Cook, D Kirsch, C Field, and L Krall; **Opposed:** None; **Abstaining:** None; **Approved:** 5/0/0; **Discussion:** No Discussion

MOTION made by D Kirsch based on the information presented in this application, the accompanying documents in the record, and on the testimony given at this meeting, the Commission finds that the proposed activity is a regulated activity not involving significant or major effect upon the inland wetlands or watercourse which occur on the property as defined in Section 2.2., and that no reasonable or prudent alternative exists to the proposed plans.

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

1. In accordance with the Commission's Regulations section 11.8, the activity pursuant to said permit shall be for a period of 2 years from the permit's effective date with allowed activity occurring between March 15th and October 15th of the year of initiation.
2. Should the applicant determine that the permitted activity will not be completed between March 15th and October 15th of the year of initiation, the applicant agrees to appear before the Commission prior to October 15th and present a plan for the stabilization of the site during the months of no activity.
3. The applicant agrees to follow the advice and direction of the Town of Essex Enforcement Officer with regard to any field changes she/he deems necessary or may require for the protection of the inland wetlands and water course during the process.
4. 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

SECONDED by E Cook; **Voting in Favor:** M Furgueson, E Cook, D Kirsch, C Field, and L Krall; **Opposed:** None; **Abstaining:** None; **Approved:** 5/0/0; **Discussion:** No Discussion

MOTION made by D Kirsch to schedule Application Number 23-03 Kayak/Canoe launch between 15 and 19 Falls River Drive, Ivoryton for the Tuesday May 9, 2023 regular meeting.

Per section 7 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 and does not appear to have a significant impact or major effect, as defined in Section 2.2 of the regulations on a wetlands or watercourse.

SECONDED by E Cook; **Voting in Favor:** M Furgueson, E Cook, D Kirsch, C Field, and L Krall; **Opposed:** None; **Abstaining:** None; **Approved:** 5/0/0; **Discussion:** No Discussion

MOTION made by D Kirsch to enter into executive session at 7:55 PM; **SECONDED** by C Field; **Voting in Favor:** M Furgueson, E Cook, D Kirsch, C Field, and L Krall; **Opposed:** None; **Abstaining:** None; **Approved:** 5/0/0; **Discussion:** No Discussion

MOTION made by D Kirsch to end the executive session at 8:44 PM; **SECONDED** by C Field; **Voting in Favor:** M Furgueson, E Cook, D Kirsch, C Field, and L Krall; **Opposed:** None; **Abstaining:** None; **Approved:** 5/0/0; **Discussion:** No Discussion

MOTION made by D Kirsch to adjourn the meeting at 8:45 PM until the next regularly scheduled IWWC meeting to be held on Tuesday May 9, 2023 at the Essex Town Hall (alternate location via Zoom); **SECONDED** by C Field; **Voting in Favor:** M Furgueson, E Cook, D Kirsch, C Field, and L Krall; **Opposed:** None; **Abstaining:** None; **Approved:** 5/0/0; **Discussion:** No Discussion

Respectfully Submitted,

A handwritten signature in black ink that reads "Danielle Schumacher". The script is cursive and fluid, with the first name and last name clearly legible.

Recording Clerk