

TOWN OF ESSEX
Inland Wetlands and Watercourses Commission

Executive Board
Daniel Lapman, Chairman
Charles Corson, Vice Chairman

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

Regular Members
Fred Szufnarowski
Jim Leo
Jeffrey Lovelace, Conservation Liaison
Jim Hill, Zoning Liaison
Vacancy, Planning Liaison

Alternate Members
Steve Knauth

Unapproved

Minutes - Regular Meeting
Tuesday, May 12, 2015

Call to Order and Seating of Members

The regularly scheduled meeting of the Essex IWWC was conducted on May 12, 2015 in Conference Room A, of the Essex Town Hall at 7:00 p.m.

Attending Members:

Daniel Lapman
Jeffrey Lovelace
Fred Szufnarowski
Jim Hill
Jim Leo
Steve Knauth
Chuck Corson joined the meeting at 7:20 pm

Absent Members:

Staff:

Stella Beaudoin, Recording Clerk
Joseph Budrow, Wetlands Enforcement Agent

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

MOTION made by D. Lapman to seat S. Knauth for C. Corson; **SECONDED** by J. Lovelace; **Voting In Favor:** J. Lovelace, J. Hill, J. Leo, F. Szufnarowski, D. Lapman; **Opposed:** None; **Abstaining:** None; **Approved:** 5/0/0.

Approval of April 14, 2015 Regular Meeting Minutes

MOTION made by S. Knauth to approve the April 14, 2015 Minutes as presented; **SECONDED** by J. Hill; **Voting In Favor:** J. Lovelace, J. Hill, J. Leo, F. Szufnarowski, D. Lapman, S. Knauth; **Opposed:** None; **Abstaining:** None; **Approved:** 6/0/0.

Regular Meeting

- **Application 15-3 – SKR Partners, LLC**, 11 Foxboro Road
An application to allow a wooden boardwalk within a 100-foot upland review area of North Cove.

Seated for this application was D. Lapman, F. Szufnarowski, J. Lovelace, S. Knauth, J. Hill, J. Leo.

Attorney Terrance Lomme presented. This is an application allow a five-foot easement to the Windmill Lot and a 115 foot wooden boardwalk that extends to a common dock. T. Lomme stated that he has met with several representatives from DEEP and the Harbor Commission and this proposal has been approved by DEEP and reviewed by the Harbor Commission. The DEEP requested that the applicant receive IWWC approval on this proposal. Attorney Lomme distributed the 2014 Draft Declaration of Easement related to the subdivision approval of property at Foxborough. The easement has been drafted however it has not yet been filed, in anticipation of obtaining necessary approvals.

Keith Neilson, PE, Docko Inc., prepared the plans relevant to this proposal and he stated that he has presented before the DEEP and the Army Corps of Engineers. K. Neilson stated that the work will be performed at high tide. There is a 15-foot buffer from the channel so as to keep the dock system outside of the channel. The piles will be constructed from pressure treated wood and will be driven 10-15 feet into the ground and connected with various timbers.

K. Neilson stated that measures will be taken to protect the aquatic habitat.

T. Lomme stated that the Harbor Commission has approved this proposal and once the Inland Wetlands and Watercourses Commission approves a Permit for the same, the proposal will go before DEEP for final review. The Army Corps of Engineers will also make a ruling on the issuance of a Permit. The DEEP review and approval process can take up to five months for approval.

MOTION made by Fred Szufnarowski to approve a Permit for **Application 15-3 – SKR Partners, LLC**, 11 Foxboro Road. This is an application to allow a wooden boardwalk within a 100-foot upland review area of North Cove. Based on the documents presented, and 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 inlands 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 15th and October 15th of the year of initiation.
- b. Should the applicant determine that the permitted activity will not be completed between March 14th and October 15th of the year of initiation, the applicant agrees to appear before the Commission and present 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. Any disturbed upland areas will be restored to preconstruction condition.

MOTION SECONDED by J. Lovelace; **Voting In Favor:** J. Lovelace, J. Hill, J. Leo, F. Szufnarowski, D. Lapman, S. Knauth; **Opposed:** None; **Abstaining:** None; **Approved:** 6/0/0.

- **Application 15-4 – Essex Land Trust**, Ingham Hill Road
An application to locate an access driveway and a parking area within a 100-foot upland review area of as wetland.

Seated for this application was D. Lapman, C. Corson, J. Hill, J. Leo.

Bob Nussbaum, Vice President of the Essex Land Trust presented. B. Nussbaum stated that the Essex Land Trust took ownership of 70 acres of the 1,000 acre Preserve property. The 70 acres is not one contiguous piece but two, 30+ acre, separate parcels. There are parking areas proposed in each of the two parcels. The parking lot in the interior parcel does not require a Wetlands permit. However, the Ingham Hill Road proposed parking lot situated in Essex does require a Wetlands Permit. B. Nussbaum stated that several alternate locations were looked at for the location of the parking lots. The lot will be offer 8-car parking; 4 cars facing each side, with an isle in the middle.

B. Nussbaum stated that the lot will have a crushed gravel base with gravel on top. C. Corson suggested the installation of filter fabric under the gravel.

MOTION made by Fred Szufnarowski to approve a Permit for **Application 15-4 – Essex Land Trust**, Ingham Hill Road. An application to locate an access driveway and a parking area within a 100-

foot upland review area of as wetland. Based on the documents presented, and on the testimony given at this meeting, and the accompanying documents, and the site inspection conducted the Wetlands Enforcement Agent, 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 amended 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 15th and October 15th of the year of initiation.
- b. Should the applicant determine that the permitted activity will not be completed between March 14th and October 15th of the year of initiation, the applicant agrees to appear before the Commission and present 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. The applicant will follow the requirements and comments put forward in the memorandum from J. Budrow, Wetlands Enforcement Officer which has been made a part of the file.

MOTION SECONDED by S. Knauth; **Voting In Favor:** J. Hill, J. Leo, D. Lapman, C. Corson; **Opposed:** None; **Abstaining:** None; **Approved:** 4/0/0.

Correspondence and Invoices

There was no correspondence. There were no invoices.

Wetlands Agent Report - Joseph Budrow

- J. Budrow reported on the Picard property located at 147 Saybrook Road. A violation was issued to M. Picard in October 2014. Rip rap has been installed and the DEEP has ordered the removal of rip rap from the area of installation along the State tidal wetlands and on the residential side of the property. M. Picard has been instructed to report to J. Budrow for guidance and procedure.
- J. Budrow reported on excavation that has occurred in the area of Wright's Pond which is situated predominantly in Westbrook with a small portion of the pond situated in

Essex. J. Budrow stopped the work and an application will come before the IWWC at the June 2015 meeting.

Chair Report – Daniel Lapman:

- D. Lapman reported that Bill Cook will be an alternate on the IWWC and B. Cook hopes to be in attendance at the June 2015 meeting.
- D. Lapman commented on the Clark property on Main Street in Ivoryton on which a swimming pool has been installed. D. Lapman stated that there is a tractor on the property and there is also a brook on the property. J. Budrow will follow up with the property owner.
- D. Lapman commented on the Burdick property on Walnut Street. There is a large backhoe sitting in the middle of the property and D. Lapman questioned if there has been any activity. J. Budrow will follow up with Mr. Burdick.
- D. Lapman commented on property owned by Bombaci which is situated in the Plains Road area. J. Budrow stated that Mr. Bombaci is trimming back the phragmites so that Mr. Scott can utilize the property for planting. J. Budrow will follow up with Mr. Bombaci.

Planning Commission – Liaison Vacancy. No report.

Conservation Commission – Jeffrey Lovelace, Liaison:

- J. Lovelace reported that the beavers have dammed up the submerged, concrete reinforced drain pipe in Viney Hill Brook Preserve. There are several volunteers that go out daily and break up the debris and mud from the drain pipe. J. Lovelace stated that the Conservation Commission has discussed as a next step, to install a barrier fence around the drain pipe to keep the beavers away. The barrier fence will collect debris and at that point, the Conservation Commission will apply for an IWWC permit to clear the debris.

Zoning Commission – Jim Hill, Liaison:

- J. Hill stated that a decision will be made at the upcoming Zoning Commission meeting for approval of the installation of an additional driveway on the Dickinson property near the rail road tracks onto Main Street, Centerbrook.

Other:

There was no other business.

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, June 9, 2015 at the Essex Town Hall, 2nd Floor Conference Room A, 29 West Avenue at 7:00 p.m.; **SECONDED** by J. Hill; **Voting In Favor:** J. Lovelace, J. Hill, J. Leo, F. Szufnarowski, C. Corson, D. Lapman; **Opposed:** None; **Abstaining:** None; **Approved:** 6/0/0.

Respectfully submitted,

Stella C. Beaudoin
Recording Secretary