

TOWN OF ESSEX  
Inland Wetlands and Watercourses Commission

**Executive Board**  
*Daniel Lapman, Chairman*  
*Fred Szufnarowski, Vice Chair*

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Telephone (860) 767-4340 • FAX (860) 767-8509

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

**Alternate Members**  
*Bill Cook*

**Unapproved**

**Minutes - Regular Meeting**  
**Tuesday, December 8, 2015**

**Call to Order and Seating of Members**

The regularly scheduled meeting of the Essex IWWC was conducted on December 8, 2015 in Conference Room A, of the Essex Town Hall at 7:00 p.m.

**Attending Members:**

Daniel Lapman  
Fred Szufnarowski  
Jeffrey Lovelace  
Jim Hill  
Bill Cook, Alternate seated for J. Leo

**Absent Members:**

Jim Leo  
Steve Knath

**Staff:**

Stella Beaudoin, Recording Clerk  
Joe Budrow, Zoning Enforcement Officer

Mr. Lapman called the meeting to order at 7:00 p.m.

**MOTION** made by D. Lapman to seat B Cook for J. Leo at this evening's meeting; **SECONDED** by J. Lovelace; **Voting In Favor:** J. Lovelace, J. Hill, F. Szufnarowski, D. Lapman; **Opposed:** None; **Abstaining:** None; **Approved:** 4/0/0.

**Approval of November, 2015 Regular Meeting Minutes**

**MOTION** made by F. Szufnarowski to approve the November, 2015 Minutes with the following amendment: Page 2, 4<sup>th</sup> paragraph to read: "F Szufnarowski asked if the installation of a landing was being considered."; **SECONDED** by J. Lovelace; **Voting In Favor:** J. Lovelace, J. Hill, B. Cook, D. Lapman, F. Szufnarowski; **Opposed:** None; **Abstaining:** None; **Approved:** 5/0/0.

## REGULAR MEETING

- **Application No. 15-18 – Stevens and Associates for Pam Carrol**, 39 Main Street, Essex. This is an application to locate a new driveway off Pratt Street to point 6 feet from a small wetland area, and a new septic system to a point 73 feet from same wetland area.

Chuck Mandell, Agent presented. This property is situated at 39 Main Street however it has frontage on Pratt Street. C. Mandell stated that the existing shared drive, which is off of Main Street is limited in scope. The owner proposes an extensive home renovation project and she would like to have access to the home from Pratt Street. There is a small gravel drive which is where the proposed access-way will be installed. Two hundred and thirty-four cubic yards of materials will be brought in for the installation of the drive. The wetlands have been flagged by Megan Raymond, soil scientist and it was noted that an isolated pocket of wetlands was detected, which is fed by an occasional title flow. C. Mandell stated that the water was brackish at the time of the investigation.

C. Mandell stated that erosion control blankets will be installed for the dumpster which is proposed to come in up against the house. The existing septic system is not code compliant and the applicant proposes the installation of a new code compliant septic system. C. Mandell proposes to begin construction after October 15, 2015 and requested that the Commission grant permission to work outside of the regulated time period.

The disturbed areas are subject to erosion control and C. Mandell proposes the installation of silt fencing and erosion blankets which will be located on the side slopes and on the downhill side.

J Budrow questioned if the erosion control blanket will extend past the septic to the accessory building.

C. Mandell suggested that he wrap silt fencing around on the downhill side. The dumpsters will go up to the house itself in the location of the proposed septic tank which will be installed after the renovations are completed.

C. Mandell stated that the driveway will be completed first, then the home renovations, then the septic.

D. Lapman accepted into the record a letter dated December 8, 2015 from Lisa Fasulo, Director of Health, in which she states no objection to the proposed location of the new septic system. The septic system design was completed by Thomas A. Stevens Associates, Inc.

**MOTION** made by F. Szufnarowski to approve a Permit for **Application No. 15-18 – Stevens and Associates for Pam Carrol**, 39 Main Street, Essex, Map 47, Lot 48. This is an application to locate a new driveway off of Pratt Street to point 6 feet from a small wetland area, and a new septic system to a point 73 feet from same wetland area. Based on the testimony given at this meeting, and the accompanying documents, the Commission finds that the proposed activity is a regulated activity not involving any significant or major effect upon the inland wetlands or watercourse which occur on the property as defined in Section 2.2 of the regulations and that no reasonable or prudent alternative exists to the proposed plans. The Commission members feel that the proposed activities are well suited to the area.

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 March 15<sup>th</sup> and October 15<sup>th</sup> of the year of initiation.
- b. The applicant has determined that the permitted activity will not be completed between March 14<sup>th</sup> and October 15<sup>th</sup> of the year of initiation. The applicant has proposed before the Commission, 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. Special permission is granted to begin construction beyond October 15, 2015 with the following special conditions; silt fence will wrap around and extend southward to the proposed shed; the erosion blankets will be installed on any disturbed areas that will be seeded or landscaped, both down gradient and up gradient.

**MOTION SECONDED** by J. Hill; **Voting In Favor:** J. Lovelace, J. Hill, B. Cook, D. Lapman, F. Szufnarowski; **Opposed:** None; **Abstaining:** None; **Approved:** 5/0/0.

### **OTHER BUSINESS**

#### **Election of Officers for 2016**

**MOTION** made by J. Lovelace to nominate D. Lapman as Chairman and F. Szufnarowski as Vice Chairman of the Essex IWWC; **SECONDED** by J. Hill; **Voting In Favor:** J. Lovelace, J. Hill, B. Cook, D. Lapman, F. Szufnarowski; **Opposed:** None; **Abstaining:** None; **Approved:** 5/0/0.

#### **Correspondence and Invoices**

- There were no invoices.
- There was no correspondence.

#### **Wetlands Agent Report - Joseph Budrow**

J. Budrow reported that he is working on 2 enforcements, i.e., final notice and a cease and desist.

- Cynthia M. Costigan, 14 Canfield Road, Essex regarding activity within 100 feet of wetlands. J. Budrow recently observed that trees were removed and that the tree debris was mulched and

piled along locations on Canfield Road. The property owner was advised that the storage and/or spreading of tree mulch within a wetland or watercourse is an IWWC violation.

- James Harris, 5 Pine Lake Road. The property owner is sculpting the grading to flatten the hill in order to clear the view and to install a gazebo. This activity is 80 feet from wetlands.

J. Budrow reported on his meeting with K. Bombaci related to the on-going discussion and subsequent plan to stop business operations and to gradually cease activities of logging and mulching within the wetlands. K. Bombaci declared that the location of his business is farm land and that he has done nothing to harm the wetlands. J. Budrow requested that K. Bombaci look to gradually come away 50 feet from the wetlands over an extended period of time. J. Budrow stated that this business has been operating since the 1950's and the practice of removing wood chips has occurred since the 50's.

J. Budrow reported that Campbell Hudson, Esq. no longer wishes to serve as legal counsel to the IWWC, however Attorney Hudson has recommended that an associate of his firm step in to the position.

D. Lapaman requested that J. Budrow speak with the First Selectmen and ask for clarification on the protocol to replace Attorney Hudson.

J. Budrow stated that the IWWC regulations and definitions need to be updated to conform with the State of Connecticut guidelines and more particularly, the definition of "activities" within the wetlands require clarification

#### **Chair Report – Daniel Lapman:**

D. Lapman commented on property owned by Michael Picard situated on Route 154. M. Picard met with J. Budrow with a plan for clearing the property and J. Budrow reported that a good deal of the trees on M. Picard's property were sick. A majority of the clearing was done uphill on the property which is outside of the wetlands purview. There were 3 trees situated within the 100-foot review.

- **Planning Commission – Liaison Vacancy.** No report.

- **Conservation Commission – Jeffrey Lovelace, Liaison:**

J. Lovelace reported that on December 1, 2015 the Conservation Commission conducted a special meeting. The Commission elected officers, K Tucker, Chair, J Lovelace Vice Chair and F Hall, Secretary. This is K. Tucker's 15<sup>th</sup> year of serving on the Conservation Commission.

On New Years day, the Conservation Commission will conduct their 10<sup>th</sup> annual New Year's day hike at Viney Hill Brook Park. Hikers will meet at 10:00 am. and will tour the park, finishing the hike at the passive area parking lot for a pot luck brunch.

- **Zoning Commission – Jim Hill, Liaison:**

J. Hill reported that the Zoning Commission anticipates review of a zoning change in January. J. Hill reported on property located on Pratt Street which is comprised of 3 lots, waterfront, business /village residential. The house closest to water was purchased by Brewer's Boatyard. The people residing next door are seeking a change away from waterfront business which will be discussed at the January Zoning Commission meeting.

J. Hill reported that at the November meeting of the Zoning Commission, there was also a discussion about a proposed restaurant situated at Spencer's Corner in Centerbrook.

**Other**

Dan Lapman extended a happy holiday to all of the Commissioners.

**Adjournment**

**MOTION** made by D. Lapman to adjourn at 7:40 p.m. to the next regularly scheduled IWWC meeting to be held on Tuesday, January 12, 2016 at the Essex Town Hall, 2<sup>nd</sup> Floor Conference Room A, 29 West Avenue; **MOTION SECONDED** by J. Lovelace; **Voting In Favor:** J. Lovelace, J. Hill, B. Cook, D. Lapman, F. Szufnarowski; **Opposed:** None; **Abstaining:** None; **Approved:** 5/0/0.

Respectfully submitted,

Stella C. Beaudoin  
Recording Secretary