



TOWN OF ESSEX
Inland Wetlands and Watercourses Commission

Officers
Michael Furgueson, Chairman
David Kirsch, Vice Chair

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Regular Members
Ernest Cook
Noreen Brennan-Rowe
Carolyn Field

Alternate Members
Lisa Krall
Kathleen Sullivan Sealey

February 13, 2024 Regular Meeting Minutes

Attending Members:	Absent Members:
Michael Furgueson, Chairman	
David Kirsch, Vice Chairman	
Ernest Cook, via Zoom Arrived at 7:10 pm	
Noreen Brennan-Rowe	
Carolyn Field	
Lisa Krall, Alternate	
Kathleen Sullivan Sealey, Alternate, via Zoom	

Staff:	Danielle Schumacher, Recording Clerk, via Zoom
	Carey Duques, Land Use Official

1. Call to Order and Seating of Members

The meeting was called to order at 7:00 PM by Chairman Michael Furgueson.

Members seated for the meeting were Chairman Michael Furgueson, Vice Chairman David Kirsch, Noreen Brennan-Rowe, Carolyn Field, and Kathleen Sullivan Sealey.

2. Approval of Minutes

a. December 12, 2023 Regular Meeting Minutes

MOTION made by K Sullivan Sealey to approve the December 12, 2023 Regular Meeting minutes with the following amendments;

- Page 3- #10 change to say “C Field *stated* that she had drafted an article”

SECONDED by C Field; **Voting in Favor:** M Furgueson, D Kirsch, N Brennan-Rowe, C Field, K Sullivan Sealey; **Abstaining:** None; **Approved:** 5/0/0; **Discussion:** No Discussion

3. **Public Comment**

None

4. **Public Hearings**

None

5. **Unfinished Business/Action Items**

None

6. **Receipt of Applications/New Business**

None

7. **Section 12 Action by Duly Authorized Agent**

- a. **IWWC Application No. 24-1 1 Teal Lane, Essex.** Proposal to add bluestone patio and deck off a second floor with associated footings to be located within the 100-foot upland review area. *Applicant/Owner: Carla and Carter Gowrie **Approved by Agent***

C Duques said that the application is for a 315 square foot bluestone patio and deck off the second floor of the home. This is the same property that the Commission heard an application for the dock and wooden walkway. She went out to the property and the property owners are looking to convert the existing lawn area to patio. She requested that they install silt fence between the work area and the wetlands.

M Furgueson said that C Duques asked if this is an application that she would be able to approve and he said yes.

C Duques said that the property owners need a building permit.

- b. **IWWC Application No. 24-2 83 Westbrook Road, Centerbrook.** Proposal to construct a 12' X 34' HVAC equipment deck within the 100-foot upland review area. *Applicant/Owner: E.S.T. Irrevocable Trust **Approved by Agent***

C Duques said that this is the future building for HomeField Advantage. The Commission approved an application for the well and gravel parking lot to be located within 100 feet of wetlands. She asked the property owner to complete a new application for the equipment deck instead of modifying the existing one. C. Duques asked the Commission if they would consider waiving the fee. The commercial property application would be \$210 plus another \$60 for the DEEP fee.

All commission members were in favor of waiving the fee.

MOTION made by D Kirsch to concur with the Agent on the decision for IWWC applications 24-1 1 Teal Lane, Essex and 24-2 83 Westbrook Road, Centerbrook. The Commission will waive the application fee for application 24-2; **SECONDED** by N Brennan-Rowe; **Voting in Favor:** M Furgueson, D Kirsch, N Brennan-Rowe, C Field, K Sullivan Sealey; **Abstaining:** None; **Approved:** 5/0/0; **Discussion:** No Discussion

8. **Other Business**

a. **ZBA Section 140L Referral – 10 Collins Lane Essex: patio and pool and spa within 100 feet of the coastal jurisdiction line.**

C Duques said that this is a referral from the Zoning Board of Appeals. There is no inland wetland that has been identified but the zoning regulations require a referral to the IWWC if improvements are proposed within 100 feet of the coastal jurisdiction line. ZBA is meeting next Tuesday, and the Gateway Commission needs to review the application as well (next Thursday).

C Duques went on to say that this is a complicated site. She pointed out Middle Cove on the plans along with the existing stone wall at the edge of the property. The property owners are looking to convert part of the deck to a dry laid patio as well as install an in-ground pool and spa. The existing development is just over 50 feet from the coastal jurisdiction line, and they are proposing to pull it back. They are also currently over the building coverage and would be reducing that. The pool would be at grade so it would not be able to be seen from the river.

E Cook asked if the pool would be salt water.

M Furgueson said that the commission should recommend appropriate erosion and sedimentation controls.

N Brennan-Rowe recommended installing a dry well on the property if the pool was going to be chlorinated.

C Duques said that she had suggested moving the stockpile to outside of the upland review area.

E Cook asked about reinforcing the silt fence with hay bales.

M Furgueson also added that the ZBA should consult with the Town Engineer regarding the erosion and sedimentation controls to ensure nothing leaches into the Cove.

C Duques said that she did hear from a neighbor that lives to the West of the property. They had concerns about the height of the vegetation being proposed blocking their view. She said that the variance is not needed for landscaping and that the Gateway Commission typically wants to see more vegetation.

MOTION made by D Kirsch to make the following recommendations to the ZBA regarding ZBA Section 140L Referral – 10 Collins Lane Essex

1. Install a dry well if the pool and/or spa will be chlorinated.
2. Ensure appropriate erosion and sedimentation measures, especially with regards to the stockpile located closest to the Cove.
3. Minimize the amount of time that the stockpile is there.
4. Recommend native plantings.

SECONDED N Brennan-Rowe; **Voting in Favor:** M Furgueson, D Kirsch, N Brennan-Rowe, C Field, K Sullivan Sealey; **Abstaining:** None; **Approved:** 5/0/0;
Discussion: No Discussion

b. Update on GIS wetlands mapping

C Duques said that this is an ongoing project that involves working with our mapping person. She has been working with K Sullivan Sealy to develop a job description for an intern.

K Sullivan Sealey said that we can have a student put the maps on Google Earth and work from there. They can quality control and maybe get a reference photo. She said that she spoke with advisors at UCONN and they said that an incoming junior or senior would have the expertise needed. The student would be able to create the KML file and import the polygons. The Commission should get a posting out by March so that we can catch students looking for a Summer internship.

9. Correspondence and Invoices

C Duques said that the Land Trust is applying for re-accreditation and is asking commissions for letters of support. She worked with M Furgueson to draft a letter from the Commission. Not all land trusts are accredited and it is a very cumbersome process.

10. Reports:

a. Wetlands Official

i. IWWC Budget 2024-2025

C Duques said that she spoke with M Furgueson about this. The budget is low with no recommendations for changing other than accommodating the clerk's time. Legal notices are under the land use budget.

ii. Update on Open Permits

C Duques said that she has been visiting many of the sites. Mostly making sure that silt fencing has been maintained and most property owners have been responsive.

iii. Educational Flyer

D Schumacher said that she had drafted a brochure. N Brennan-Rowe said that she would make a list of business that they could distribute the flyers to.

b. Chairperson

None

11. Update from Attorney Regarding Pending Litigation

M Furgueson said that the pending litigation is due to have a ruling within the next 30 days.

12. Adjournment

MOTION made by D Kirsch to adjourn the meeting at 7:43 PM; **SECONDED** by K Sullivan Sealey; **Voting in Favor:** M Furgueson, D Kirsch, N Brennan-Rowe, C Field, K Sullivan Sealey; **Abstaining:** None; **Approved:** 5/0/0; **Discussion:** No Discussion

Respectfully Submitted,

Danielle Schumacher