

Essex Conservation Commission

December 6, 2005 – Minutes

Meeting held at the T.O.H.P. Burnham Library

Present: Wallace Bruce, Chairman, Stephan Gersh, Elisabeth Frye, Philip Caponigro, Shirley Singleton \*, and Robert Brophy

Meeting called to order at 7:35

7:35 p. m. – A request made by John Fenton, 47 Lebaron Rd., for the Commission to Determine the Applicability of the Wetlands Protection Act, M.G.L. Chapter 131, section 40, adding a second floor in current house footprint. The contractor was present for the review by the Commission. The Commission reviewed the site plan. S. Gersh went to the site and reviewed the property. E. Frye discussed acreage of property. S. Gersh asked about driving and parking at the property, perhaps a turn around area. The contractor indicated a general parking area at the location in question, in the area where firewood is currently being stored. S. Gersh suggested that the contractor stay to one side of the driving area. Contractor indicated that all lumber and material will be stored away from any areas of concern. R. Brophy moved for a Negative Determination, seconded by S. Gersh, and Commission voted unanimously in favor.

Building permit for Greg Campbell, 124 Eastern Ave., is reviewed and found not to be a jurisdictional issue. The permit is signed by Commission.

W. Bruce introduced the Board of Health Verification for 25 Haskell Court and stated that with out any information about what the project is, the Commission can't really make any decisions. S. Gersh suggested that M. Ferreira find out what the intentions are. A review of the actual location took place.

A discussion about 51 Story St. took place regarding new construction. W. Bruce looked and wanted to find out if they had any issues to be concerned about. A review of the last meeting showed that a building permit was reviewed and signed.

S. Gersh moved along to Lloyd Waites who came before the Commission 5 years ago with additions to his home. He now wants to put in a swimming pool, instead of the previously approved deck. S. Gersh stated that he will go down to the house in the next few days and see what he did finish five years ago and to see what he is planning to do with the swimming pool. He will report to the Commission. W. Bruce was the overseer on the project and has reviewed the work over the years. The deck on the old plans was never put in. S. Gersh will contact Mr. Waites himself regarding this issue.

7:45 – Jeff Allsopp was introduced to discuss a job and the necessary requirements. He is the land planner and architect for the Greenbelt Association. He showed a site plan of the property, and indicated how the property is just on the edge of the wetlands. He pointed out the existing foot print of the building, the screen porch off the back, the gardens, and the old part of the house.

J. Allsopp stated that they want to add new office space, kitchen area, office space, and conference space on the first floor; renovating the old part, and on the second floor, creating the possibility of future expansion office space. The first floor is in-grade; the second floor would then come across and become in-grade. The goal is to create handicap access for the entire building. He discussed the gardens and the meadow which is mowed in order to respect the bird habitat. He went over the site plan as to the wetlands. He stated his intention to get the Commission familiar with the project and to get feedback on how to appropriately file the Notice of Intent. He further discussed the excavation to ledge for the foundation, indicating the excavation would be fairly limited in terms of spoils. S. Gersh inquired about walls. Mr. Allsopp indicated that they will have some areas of retaining walls as there is a drop off. He suggested hay bails. R. Brophy asked about coming across the marsh and property ownership perhaps needing an easement.

S. Gersh suggested an NOI with all proper needs for wetlands preservation laid out. J. Allsopp inquired about timing of filing in order to participate in next meeting. A review of the schedule took place. He inquired about the Commission's understanding of project in order to expedite the decision to proceed. The Commission had no more questions.

\*8:00 - Shirley Singleton arrived.

8:05 – Continuation of a Public Hearing for Peter Van Wyck, 3 houses and appurtenances at Low Land Farms, Assessors map 12 (3). W. Bruce stated that he will be continuing this until December 20<sup>th</sup> although we don't have a notification from Peter, we'll assume that it is his request. S. Gersh made a motion to continue, with P. Caponigro seconding the motion. The commission discussed the repercussions of someone not filing a Continuation and agrees that if there is no Continuation then the applicant must refile. M. Ferreira will contact P. Van Wyck. The Commission voted unanimously in favor of continuation, E. Frye and P. Lake abstained.

Commission reviewed the DEP issuance of a superseding Order of Conditions approving the project by affirming the Commission's Order of Conditions/ Approval for Lot 38 and Lot 39, Turtleback Rd.

S. Gersh introduced, per the Commission's request, a new cover letter and Order and Conditions to be sent to applicants that clarifies that the applicant is responsible for filing with the Registry of Deeds before starting construction. Applicants have not been following procedures and the hope is that this letter will help. The letter states that a week before construction they meet with their representative and get copies of who is in charge of what requirements. This is

not a new concept, just a clarification. Commission reviewed the changes and discussed. S. Gersh pointed out proposed changes to the Special Order of Conditions, paragraph 15 and part of 14. The Commission reviewed the changes and discussed.

S. Singleton asked about whether we have access to GIS maps and what changes or updates we would need to have a GIS station at our computer. She will look further into setting up a GIS work station specific to the Con Comm. The Commission reviewed the need and accessibility to GIS maps and environmental maps.

S. Singleton brought up information about a case study on fields and the best practices of mowing. She found the seminar very interesting and informative and discussed what she learned. She will write up a proposed condition on mowing.

The budget was reviewed and discussed for year 2007.

A calendar for 2006 was introduced and discussed.

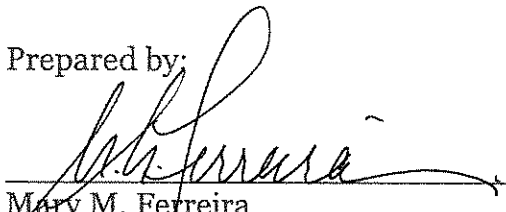
The December 20<sup>th</sup> meeting is cancelled.

E. Frye made a motion to approve minutes from November 1, 2005, seconded by S. Gersh, voted unanimously in favor by Commission.

R. Brophy made a motion to adjourn the meeting, seconded by P. Caponigro, voted unanimously in favor by Commission.

Meeting adjourned at 8:45.

Prepared by:



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Mary M. Ferreira  
Administrative Clerk

Attest: