



TOWN OF ESSEX
Inland Wetlands and Watercourses Commission

Executive Committee
Fred Szufnarowski Chairman
Andre Roussel, Vice Chair

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Regular Members
Ernest Cook
Michael Furgueson

Alternate Members
David Kirsch
Noreen Brennan- Rowe

Minutes- March 8, 2022 Regular Meeting

1. Call to Order and Seating of Members

The Essex Inland Wetlands and Watercourse Commission (EIWWC) conducted their regularly scheduled meeting on Tuesday March 8, 2022 at 7:00 p.m. The meeting was held both in person and via Zoom (link was provided to the public on the Town of Essex website).

EIWWC Vice Chair Andre Roussel was acting chair and welcomed members of the public to the March 8, 2022 Essex Inland Wetlands and Watercourse Commission meeting. The EIWWC members and attendees announced themselves. Attendees from the public were asked to please identify themselves for the record prior to making any comments.

Attending Members:

Fred Szufnarowski-Chairman (via Zoom)
Andre Roussel- Vice Chair
David-Kirsch-Alternate
Ernest Cook-Secretary
Noreen Brennan-Rowe-Alternate

Absent Members:

Michael Furgueson

Staff:

Danielle Sanso- Recording Clerk
Carey Duques- Land Use Official
Robert Doane Jr., P.E.- Wetlands Enforcement Officer

Audience:

Bruce Glowac- Selectman
Sylvia Rutkowska- Attorney representing the EIWWC (via Zoom)
Bob Nussbaum-Essex Land Trust
Dan Lapman- Retired member of the EIWWC
David Isaacs-resident of 23 Heron Pond Rd (via Zoom)
Leif Owens- Essex Land Trust (via Zoom)

The meeting was called to order at 7:02 pm by Vice Chairman A Roussel. Commission members A Roussel, F Szufnarowski, E Cook, D Kirsch (Alternate), and N Brennan-Rowe (Alternate) were seated for the meeting.



1. Approval of Minutes

A. February 8, 2022 Regular Meeting Minutes

MOTION made by E Cook to approve the February 8, 2022 meeting minutes with the following amendments; Page 7 Item 9 pesticides should be changed to herbicides. Page 10 under section 12 add “E” in front of Cook.

SECONDED by N Brennan-Rowe; **Voting In Favor:** F Szufnarowski, A Roussel, E Cook, N Brennan-Rowe, D Kirsch; **Opposed:** None; **Abstaining:** None; **Approved:** 5/0/0. **Discussion:** No Discussion

2. Public Comment

Chairperson’s Report- Recognition of Service of D Lapman

A Roussel started by saying that D Lapman was long serving member of the commission and thanking him for the great work that he has done.

F Szufnarowski also had words of thanks, acknowledging Dan’s 35 years of service.

R Doane thanked D Lapman for his 35 years of service and professionalism throughout his time on the Commission.

B Glowac presented a proclamation signed by the Board of Selectmen recognizing D Lapman’s years of service to the IWCC along with many other areas of the community.

3. Update from Attorney Regarding Pending Litigation

Attorney S Rutkowska gave an update to the Commission. She said that a status conference was held earlier in the month of February. Another status conference is scheduled with the court in May. The court date is set for October 26, 2022.

4. Public Hearings

None scheduled

5. Old Business/Action Items

None

6. Receipt of Applications/New Business

A. IWWC Application No. 22-03- 25 Heron Pond Rd. Application to remediate wetlands area that had been dammed with debris, stone, soils, etc. *Applicant/Owner: Jens Hupkau*

C Duques noted that Jens was traveling and could not log into the meeting. There was discussion about the activity that had occurred without a permit. Based on the application that was submitted and interest from the neighbor and Essex Land Trust the EIWWC voted to hold a public hearing on the application.

MOTION made by N Brennan-Rowe to schedule Application 22-03 25 Heron Pond Road for public hearing on April 12, 2022. Based on the information presented in this application and the accompanying documents, and on the testimony given at this meeting, the Commission will schedule a public hearing because it finds that a hearing regarding such application would be in the public interest.; **SECONDED** by E Cook; **Voting In Favor:** F Szufnarowski, A Roussel, E Cook, N Brennan-Rowe, D Kirsch; **Opposed:** None; **Abstaining:** None; **Approved:** 5/0/0. **Discussion:** No Discussion



7. Section 12 Action by Duly Authorized Agent

- A. IWWC Application No. 22-01- 46 Book Hill Road, Essex.** Proposal to remove invasive Japanese Barberry along property line in upland review area and along wetlands boundary line. *Applicant/Owner: Ariel Crohn Approved by the Agent.*
- B. IWWC Application No. 22-02- Edgewood Ave, Ivoryton.** Proposal to install a well and septic within 100-foot upland area of wetlands. *Applicant/Owner: Colleen Hutchinson Approved by the Agent.*

8. Other Business

A. ZBA Section 140L Referral- 11 Clark Lane: New single-family home

C Duques said that the applicant is requesting a variance for completing work within 100 ft of the costal jurisdiction line. They are proposing silt fence between the construction and Falls River Cove and as well as identifying a stockpile area.

A Roussel said that the Commission does not have jurisdiction over title application. The Zoning Board of Appeals has agreed to submit these plans to the Commission for their opinion.

The drawings were passed around and the EIWWC suggested that hay bales be added along the silt fence due to the steep grade.

9. Correspondence and Invoices

None

10. Reports:

A. Wetlands Official

a. Update on Open Permits

R Doane reported that in a few more days we will be in the active season (March 15). The only activity has been the 3 Foster Lane project. He has been working with the design engineers and they will be doing soil testing along the ledge (to be scheduled).

b. Review of Revised Wetlands Permit Application

C Duques said that at the last meeting the main comment was to add the state reporting form, which she has done. A note was also added to the cover sheet to remind applicants to fill out the state form. She said that we need to wait for the selectmen to approve the fee schedule but can start using the form.

C Duques went on to inquire about a proposed project at 28 Comstock Avenue and whether a full application would be needed or if the Commission would be comfortable having her handle it as the Wetlands Agent. She said that there is barn on the property that the owners are looking to add onto. This would be within 100 feet of the wetlands and R Snarski had flagged the wetlands previously.

The plans were passed around and there was an agreement that it is very close to the wetlands. R Doane said that they would need to have construction equipment at the site to dig the foundation. A Roussel said that it sounds like this should be a full application.

B. Chairperson

F Szufnarowski said that to follow up on what C Duques had mentioned, the selectmen had questions about the proposed fee schedule. We will work together to prepare a response to those



questions. Some people would like to see fees as low as possible. We are raising some fees significantly to be in line with other communities in the area.

R Doane says it seems in line with what he has experienced in other towns.

F Szufnarowski commented that the fee for after the fact applications should be higher because now there is no incentive to file an application versus after the fact.

11. Executive Session

MOTION made by D Kirsch to go into executive session at 7:58 PM; **SECONDED** by E Cook; **Voting in Favor:** F Szufnarowski, A Roussel, E Cook, N Brennan-Rowe, D Kirsch; **Opposed:** None; **Abstaining:** None; **Approved:** 5/0/0. **Discussion:** No further discussion.

MOTION made by E Cook to come out of Executive Session at 8:30 PM; **SECONDED** by N Brennan-Rowe; **Voting in Favor:** F Szufnarowski, A Roussel, E Cook, N Brennan-Rowe, D Kirsch; **Opposed:** None; **Abstaining:** None; **Approved:** 5/0/0. **Discussion:** No further discussion.

12. Adjournment

MOTION made by E Cook to adjourn at 8:30 PM until the next regularly scheduled IWWC meeting to be held on Tuesday, April 12, 2022 at the Essex Town Hall, 2nd Floor Conference Room A, 29 West Avenue (alternate location via teleconference); **SECONDED** by D Kirsch; **Voting In Favor:** F Szufnarowski, A Roussel, E Cook, N Brennan-Rowe, D Kirsch **Opposed:** None; **Abstaining:** None; **Approved:** 5/0/0. **Discussion:** No further discussion.

Respectfully Submitted,



Danielle Sanso
Recording Clerk

