



TOWN OF ESSEX
Inland Wetlands and Watercourses Commission

Officers
Fred Szufnarowski Chairman
Andre Roussel, Vice Chair

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Regular Members
Ernest Cook
Michael Furgueson

Alternate Members
David Kirsch
Noreen Brennan- Rowe

Record of Vote – February 8, 2022 Regular Meeting

The Essex IWWC conducted their regularly scheduled meeting on Tuesday February 8, 2022 at 7:00 p.m. via Zoom. Members in attendance were Chairman Fred Szufnarowski, Vice Chair Andre Roussel, Secretary Ernest Cook, Michael Furgueson, Noreen Brennan-Rowe, and David Kirsch. Seated members were Chairman Fred Szufnarowski, Vice Chair Andre Roussel, Secretary Ernest Cook, Michael Furgueson, and David Kirsch (alternate)

MOTION made by A Roussel to approve the January 11, 2022 regular meeting minutes with the following amendments; Page 3, first paragraph second sentence should read C Duques replied that it had not and that she should share it **tomorrow** with Fred DeCrescentis who is the president. Eighth paragraph word state should be capitalized; Page 4, first paragraph sixth sentence should read “As of today they **added** areas off of the property and **are** trying....” Seventh sentence should read “This area is relatively flat and a larger rain garden **could be put** there. Eighth sentence should read As for the other items on R Doane’s review, he said **that the applicant** had submitted a response letter that stated that **the applicant** has addressed.... Fourth paragraph 2. Should read Hay bales should be on downhill side of silt fence; this is not indicated on the plan. Seventh paragraph should start **G Fedus** said that they will.... Eighth paragraph should read G Fedus said that R Doane and **he** have a difference of opinions on what ratio **of** crushed stone and sand/soil mixes **is appropriate**; Page 5, First paragraph second sentence should read R Doane commented that 30% **ratio** is ok. Fourth paragraph second sentence add a comma after Nathaniel. Sixth paragraph should read as follows **He said that he is concerned about the actual watershed going to the rain gardens because the watershed extends beyond the property lines and the watershed used in the calculations stopped at the property lines. The larger watershed will overwhelm the rain gardens, and this is what we had been working on. When he realized that this watershed was computed to the property boundary line, he checked the watershed to the stream crossing and that watershed also was stopped at the property line when it actually extends and includes a pond and the contributing area. The additional drainage area for the stream crossing must be included in the calculations.** Eighth paragraph first sentence should read R Doane said that he and C Duques went up **to the pond above the property** and looked... Tenth paragraph delete “make the”; Page 6 Fourth paragraph second sentence should read They had come up with **a flow of 3 CFS** (Cubic Feet Per Second) in the pipe analysis. **The pipe has** a capacity of...; Page 7 paragraph 2 second sentence should read If ledge isn’t **encountered there will be a man-made** retaining wall. Fourth paragraph should read M Furgueson **stated that what he hears** A Roussel saying is that here are technical engineering issues **outstanding** but we have an applicant.... Paragraph eight should read F Szufnarowski

asked **for** a motion to...; Page 8 Paragraph ten should read 8. The permit includes **assessment by WEO** of additional work in the upland area **including the diversion of water coming from adjacent properties.**; Page 9 First paragraph second sentence should read He asked if they could continue **the application** and C Duques... Second paragraph second sentence should read He said **he anticipates proposing** some conditions that are a little unusual given what **he** saw on the site walk. Sixth paragraph second sentence should read He said there was a lot of ambiguity about the trees **within the wetlands area**, especially the ones along Plains Road. Third sentence **He stated that** he heard **two** different... Tenth paragraph second sentence should read ...federal government as a perfect **plant** for tougher places and replacing it with **other native** plants. When **he** got there... Fourth sentence ...increase diversity was **not initially apparent to him**; Page 10 First paragraph first sentence He said that N Needleman was there **during the site walk** and made... Second sentence should read He thinks that everyone would look at it and agree that the invasives **are** pulling down the native growth. Second paragraph first sentence should start He was surprised that **the wetlands are** as small...Fifth sentence should read He said the reason he wanted to **make these statements now** was so that...Third paragraph second sentence ...within a year he would **expect** it would turn into lawn and weeds eventually. Sixth paragraph second sentence should read We need to make sure the right **inferences** are being drawn.... Eighth paragraph second sentence ...highway method **then** it is reasonable to go forward on it. Ninth paragraph first sentence should read ...wildlife habitat) **or** if it is purely for the property owners whim we would be hard pressed not to deny **such application**. Page 11 second paragraph first sentence should read F Szufnarowski said that **another function of the wetland site** is water conveyance. Second sentence should read He said **the IWWC looks** at function and values and **determines if it** is positive for the site. Tenth paragraph third sentence He has worked with us **first** as an alternate and **then** a very active member...

SECONDED by M Furgueson **Voting In Favor:** A Roussel, M Furgueson, E Cook, D Kirsch, F Szufnarowski; **Opposed:** None; **Abstaining:** None; **Approved:** 5/0/0. **Discussion:** No Discussion

MOTION made by A Roussel to approve application 21-21 for 95 Plains Road and issue a 5-year permit. 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 the 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 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, and subsequent years, 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
5. Trees along the immediate roadway are approved to be removed and trees in the wetlands 4 inches DBH or larger are not to be removed
6. Mowing plan shall be described by the wetland scientist; Mowing will occur once a year in September
7. Wetland Scientist will provide a report once a year for 5 years and take any remediation steps necessary for the plan to comply with the approved design planting plan
8. At the start of the work to be done, a sign will be placed at the intersection of Westbrook Road and Plains Road/Rt 153 facing the street that explains wetlands remediation in progress to show that this is a managed and approved project, final wording to be approved by Land Use Official

SECONDED by M Furgueson; **Voting in Favor:** A Roussel, E Cook, D Kirsch, F Szufnarowski, M Furgueson; **Opposed:** None; **Abstaining:** None; **Approved:** 5/0/0; **Discussion:** No Discussion

MOTION made by M Furgueson for the Essex Inland Wetlands and Watercourses Commission to allow our wetlands agent to handle Application No. 22-01 46 Book Hill Road. **SECONDED** by E Cook; **Voting in Favor:** A Roussel, E Cook, D Kirsch, F Szufnarowski, M Furgueson; **Opposed:** None; **Abstaining:** None; **Approved:** 5/0/0; **Discussion:** No Discussion

MOTION made by M Furgueson to add application 22-2 Edgewood Avenue to the agenda. **SECONDED** by E Cook; **Voting in Favor:** A Roussel, E Cook, D Kirsch, F Szufnarowski, M Furgueson; **Opposed:** None; **Abstaining:** None; **Approved:** 5/0/0; **Discussion:** No Discussion

MOTION made by A Roussel for the Essex Inland Wetlands and Watercourses Commission to allow our wetlands agent to handle Application No. 22-02 Edgewood Avenue. **SECONDED** by E Cook; **Voting in Favor:** A Roussel, E Cook, D Kirsch, F Szufnarowski, M Furgueson; **Opposed:** None; **Abstaining:** None; **Approved:** 5/0/0; **Discussion:** No Discussion

MOTION made by M Furgueson to ensure that the Town marks up all external consulting fees that the IWWC incurs in relation to an application by 10%, that markup is not refundable **SECONDED** by E Cook; **Voting in Favor:** A Roussel, E Cook, D Kirsch, F Szufnarowski, M Furgueson; **Opposed:** None; **Abstaining:** None; **Approved:** 5/0/0; **Discussion:** No Discussion

MOTION made by A Roussel to approve the three invoices from Nathan Jacobson Engineering to be charged to the property owner/applicant for the Bokum Road project for the cost of the engineering services plus a non-refundable markup of 10% **SECONDED** by E Cook; **Voting in Favor:** A Roussel, E Cook, D Kirsch, F Szufnarowski, M Furgueson; **Opposed:** None; **Abstaining:** None; **Approved:** 5/0/0; **Discussion:** No Discussion

MOTION made by Cook to adjourn at 9:07 PM until the next regularly scheduled IWWC meeting to be held on Tuesday, March 8, 2022 at the Essex Town Hall, 2nd Floor Conference Room A, 29 West Avenue (alternate location by teleconference); **SECONDED** M Furgueson; **Voting In Favor:** A Roussel, E Cook, D Kirsch, F Szufnarowski, M Furgueson; **Opposed:** None; **Abstaining:** None; **Approved:** 5/0/0. **Discussion:** No further discussion.

Respectfully submitted,

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

Danielle Sanso, Recording Clerk