

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
Nancy Arnold
Fred Szufnarowski
John Ackerman, Planning
Jeffrey Lovelace, Conservation
Jim Hill, Zoning Liaison

Alternate Members
Steve Knauth
Jim Leo

Unapproved

Minutes - Regular Meeting
Tuesday, August 12, 2014

Call to Order and Seating of Members

The regularly scheduled meeting of the Essex IWWC was conducted on August 12, 2014 in Conference Room A, of the Essex Town Hall at 7:30 p.m.

Attending Members:

Chuck Corson
Fred Szufnarowski
Jeffrey Lovelace
Jim Hill, Alternate seated for Dan Lapman
Steve Knauth, Alternate

Absent Members:

Dan Lapman
Nancy Arnold
John Ackerman
Jim Leo

Staff:

Joe Budrow, Wetlands Enforcement Agent
Stella Beaudoin, Recording Clerk

Mr. Corson called the meeting to order at 7:34 p.m.

Approval of Minutes – Site Inspection July 15, 2014

MOTION made by S. Knauth to approve the July 15, 2014 site inspection Minutes as presented; **SECONDED** by J. Lovelace; **Voting In Favor:** C. Corson, J. Lovelace, J. Hill, S. Knauth, F. Szufnarowski; **Opposed:** None; **Abstaining:** None; **Approved:** 5/0/0.

Approval of Minutes – Regular Meeting July 8, 2014

MOTION made by S. Knauth to approve Minutes of the July 8, 2014 meeting Minutes as presented; **SECONDED** by J. Lovelace; **Voting In Favor:** C. Corson, J. Lovelace, J. Hill, S. Knauth, F. Szufnarowski; **Opposed:** None; **Abstaining:** None; **Approved:** 5/0/0.

Old Business

Regular Meeting

- **Application 14-5** – Essex Land Trust, The Mill Race, Main Street, Ivoryton. This is an application to perform vegetative maintenance work along the north bank of Fall River within the Mill Race Preserve.

The Essex Land Trust is seeking a Permit to perform work on the maintenance of shrubs and trees on the north bank of the Falls River. The trees to be saved will be marked before the work begins. Equipment utilized will be chain saw, chipper, backhoe and small trucks to remove light debris.

Jeff Lovelace recused himself. Steve Knauth recused himself.

Due to the insufficient number of regular members to constitute a quorum, this application was tabled.

Mr. Corson suggested that Mr. Budrow contact Daniel Lapman, Inland Wetlands and Watercourses Commission Chairman to determine if the Commission would be able to conduct a special meeting to hear Application 14-15 prior September 9, 2014 which is the next regularly scheduled IWWC meeting.

- **Application 14-6** – Robert and Pamela Kolp, 24 Cove Rest Pentway, Essex. This is an application to relocate an existing storm drain to outflow onto applicant's property and to replace existing stairs and walkway that lead to a dock. This application was tabled to the IWWC August 12, 2014 regularly scheduled meeting.

There was no one available to present.

- **Application 14-7** Essex Meadows property, 30 Bokum Road, Essex. This is an application to add 5 parking spaces within an upland review area.

A site walk was conducted on July 15, 2014 at 6:00 pm on behalf of this application.

Bernard Baker, Nathan Jacobson Associates and Tim Reynolds, maintenance Director at Essex Meadows presented. Members present at the site walk questioned if there were any prudent alternatives to the proposed locations for the parking spaces.

The resident's main entry point to the building is located in the rear of the building near C, D and E wing. These three wings house the majority of individual residences: C building holds 33 apartments, D building holds 30 apartments and E building holds 18 apartments for a total of 81 individual units. There are 59 available parking spaces for these units.

The areas proposed for parking border a manmade detention pond. The trees, shrubs and plants in this area were installed after construction by Essex Meadows in an effort to landscape and give the pond a more natural feel. Mr. Baker stated that here is no plan to alter the wetlands, however he did seek guidance on a vegetative plan for the wetland area.

Mr. Corson suggested obtaining suggestions from Rich Snarski, soil scientist to determine how to enhance the wetland area with various plantings.

Mr. Knauth suggested that additional measures be made toward erosion control during construction.

Mr. Corson suggested that future consideration be given to an internal shuttle.

Mr. Budrow stated that 5 spaces were originally proposed and parking spot #6 was not on the original application. Mr. Budrow suggested that when making a ruling, the Commission include mention of parking space #6.

MOTION made by Chuck Corson to approve a Permit for **Application 14-7** Essex Meadows property, 30 Bokum Road, Essex. The original application proposed the addition of 5 parking spaces within an upland review area, however a 6th space was proposed and approved at this evening's meeting. Based on the documents presented, the site walk 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 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

work with the zoning enforcement officer 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 six parking spaces as presented at this evening's meeting are approved.
- f. A wetlands soil scientist and the Audubon will be consulted for enhancements to the back of garage and area of lawn.

SECONDED by S. Knauth; **Voting In Favor:** C. Corson, J. Lovelace, J. Hill, S. Knauth, F. Szufnarowski; **Opposed:** None; **Abstaining:** None; **Approved:** 5/0/0.

- **Application 14-8** Essex Yacht Club, Inc., 13 Novelty Lane. This is an application to amend previously granted permit for Application #12-13 to allow an accessory structure to be located 36 feet, 2 inches from Middle Cove where 50 feet was previously permitted.

Jeff Lovelace recused himself.

Matthew White, Angus McDonald, Gary Sharpe, Associates presented. The launch building at the southern end of the site has been constructed in a location not previously approved by the IWWC. The original approval was for location 50 feet away from the channel. The concrete subcontractor misread one of the stakes placed by the site contractor and placed the foundation in the wrong location. The concrete subcontractor mistakenly used 20' offset stakes placed by the site contractor as 10' which moved the building 10' closer to the waterfront. Furthermore, the plans for the building grew 2' wider so that the architect could comply with ADA standards in the restrooms. These two issues resulted in the current location of the building.

Mr. White stated that he met with Torrence Downes, Gateway Commission and Gateway has indicated no objection to the location of the structure. Mr. Downes contacted Joe Budrow to confirm that the Gateway Commission has no objection to the location of the structure.

Mr. Corson suggested engineering oversight of future construction.

Mr. Budrow stated that if a wetland permit is granted, this proposal will be scheduled for a Public Hearing for Special Exception with the Essex Zoning Commission.

MOTION made by S. Knauth to approve a Permit for **Application 14-8** Essex Yacht Club, Inc., 13 Novelty Lane. This is an application to amend previously granted Wetlands Application #12-13 to allow an accessory structure to be located 36 feet, 2 inches from Middle Cove where 50 feet was previously permitted. 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 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 hereby grants a permit to amend Wetlands Permit #12-13, as stated on said application and as shown on plans accompanying the application.

SECONDED by S. Knauth; **Voting In Favor:** C. Corson, J. Hill, S. Knauth, F. Szufnarowski; **Opposed:** None; **Abstaining:** None; **Approved:** 4/0/0.

- **Application 14- Christopher Govil**, 203 Westbrook Road. This is an application to allow a 14' x 30' accessory structure to a point 30 feet from the edge of Tiffany Pond. A site walk was conducted on July 15, 2014 at 6:00 pm on behalf of this application.

Mr. Lovelace returned to the meeting.

Other Business

- No other business.

Correspondence and Invoices

- Mr. Budrow distributed the Habitat Summer 2014 publication.
- There were no invoices.

Wetlands Agent Report:

Joseph Budrow reported on the issuance of the following administrative approval:

- Administrative Permit **14A-7, Matthew Johnson and Deborah Johnson**. Mr. Budrow reported on a shared driveway for property located on Fife Court. The house was built when there was a 50 foot setback requirement. A garage was also approved however was it never constructed. The property owner now wishes to construct a 24' x 24' garage and placement of this structure will be 66 feet from the wetland, which Mr. Budrow approved.
- Mr. Budrow distributed a follow-up letter dated August 6, 2014 addressed to Theodore and Elizabeth Vecchiarino, 30 Main Street, Ivoryton regarding activity within 100 feet of wetlands at 30 Main Street. There was a removal of a tree and its

root ball within 15 feet of a brook. Subsequent grading of the land constitutes a regulated activity which requires an approved Wetlands Permit. Mr. Budrow suggested that the Mr. and Mrs. Vecchiarino visit the Land Use office at which time Mr. Budrow will issue an administrative permit. It has also been learned that a pool and a patio are proposed for this property. Mr. Budrow recommended a wetlands application and a site plan showing where the tree was removed and where the fill was removed and placed.

Chairman Report – Daniel Lapman:

No report.

Planning Commission – John Ackerman:

No report.

Conservation Commission – Jeffrey Lovelace:

Mr. Lovelace reported that the Preserves are in good shape. There was a bit of damage after the winter storms and there is a wet problem at Viney Hill Brook. The Town Crew is assisting to mitigate the situation.

Zoning Commission – Jim Hill:

Mr. Hill stated that there is nothing new to report related to the Zoning Commission.

Adjournment

MOTION made by S. Knauth to adjourn at 8:25 p.m. to the next regularly scheduled IWWC meeting to be held on Tuesday, September 9, 2014 at the Essex Town Hall, 2nd Floor Conference Room A, 29 West Avenue at 7:30 p.m.; **SECONDED** by J. Lovelace; **Voting In Favor:** D. Lapman, C. Corson, J. Lovelace, J. Leo, J. Hill; **Opposed:** None; **Abstaining:** None; **Approved:** 5/0/0.

Respectfully submitted,

Stella C. Beaudoin
Recording Secretary