

Essex Conservation Commission

February 7, 2006-Minutes

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

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

Meeting called to order 7:30

7:35 – Request for Determination of Applicability, Joseph Parady, Great Bank Marsh, Map 24 (50), rebuild duck camp on existing footprint. S. Singleton inquires if this is a grandfathered structure and assured it is. S. Gersh states that there is no storage in the structure or on the marsh. The applicant confirms this. P. Lake voices a concern about the minimal required paperwork in a Determination vs. a Notice of Intent. R. Brophy states that you have the right to have this sort of structure. The applicant provides a letter from the Fish and Wildlife Association that establishes the right. E. Frye inquires about the size and is told it is 16 x 24. W. Bruce asks about the applicant buying the property and was told that he would upon the approval of this. Conditions are discussed: 1. the construction occurs as indicated in Request 2. there be documentation of change of ownership to applicant. S. Gersh moves for negative determination considering these two conditions. The motion is seconded by P. Caponigro. P. Lake asks for a third condition specifying the size to stay at 16 x 24. R. Brophy agrees. A third condition is added. The Committee votes unanimously for a negative determination.

7:45 - Discussion about property at 63 Wood Drive, Phil O'Connell. S. Gersh has concern about 5 large pines being cut down, there was no post at the edge of the rear lawn that demarks the wetland as a no cut/no disturb, zone as required in Order of Conditions. Also, a large truck had rolled in leaving large ruts and there remains a large brush pile in wetlands. Mr. O'Connell states that the trees were taken out because of concern about the trees falling on the house and does at this time recognize, after reading the Order of Conditions, that he should have come to the committee earlier. He has subsequently put in stakes. He points out again that he was wrong, and states that the stakes are there and that the trees that were cut down were all on dry lands, not the wetlands according to the botanist map. S. Gersh comments that when he has been there it is full of water and a review of the site map ensues. The applicant states that the trees are gone and he wants to now rectify the problem and not make it worse. He really needed to cut the trees for the safety of his family but now knows he should have gone through the committee first. S. Singleton asks what kind of damage has occurred. S. Gersh states there has been no permanent damage. P. Lake suggests it can be addressed by doing some sort of replanting

occur to replace pines, utilizing something consistent with the environment and cost effective. The applicant is more than happy to do any replanting at the discretion of the Committee. It is suggested that someone review the property and suggest the appropriate replacement plants. S. Gersh will be in touch.

8:00 – Building Permit for David DeSouza, 12 Prospect St., finishing 2nd floor previously approved but never done. The applicant reviews the site plan for Commission stating that most exterior work has already been done, including a deck and the frame. The new work will all be internal. After a discussion about the exact location of the property, it is decided there are no wetland issues. The permit is signed.

8:05 – Discussion about Building Permit with John Fenton about 47 LeBaron Road, addition to two existing house. Mr. Fenton reviews the site plan for the Commission stating that there are immediate issues, specifically a leaking roof. They also wanted to expand the footprints of two buildings very slightly, in both cases away from the water. The building inspector wanted information about the mean high water level and the applicant has submitted the permit with this info. Mr. Fenton states that what is before the commission is really the expansion of the two footprints. A review of the site plan ensues to verify the placement of the structures on the property. Mr. Fenton talks about his plans for the property and what they are looking to do now and in the future. Because of the proximity of the structures to the wetlands, the Commission suggests Mr. Fenton file an Abbreviated Notice of Intent for the expansion of the footprints to the properties.

R. Brophy reviewed the property at 11 Red Gate Road and found everything to be in order so a Certificate of Compliance was signed.

8:25 - The Commission gives a Continuation on the public hearing on Notice of Intent for Peter Van Wyck, excavation of a trench off Apple St. and the installation of a gas line, despite the applicant not being at meeting. S. Gersh asks that P. Van Wyck be contacted and told that a letter from the DPW is necessary in order for the Commission to vote on this issue.

The Order of Conditions for Jeffrey Allsopp, 82 Eastern Ave. is reviewed and signed by Commission.

Reminder that a site visit is occurring on Saturday.

A motion is made to close the meeting; it is seconded, and voted on unanimously.

Mary M. Ferreira
Administrative Clerk

Attest: