



TOWN OF ESSEX
Inland Wetlands and Watercourses Commission

Executive Committee
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Frequently Asked Questions

Regarding Inland Wetlands and Watercourse Regulations

What is the Essex Inland Wetlands and Watercourses Commission? The Essex Inland Wetlands and Watercourses Commission (IWWC) is a group of volunteers appointed by the Town, under CT law, to serve 3-year terms on the Commission. Working closely with the Town's Wetlands Enforcement Officer (WEO), we strive to help our neighbors improve their property in responsible ways that protects our Town's valuable natural resources.

Why is this important to me as a property owner? It's simple! We will help you get your project right the first time – avoiding costly repairs down the road or rework to comply with State and Town regulations of which you may not have been aware. In short, we're here to help you achieve your goals.

What are wetlands and why do they need protection? When we think of “wetlands”, we may picture overgrown, mosquito and snake infested waste areas, as sometimes represented by Hollywood. In truth, they are fragile ecosystems that help reduce flooding, recharge our groundwater drinking water supplies, absorb nutrient loading that cause algae blooms and reduce pollution. Healthy ecosystems provide homes for wetlands-dependent plants and wildlife, provide valuable recreational opportunities to our residents and make our community aesthetically attractive. *Ultimately, what goes into that nearby wetland – may one day be coming out of your kitchen tap!*

Wetlands may have visible, year-round surface water (think of the Falls River and Sunset Pond), intermittent streams (perhaps a swale in your yard that flows with rainwater after a storm), or consist of vernal pools, (areas of seasonally high water-table). Certified soils/wetlands scientist are trained to survey the landscape and flag the wetland limits prior to any construction activities.

How does the IWWC protect wetlands and watercourses? Per Connecticut Statute, wetlands are defined based on soil type; poorly draining, very poorly draining, alluvial, or flood plain. Town regulations establish an “Upland Review Area” (URA), within 100' of the wetland boundary or watercourse. The IWWC works with property owners during the

planning and construction phases of the project to help ensure activity within the URA protects the wetland and watercourse resources. Plans are reviewed and approved through a permit by the IWWC. Applications are submitted through the Land Use Official's office, and then reviewed in a monthly Commission meeting, typically held on the second Tuesday of each month. The meetings are open to the public and are held in the Town Hall (during the current pandemic, meetings are held through Zoom video conferencing). The goal of the Commission is to prevent unwarranted wetlands alteration, filling, pollution, and damage. Not all activities are regulated by the Commission. For example, commercial logging and agriculture do not come under Commission authority. A full list of regulated activities is available at the website at the end of this article.

How do I know if I have wetlands on my property? The Town GIS maps, available at www.essexct.gov, highlight some of the known wetlands within Essex. Visible seasonal or intermittent surface water can also be a good indicator. But, if there's any doubt, a soils survey provides a definitive answer. Please contact Carey Duques, Land Use Official cduques@essexct.gov or Bob Doane, the Town's Wetland Enforcement Officer (WEO) BDoane@essexct.gov or the Essex Town Hall at 860-767-4340 if you have any questions.

So, what do I do if there are wetlands (or a watercourse) on my property?

- 1) The first step is to consult with the Land Use Official or Wetlands Enforcement Officer, **before** starting your project. They both have a wealth of experience and can guide you how to proceed.
- 2) Many minor maintenance activities are allowed "As a Matter of Right". No permit is required. The Land Use Official or WEO can make this determination and make a note in the Town's Land Use office – should any questions come up.
- 3) Other activities in the URA, although more significant, may clearly have no, or minimal detrimental impacts on the wetland or watercourse. Again, the staff can make this determination and where applicable, issue an Administrative Permit authorizing the activity. The staff may include conditions in the Administrative Permit to help protect the natural resources. The staff will advise the full Commission of the Administrative Permit and may visit the site during construction to see how things are progressing. ***It's essential not to skip this step - otherwise the activity would be a violation of State and Town Regulations.***
- 4) For more substantial projects involving activities that will impact the wetlands or watercourse, the Commission will work with property owners to mitigate the environmental impacts and allow the project to proceed. Here's how it works:
 - a) Contact the town staff who can guide you through the process.
 - b) Your property may already have an up-to-date wetland survey. If not, a new survey will need to be performed. Again, the town staff can guide you.

- c) Prepare your application. Applications for many simple homeowner projects can be prepared with little or no professional help. Applications for commercial and large projects often require the help of an environmental scientist, or a professional engineer. Once your application is done, it would be a good idea to ask the town staff to perform an initial review to make sure it's complete.
- d) Submit your application. To be received, the application must be submitted eight (8) calendar days before the next regular meeting of the IWWC (typically the second Tuesday of the month).
- e) The Commission will assess the application at the first meeting after submission and make a determination to either receive it or return the application for additional information.
- f) For applications received by the IWWC, the Commission may elect to conduct a site walk in advance of the following month's regular meeting so that the full impact of the planned work can be understood.
- g) The Commission will consider the application. At the first regular meeting after receipt.
- h) For applications with significant public interest, the IWWC may decide that the following meeting be a Public Hearing, in which other stakeholders may ask questions or provide information that they'd like the IWWC to consider before granting a permit.
- i) The term of permits vary from a minimum of 2 years to as long as 5 years.

In truth, few applications are denied, but many include requirements to protect the wetlands, such as erosion and sedimentation controls or buffers immediately adjacent to the wetlands or watercourse

Where can I learn more? These websites have information to help you navigate the IWWC processes, as well as to understand what is regulated and requiring permits. We invite you to join one of our meetings, as posted on the Town's calendar of events, and we look forward to those of you with wetlands to work with us in ensuring these resources are protected for generations to come.

<https://www.essexct.gov/inland-wetlands-commission> (general information and calendar)

<https://www.essexct.gov/land-use-zoning-inland-wetlands> (zoning and land use info)

[Current Essex Inland Wetlands and Watercourses Regulations](#)