

TOWN OF ESSEX
Inland Wetlands and Watercourses Commission
29 West Avenue
Essex, CT 06426
essexct.gov

MINUTES

Regular Meeting - September 13, 2011

Call to Order and Seating of Members

The regularly scheduled meeting of the Essex IWWC was conducted on September 13, 2011 in Room A of the Essex Town Hall. Those members in attendance were Chair, Daniel Lapman, Chuck Corson, Claire Tiernan, Goody LeLash and Larry Shipman. Fred Szufnarowski arrived at 7:40pm. Also in attendance were Stella Beaudoin, Recording Secretary and Joe Budrow, Wetlands Enforcement Agent and Zoning Enforcement Agent

Old Business

Approval of site walk inspection report of August 23, 2011 for activities at 141 Saybrook Rd. and Cove Rest Pentway, Essex, CT. Members present at that site inspection were Dan Lapman, Barbara Zernike, Chuck Corson, Steve Knauth and Fred Szufnarowski. The purpose of the site inspection was to assess the drainage of water from the beginning of Cove Rest Pentway at Mallard Point Road to Middle Cove at a point where two properties have a drainage dispute.

Motion made by Chuck Corson to approve the site walk inspection report of August 23, 2011 on behalf of property located at 141 Saybrook Rd., Mallard Point Road and Cove Rest Pentway.

Motion seconded by Larry Shipman and passed unanimously.

New Business

Application 11-9 for property of John Beveridge located at 18 River Road, Essex, CT. This is an application to construct an 18' x 17' addition onto a second garage on the property.

This application is pending consideration by the Essex Zoning Board of Appeals at their September 20, 2011 meeting.

Motion made by Claire to table **Application 11-9 for property of John Beveridge located at 18 River Road, Essex, CT.** This is an application to construct an 18' x 17' addition onto a second garage on the property.

Motion seconded by Goody LeLash and passed unanimously.

Application 11-10 for property of Andrew Guziewicz and Kelly A. Rock located at 12 Racketts Lane, Essex, CT. This is an application to replace a wooden wall, to extend a culvert that channels the brook into the pond, to extend a foot drain to deposit more directly into the brook, to relocate the swimming pool, to expand the existing shed and to construct a footbridge over the pond. Much of the activity is either in the pond or within 100 feet of it.

Andrew Guziewicz presented. Mr. Guziewicz stated that the IWWC conducted a site inspection on this property one year ago surrounding his application to dredge a pond. The dredged material has been removed from the pond and stockpiled on the property just before the hurricane. Mr. Guziewicz stated that the soils will need to dry and will then be spread. By reducing the level of the pond water, the sea wall was evaluated and it was determined that the pilings are broken and deteriorating. The wall needs to be rebuilt. Mr. Guziewicz indicated that he wishes to put in a poured concrete wall.

There is a culvert at the southern end of the pond which allows water flow from upland and the exit to that culvert is at the end of the road and adjacent to the existing wall. Mr. Guziewicz would like to add an extension to that pipe to move the flow away from the wall and the road. There is an existing foundation drain from the neighbor's property and the flow appears to be clear water and streams continuously throughout the year. Mr. Guziewicz stated that the flow creates a water border on the property and it must be addressed. Mr. Guziewicz wishes to extend that pipe to the pond. There is an existing 30-year old swimming pool which is in close proximity to the pond. Mr. Guziewicz wishes to rebuild the pool in a different location which will be away from the pond. There is also a shed close to the water in which tools and gasoline is stored. Mr. Guziewicz stated that he wishes to expand the size of the shed to 50 s/f.

Mr. Guziewicz indicated that his long term plan would be to construct a footbridge that will connect the property. That proposal will include a footpath that will lead up to the property which would lead to either a meadow or an observation garden. The footpath will be comprised of either crushed stone or grass. The foot bridge will be approximately 35 feet and would be above the water level of the pond.

Mr. Guziewicz is building a berm along the pond per the request of the IWWC, however there is no plan in place at this point. When the final design is established on the foot bridge, Mr. Budrow will provide a full report to the IWWC.

IWWC members agreed to conduct a site inspection to address the several points of interest. A site walk will be conducted on Tuesday, September 20, 2011 at 6:00 p.m.

Motion made by Claire Tiernan to table **Application 11-10 for property of Andrew Guziewicz and Kelly A. Rock located at 12 Racketts Lane, Essex, CT.**

Motion seconded by Larry Shipman and passed unanimously.

Application 11-11 for property of Peterson located at Rosewood Lane. This is an application for re-subdivision of land.

Darcy Collins from Doane Collins engineering presented. Ms. Collins stated that at the end of Rosewood Lane there is an undeveloped piece of property which she referred to as lot #26. The applicant is in the process of adding an additional 6.5 acres from the adjoining property which he will then subdivide into Lots 26a and 26b. The applicant wishes to construct a driveway to access the two lots. The frontage is close to a piece of town property and the applicant proposes to begin construction across the town property and sweep in, which would take this proposal away from the wetlands. The

applicant wishes to construct 100 feet of driveway within the wetlands regulated area with some associated grading.

The Health Department has not approved this application. Ms. Collins indicated that once the lot line revision has been established the Health Department will review this proposal.

Commission members agreed to wait until the Health Department approves this application before a decision is made to approve a Wetlands Permit.

Motion made by Chuck Corson to table **Application 11-11 for property of Peterson located at Rosewood Lane** pending the sanitary review. This is an application for re-subdivision of land.

Motion seconded by Larry Shipman and passed unanimously.

Other Business:

Tom Metcalf presented on behalf of Bob and Joanne Murphy for property located at 36 Mack Lane, Essex, CT. Mr. and Mrs. Murphy are under contract to purchase the property. Mr. Metcalf stated that the existing house is very small and in order to access the upstairs, you must climb a ladder. The applicants wish to take down the existing house and build a new house. There is a sight line easement which assures that the view to south cove may not be altered. As a result, the house must remain in its current location. There is an existing well on the property which will be abandoned and city water will be run on to the property. This home is one of the three oldest homes in the Town of Essex. The maximum height as allowed by the Gateway Commission is 35 feet and this house is proposed to be a little under 35 feet in height.

Mr. Metcalf stated that there will be some buffer plantings installed. There is currently a large Norway Maple on the property which is off of the existing patio. There is a large Poplar on the property as well. An arborist was brought in to assess these trees in conjunction with the work that will be conducted and because of the construction activity and the excavation of the foundation, it was determined that the trees will be stressed. The applicant is planning on planting some substantial trees on the property after the construction is completed. Mr. Metcalf will meet with the Gateway Commission to present this proposal and this plan will go before the Essex Zoning Board of Appeals in one week. Mr. Metcalf indicated that the house has not been inhabited for a long period of time.

Mr. Metcalf asked to have a site walk conducted on this property.

Motion made by Dan Lapman to conduct a site inspection on Tuesday, September 20, 2011 at 6:30 p.m. for property located at 36 Mack Lane, Essex, CT.

Motion seconded by Fred Szufnarowski and passed unanimously.

Approval of Minutes: Regular Meeting, August 9, 2011

The following corrections were made to the August 9, 2011 meeting Minutes;

Goody LeLash was present at the August 9, 2011 meeting.

Page 2, 5th paragraph "Doug *Domaine*"

Motion made by Larry Shipman to approve the Minutes from the August 9, 2011 meeting as amended.

Motion seconded by Dan Lapman and passed unanimously.

Correspondence and Invoices

No correspondence.

Reports

Wetlands Agent, Joe Budrow:

- Mr. Budrow, approved and signed off on a shed that was located on a property on Fife court. The shed was located 90 feet from wetlands but is within 100 feet.
- A four lot subdivision proposal on Toby Hill Road near Vombaco. There is a wetland on one of the four lots, however that lot is being given to the Land Trust. Mr. Budrow asked permission to sign off on this proposal.

Motion made by Chuck Corson grant the authority to Joe Budrow, Essex Wetlands Agent to approve a proposed four-lot subdivision on Toby Hill Road as per the conditions outlined.

Motion seconded by Larry Shipman and passed unanimously.

Chairperson Daniel Lapman. No report

Planning Commission Representative Claire Tiernan: No report.

Conservation Commission Representative Goody LeLash:

- The Conservation Commission is working on restoration of the nature preserves and their trails post-hurricane.
- The Commission is working on phragmites remediation on Viney Hill Brook preserve.
- Mr. Budrow stated that there are three felled trees in the Falls River as a result of the hurricane. The Conservation Commission requested permission to remove the felled trees in the Falls River. Mr. Budrow stated that he does not feel that the trees will create damming and suggested that the trees should be left as is and to allow nature to take its course. Per the Essex IWWC regulations, removal of materials could be signed off on by Mr. Budrow.
- Mr. Budrow reported on the cleanup of the dock area around Sunset Pond stating that the area has been cleared of debris and brush.

Zoning Commission Representative Larry Shipman:

- The Gateway Commission presented to the Essex Zoning Commission at their August 2011 regularly scheduled meeting with a plea to get Essex on board. There are Town specific amendments as to what would fall within the purview of the Gateway and seventy five percent of the homes in Essex fall into what is the current Gateway zone. This will be an ongoing project for the Zoning Commission.

Motion made by Dan Lapman to adjourn.

Motion seconded by Claire Tiernan and passed unanimously.

The regularly scheduled meeting of the Essex IWWC adjourned at 8:45 p.m.

Respectfully submitted,

Stella C. Beaudoin
Recording Secretary

The next regularly scheduled meeting of the Essex Inland Wetlands and Watercourses Commission will be conducted on October 11, 2011.