

TOWN OF ESSEX
Inland Wetlands and Watercourses Commission

Executive Board
Daniel Lapman, Chairman
Fred Szufnarowski, Vice Chair

29 West Avenue • Essex, Connecticut 06426
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, September 8, 2015

Call to Order and Seating of Members

The regularly scheduled meeting of the Essex IWWC was conducted on September 8, 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
Steve Knauth
Bill Cook, Alternate seated for J. Leo

Absent Members:

Jim Leo

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 fill the vacancy created by the resignation of C. Corson and seat F. Szufnarowski as Vice Chair of the Essex IWWC; **SECONDED** by J. Hill; **Voting In Favor:** J. Lovelace, J. Hill, B. Cook, F. Szufnarowski, D. Lapman, S. Knauth; **Opposed:** None; **Abstaining:** None; **Approved:** 6/0/0.

MOTION made by D. Lapman to seat S. Knauth as a full member; **SECONDED** by J. Hill; **Voting In Favor:** J. Lovelace, J. Hill, B. Cook, F. Szufnarowski, D. Lapman, S. Knauth; **Opposed:** None; **Abstaining:** None; **Approved:** 6/0/0.

MOTION made by D. Lapman to seat B Cook for J. Leo at this evening's meeting; **SECONDED** by S. Knauth; **Voting In Favor:** J. Lovelace, J. Hill, B. Cook, F. Szufnarowski, D. Lapman, S. Knauth; **Opposed:** None; **Abstaining:** None; **Approved:** 6/0/0.

Approval of August 11, 2015 Regular Meeting Minutes

MOTION made by D. Lapman to approve the August 11, 2015 Minutes with the following amendments; 1. Page 9 "*Geoff Furtney*"; 2. Page 6, second paragraph, 6th line "*underdrain* is installed"; **SECONDED** by J. Lovelace; **Voting In Favor:** J. Lovelace, J. Hill, B. Cook, F. Szufnarowski, D. Lapman, S. Knauth; **Opposed:** None; **Abstaining:** None; **Approved:** 6/0/0.

MOTION made by D. Lapman to approve the Site walk Minutes of August 17, 2015 with the following amendments; 1. Correct the spelling of Bill *Cook*; 2. The last line under Inspection to read; "*remove that constriction*"; **SECONDED** by J. Lovelace; **Voting In Favor:** J. Lovelace, J. Hill, B. Cook, F. Szufnarowski, D. Lapman, S. Knauth; **Opposed:** None; **Abstaining:** None; **Approved:** 6/0/0.

REGULAR MEETING

- **Application 15-10 on behalf of the Town of Essex, Ivory Street Project.** This is an application to allow for the removal of two existing Ivory Street, road bridges and to allow the construction of two replacement bridges with wingwalls.

A site walk was conducted on August 17, 2015 at 5:00 p.m. on behalf of this proposal. Robert Doane, P.E. was present to answer any additional questions on behalf of this application to replace the Ivory Street bridges.

There was no further comment.

MOTION made by Jeffrey Lovelace to approve a Permit for **Application 15-10 on behalf of the Town of Essex, Ivory Street Project.** This is an application to allow for the removal of two existing Ivory Street, road bridges and to allow the construction of two replacement bridges with wing walls. Based on the testimony given at this meeting, the site walk 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 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.

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

- **Application No. 15-12 – Daniel Ryan**, Land Trust property stream crossing. This is an application to construct a 30 foot long span bridge across a stream.

Daniel Ryan presented on behalf this application. D Ryan stated that the bridge will be 30 feet long and structurally sound and that they will utilize structurally engineered beams to secure the bridge. D Ryan stated that for the foundation, on either side of the bridge, a pair of 10 inch wide sonotubes will be installed five feet down, on either side. The bracing will go directly into the sonotubes.

J. Budrow stated that the entire Comstock Park and Land Trust property is situated in a flood area. So as to insure the success of this bridge, the walking span will be created above the base flood elevation of the flood hazard area. The base flood level is 79 feet.

S. Knauth suggested that the bridge be constructed so that the water can flow over and between any obstructions.

F. Szufnarowski suggested the use of full length rebar loaded in the center of the sonotube footings.

MOTION made by F. Szufnarowski to approve a Permit for **Application 15-12** on behalf of **Daniel Ryan**, Land Trust property stream crossing. This is an application to construct a 30 foot span bridge across a stream. Based on the testimony given at this meeting, the accompanying documents and the site walk, 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 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. Place the foundation sonotubes as high as practical, and raise the bridge as high as practical.
- f. The Essex Land Trust and the Boy Scouts will maintain the bridge.

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

- **Application No. 15-13 – Joseph and Linda Byrnes**, 21 Grove Street. This is an application to allow a stream crossing for a driveway, and to allow the location for a new septic installation to a point 70 feet from a wetland area. This same proposal was previously approved as Application No. 10-8 and expired on June 25, 2015.

Robert Doane, P.E. presented on behalf of this application. The property is located at 21 Grove Street and in 2009 the IWWC issued a Permit for the allowance of a stream crossing for a driveway and the location of a new septic installation 70 feet from a wetland area. R. Doane stated that he would like to renew that Permit. The sanitary system has been upgraded in conformance with the 2015 public health code. The owners would like to convey the property and with the conveyance, a current IWWC Permit. There are no changes to the original proposal.

The original house was to be demolished and reconstructed within the same footprint. There are no detailed house plans available as yet, however R. Doane stated that he would present before the Commission when those plans are drafted and available.

MOTION made by S. Knauth to approve a Permit for **Application 15-13 on behalf of Joseph and Linda Byrnes**, 21 Grove Street. This is an application to allow a stream crossing for a driveway and to allow the location for a new septic installation to a point 70 feet from a wetland area. This proposal was previously approved as Application 10-8 and expired on June 25, 2015. 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 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. Should construction need to be extended beyond October 15, 2015, the sediment and erosion fencing will be installed and reinforced with hay bails or wire.

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

- **Application No. 15-14 – Town of Essex**, Public Works building construction. This is an application to construct a new public works building to a point 20 feet from a watercourse.

R. Doane presented on behalf of this application. This is an application to permit the construction of a 40' x 80' post and beam design storage building with a 12' x 40' overhang. Municipal equipment will be stored in this structure. There will be no fuel or oil storage in this facility.

A site walk will be conducted on behalf of **Application 15-14 on behalf of the Town of Essex**, Public Works building construction on Monday, September 14, 2015 at 4:00 p.m. Members will meet at the Town Garage.

Correspondence and Invoices

A letter from J. Budrow to Cynthia M. Costigan, 14 Canfield Road, Essex regarding activity within 100 feet of wetlands. J. Budrow recently observed that trees were removed from the property located at 14 Canfield Road and that there is tree debris which was mulched and piled along locations on Canfield Road. The removal of a small number of trees in a wetland area is not a violation of the IWW Regulations, however the storage and/or spreading of tree mulch is. J. Budrow informed the C. Costigan that further spreading of mulch must cease and that the three large piles of mulch must be removed and no further spreading will be permitted. J. Budrow will inspect the property again on July 28, 2015 and if he determines that further spreading has occurred, the property owner will receive a Notice of Violation.

- There were no invoices.

Wetlands Agent Report - Joseph Budrow

- **Administrative Wetlands Permit No. 15A-3** – Harron, 21 River Road. In November 2014 the driveway at 21 River Road washed out and an emergency driveway repair took place without the issuance of an IWWC permit. R. Doane was dispatched to the scene and with his oversight, Sullivan paving was contracted to repair the driveway.
- J. Budrow reported on a previously approved IWWC Permit for a dam repair in a pond on corner of Fordham Road and Route 154. The work has been completed.

J. Budrow reported that he will meet with K. Bombaci related to concerns expressed by the Commission regarding stockpiled materials and the activity at the Bombaci property located on Plains Road. J. Budrow previously reported that Ken Bombaci is trimming back the phragmites and clearing the land to make it wider so that Mr. Scott can utilize the property for planting. There are large stock piles of new materials that are visible from the road in the area adjacent to the Mud River. J. Budrow visited the site and he noted that the Mud River is 100 feet from that property. The area of work has not expanded but the activity has expanded. Some of the activity is within 10 feet of the wetlands, however the active area is 50 feet away from the wetlands.

- River's edge condo will present in November before the IWWC seeking a Permit for a riparian development project to remove trees and shrubbery.
- **Chair Report – Daniel Lapman:** No report.
- **Planning Commission – Liaison Vacancy.** No report.
- **Conservation Commission – Jeffrey Lovelace, Liaison:** J. Lovelace reported that the Conservation Commission will seek an IWWC Permit for a proposal to install a pipe leveling device and fencing projects to facilitate the Viney Hill Park.
- **Zoning Commission – Jim Hill, Liaison:** No report.

Other:

There was no other business.

Adjournment

MOTION made by D. Lapman to adjourn at 7:45 p.m. to the next regularly scheduled IWWC meeting to be held on Tuesday, October 6, 2015 at the Essex Town Hall, 2nd Floor Conference Room A, 29 West Avenue; **MOTION SECONDED** by J. Hill; **Voting In Favor:** J. Lovelace, J. Hill, B. Cook, F. Szufnarowski, D. Lapman, S. Knauth; **Opposed:** None; **Abstaining:** None; **Approved:** 6/0/0.

Respectfully submitted,
Stella C. Beaudoin
Recording Secretary