

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
Jeffrey Lovelace, Conservation Liaison
Jim Hill, Zoning Liaison
Vacancy, Planning Liaison

Alternate Members

Bill Cook
Andre Roussel

Unapproved

Minutes - Regular Meeting
Tuesday, December 13, 2016

Call to Order and Seating of Members

The regularly scheduled meeting of the Essex IWWC was conducted on December 13, 2016 in Conference Room A, of the Essex Town Hall at 7:00 p.m.

Attending Members:

Fred Szufnarowski
Dan Lapman
Jim Hill
Steve Knauth
Jeff Lovelace
Jim Leo
Jeff Lovelace
Andre Roussel
Bill Cook

Absent Members:

Staff:

Stella Beaudoin, Recording Clerk

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

Seated for the meeting were F. Szufnarowski, D. Lapman, J. Hill, J. Leo, J. Lovelace, S. Knauth.

Approval of Minutes:

- Regular Meeting, November 15, 2016

MOTION made by D. Lapman to approve the November 15, 2016 Regular Meeting Minutes with the following amendment: Page 2, 2nd paragraph under Application 16-18, middle of paragraph to read, “*were* too much wetlands”; **SECONDED** by J. Hill; **Voting In Favor:** D. Lapman, J. Hill, S. Knauth, J. Leo, F. Szufnarowski, J. Lovelace; **Opposed:** None; **Abstaining:** None; **Approved:** 6/0/0.

REGULAR MEETING

1. New Applications

- **Application No. 16-19** – Sarah Ayotte, 21 Grove Street
An application to demolish an existing house and barn and to construct a new house, barn, driveway and septic system within 100 feet of a wetland area.

Attorney Terrance D. Lomme presented on behalf of Sarah Ayotte. The property is located in the VR zone and contains 1.61 acres. The current 1600 s.f. house was built in 1900. At the June 8, 2010 meeting, an IWWC Permit (Application #10-8) was issued with the provision that the architectural and site plans for the proposed house were to be subject to re-review by the Inland Wetlands and Watercourses Commission. The Commission renewed the Permit in 2013. The original application was for the demolition of the existing house, the existing barn and shed, and the reconstruction of a new dwelling. The existing house is situated 12.9' from the wetlands and the proposed house will be situated approximately 62' outside of the wetlands. T. Lomme stated that the new plan benefits the property in that it will have smaller septic system, and the existing barn, which is 30.6' from the wetlands, will be moved back to 57.2' from the wetlands. The existing shed will be removed.

In order to bring the watershed up to code, in 2010 Robert Doane, P.E. placed a 54" pipe that runs down Grove Street to New City Street, which deposited into the cove. T. Lomme noted that the wetland situated on this property is a drainage swale that comes down from High Street and across the Shepard property, and then discharges through this property. There is an existing crossing which is utilized to access the barn and shed and rear property. T. Lomme stated that the proposed house and barn will comply with all zoning requirements.

Joe Wren, P.E., Indigo Land Design provided the Commission with a plan reflecting subtle revisions, which he noted was reviewed by J. Budrow, Wetlands Enforcement Agent. J. Wren stated that the first 100 feet of this new plan has been approved for construction. The new plan reflects grading, and the location of the house design which is a one-level house with an attic space. Also proposed is a detached 24' x 30' barn. J. Wren stated that clearing limits are reflected on the plan along with soil stockpile areas. The wetlands on the property qualify for a drainage swale which is fueled when it rains and dries out when there is no rain. J. Wren distributed a rendering of the style of the proposed house and entrance going into the driveway which will have a gate, a fence and a lamp post. Three dry wells are proposed on-site. J. Wren stated that the previously approved plan had no proposal for storm water run-off and he noted that the positioning of the house in this proposal is maximizing the setback areas. Currently both the shed and a 14' x 20' barn, which is 30 feet from the wetlands, will be removed. Per the previously approved plan, there is an 18" pipe and an older 24" stone culvert which will be removed and replaced with a 24" round concrete pipe. J. Wren stated that there will be no filling of the wetlands and this proposal takes the activity further away from the wetlands and further proposes replanting the buffer and infiltrating some of the roof run-off, which will mitigate the impact on the wetlands.

D. Lapman commented on the inground pool which is 150 feet away from the wetlands. J. Wren stated that the pool meets all of the regulations.

S. Knauth stated a concern related to the demolition of the existing house which is situated 12 feet from wetlands, and he requested that the proper precautions are to be taken to protect the wetlands.

J. Wren stated that once the permits are in place, the demolition is a quick process and the house comes down within a few days and he noted that there will be backhoes, trailers, etc. utilized in-process of construction and there will be silt fencing in place.

T. Lomme asked members if there are any additional provisions that they wished to add to this proposal.

S. Knauth stated that he wanted to note for the record the requirement for the installation of silt fencing as discussed at the June 8, 2010 meeting and the mention related to the use of the machinery during the construction process.

J Wren stated that the barn will be utilized for storage. The driveway surface is a solid stone surface cover comprised from some type of bitumen and water can drain through, but there will still be some runoff. J Wren noted that the drywells are off to the south of the property for the infiltration of the runoff.

T Lomme stated that this proposal poses no substantial impact to the wetlands and he indicated that the applicant is seeking approval without the delay of public hearing. T Lomme stated that there is a Petition that was filed prior to the filing of this application. the regulations are clear that the Petition must to be filed after the application.

A. Roussel read into the record, the Petition, which has been made a part of this file.

T. Lomme referenced Section 8.1 Petitions (B). He stated that a contingent of the signers are not abutters, nor are they adjacent property owners or possess a view of this property. The Petition was filed by residents of Grandview Terrace, Grove Street, High Street and North Main Street. The Petition was filed on December 2, 2016. The application was filed December 6, 2016.

F. Szufnarowski stated that J. Budrow strongly recommended that the Commission conduct a site walk on behalf of this proposal.

J. Leo suggested that J. Budrow contact Susanna McCauley, Esq., IWWC Legal counsel to discuss the public hearing.

MOTION made by D. Lapman to schedule a site walk inspection on behalf of **Application 16-19, Sarah Ayotte, 21 Grove Street** on Sunday, December 18, 2016 at 11:00a.m.; **SECONDED** by J. Leo; **Voting In Favor:** D. Lapman, J. Hill, S. Knauth, J. Leo, F. Szufnarowski, J. Lovelace; **Opposed:** None; **Abstaining:** None; **Approved:** 6/0/0.

Attorney Lomme suggested a continuance of this proposal to the January 10, 2016 regularly scheduled IWWC meeting.

F. Szufnarowski noted that the area of impact is much larger in this proposal than it was in the previous application.

D Lapman stated that residents are welcome to attend the site walk however they cannot be disruptive and cannot speak at the site walk.

J. Lovelace stated that the proposed house has dormers and questioned if the house is more than a one-story dwelling.

T Lomme stated that the dormers reflect an attic area which will be used for storage.

Attorney John Senning commented on the date of filing of the petition, and stated that he represents one of the petitioners and he will refile the petition on December 14, 2016, which he noted, will then make a public hearing mandatory.

T Lomme stated that the submission of a new Petition will be required as the Petition submitted this evening is an exhibit.

Correspondence and Invoices

- The Fall 2016 issue of the Habitat Newsletter was distributed.
- There were no invoices.

Wetlands Agent Report - Joseph Budrow no report

Chair Report – F. Szufnarowski: No report.

Planning Commission – Liaison Vacancy: No report.

Conservation Commission – Jeffrey Lovelace, Liaison reported that he toured Viney Hill Brook Park and that the beavers have devastated the paths; There are many trees down and the Blue Trail has been declared unpassable.

Zoning Commission – Jim Hill, Liaison: Reported that the next Zoning Commission meeting will be conducted on December 19, 2016

Adjournment

MOTION made by D. Lapman to adjourn at 7:50 p.m. to the next regularly scheduled IWWC meeting to be held on Tuesday, January 10, 2017 at the Essex Town Hall, 2nd Floor Conference Room A, 29 West Avenue; **MOTION SECONDED** by J. Leo; **Voting In Favor:** D. Lapman, J. Hill, S. Knauth, J. Leo, F. Szufnarowski, J. Lovelace; **Opposed:** None; **Abstaining:** None; **Approved:** 6/0/0.

Respectfully submitted,

Stella C. Beaudoin
Recording Secretary