



TOWN OF ESSEX  
Inland Wetlands and Watercourses Commission

**Officers**

*Michael Furgueson, Chairman*  
*David Kirsch, Vice Chair*

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

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**Regular Members**

*Ernest Cook*  
*Noreen Brennan-Rowe*  
*Carolyn Field*

**Alternate Members**

*Kathleen Sullivan Sealey*  
*Lisa Krall*

### Record of Vote – September 12, 2023

The Essex Inland Wetlands and Watercourses Commission (EIWWC) conducted their regularly scheduled meeting on Tuesday September 12, 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).

In attendance were Chairman Michael Furgueson, Vice Chairman David Kirsch, Ernest Cook, Noreen Brennan-Rowe, Carolyn Field, Lisa Krall, and Kathleen Sullivan Sealey.

Seated for the meeting were Chairman Michael Furgueson (via zoom), Vice Chairman David Kirsch, Ernest Cook, Noreen Brennan-Rowe, and Carolyn Field.

**MOTION** made by E Cook to approve the minutes from the August 8, 2023 Regular Meeting with the following amendments:

- Page 3&4- Change September 12 to September 13
- Page 5- 2<sup>nd</sup> paragraph change bit to pit

**SECONDED** by N Brennan-Rowe; **Voting in Favor:** M Furgueson, D Kirsch, E Cook, N Brennan-Rowe, C Field; **Opposed:** None; **Abstaining:** None; **Approved:** 5/0/0; **Discussion:** No Discussion

**Cease and Desist Show Cause Hearing 46 Main Street and 1 Johnnycake Lane, Ivoryton** **MOTION** made by D Kirsch to modify the cease and desist for 46 Main Street and 1 Johnnycake Lane Ivoryton to include a deadline of October 2, 2023 for the submission of an expert planting and restoration plan; **SECONDED** by N Brennan-Rowe; **Voting in Favor:** M Furgueson, D Kirsch, E Cook, N Brennan-Rowe, C Field; **Opposed:** None; **Abstaining:** None; **Approved:** 5/0/0; **Discussion:** No Discussion

**IWWC Application 23-11 9 River Road Essex** **MOTION** made by N Brennan-Rowe 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 inlands 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 5 years from the permit's effective date with allowed activity occurring between March 15<sup>th</sup> and October 15<sup>th</sup> of the year of initiation.
2. The commission gives the applicant permission to continue activity during the No Work period between October 15 and March 15.
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.
5. The applicant will intermittently check in with the Land Use Official and provide updates on the work being completed.

**SECONDED** by E Cook; **Voting in Favor:** M Furgueson, D Kirsch, E Cook, N Brennan-Rowe, C Field;

**Opposed:** None; **Abstaining:** None; **Approved:** 5/0/0; **Discussion:** No Discussion

**IWWC Application 23-13 30 Bokum Road Essex MOTION** made by C Field 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 15<sup>th</sup> and October 15<sup>th</sup> of the year of initiation.
2. 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 commission gives the applicant permission to continue activity during the No Work period between October 15 and March 15.
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, D Kirsch, E Cook, N Brennan-Rowe, C Field;

**Opposed:** None; **Abstaining:** None; **Approved:** 5/0/0; **Discussion:** No Discussion

**IWWC Application 23-14 92 Ingham Hill Road Essex MOTION** made by N Brennan-Rowe 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 15<sup>th</sup> and October 15<sup>th</sup> of the year of initiation.
2. The commission gives the applicant permission to continue activity during the No Work period between October 15 and March 15.
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.
5. Silt fence will be installed under the guidance of the Land Use Official.

**SECONDED** by E Cook; **Voting in Favor:** M Furgueson, D Kirsch, E Cook, N Brennan-Rowe, C Field;  
**Opposed:** None; **Abstaining:** None; **Approved:** 5/0/0; **Discussion:** No Discussion

**IWWC Modification of Application 23-12 8 Heron Pond Road Essex MOTION** made by D Kirsch to grant permission to continue activity during the No Work period between October 15 and March 15; **SECONDED** by E Cook; **Voting in Favor:** M Furgueson, D Kirsch, E Cook, N Brennan-Rowe, C Field; **Opposed:** None; **Abstaining:** None; **Approved:** 5/0/0; **Discussion:** No Discussion

**IWWC Application 23-15 21 Heron Pond Road MOTION** made by D Kirsch to receive IWWC Application 23-15 21 Heron Pond Road, Essex and discussed the application at the October 10, 2023 meeting; **SECONDED** by C Field; **Voting in Favor:** M Furgueson, D Kirsch, E Cook, N Brennan-Rowe, C Field; **Opposed:** None; **Abstaining:** None; **Approved:** 5/0/0; **Discussion:** No Discussion

**MOTION** made by D Kirsch to adjourn the meeting at 8:34 PM; **SECONDED** by N Brennan-Rowe; **Voting in Favor:** M Furgueson, D Kirsch, E Cook, N Brennan-Rowe, C Field; **Opposed:** None; **Abstaining:** None; **Approved:** 5/0/0; **Discussion:** No Discussion

Respectfully Submitted,

