

Meeting Minutes
Essex Conservation Commission
November 7, 2006; 7:30 pm
T.O.H.P. Burnham Public Library

Commissioners

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

Absent:

Quorum: Yes

Clerk: Deborah Cunningham

The Commission opened a public hearing on a **Request for Determination of Applicability** for **Fortune Palace Restaurant** represented by Mill River Consulting. The plan had been reviewed at the last meeting but the paperwork was not available. The plan was approved and a motion was made to issue a negative determination by S. Gersh, seconded by S. Singleton and passed by unanimous consent.

The Commission opened a public hearing on a **Request for Determination of Applicability** filed by **Building Center, Inc.** represented by J. Parisi, President. In connection with connecting to the sewer, Mr. Parisi advised that BC would like to add bathrooms, add a bump out on the back of the building for an employee break room and they would like to add access to an area in the back for employee parking from Pond Street. The plan was approved and a motion to issue a negative determination was made by S. Gersh, seconded by P. Caponigro and passed by unanimous consent.

The Commission met with Todd Twombly, homeowner, of **67 Western Avenue** regarding changes to add a breezeway to the current plan. The changes would move the work away from the wetlands. The Commission asked that he submit a more accurate and clearer drawing of the change. Mr. Twombly was given instructions on filing the requested for the **Amended Order of Conditions**. If all of the requirements are met, the Amended Order of Conditions will be issued at the next meeting.

The Commission met with Chris Nunes regarding **152 Eastern Avenue**. Mr. Nunes advised that he wanted to put a 32' x 48' storage barn out behind the residence. S. Gersh will visit the property to confirm the location of any wetlands.

NOTE: S. Gersh advised that there were no issues with the wetlands and that the building permit application could be signed.

The Commission reviewed and signed a duplicate copy of an **Order of Conditions** (original document was misplaced by applicant) for **Patriot's Landing, Lot 4A** and

reviewed the Building Permit. The Commission was advised that there had been slight changes to the plan which would make the home smaller and would remain within the same footprint. The Commission determined that there was no need to change the Order of Conditions for these changes. The building permit was signed.

The Commission met with Norris Marsten who was engaged to do work at **Riverside Restaurant** to the pilings under the porch. Mr. Marsten explained that there were concerns regarding the safety of the cross braces. He was asking if the Commission could approve some work on an emergency basis. Mr. Marsten that he would drive the new pilings next to the old ones and would not be removing pilings. Mr. Marsten was advised the owners would need to submit either a Request for Determination of Applicability or provide the Commission with a Chapter 91 license.

The Commission opened a public hearing on a **Notice of Intent** filed by Saneco, Inc. representing **Farnham's Restaurant** for the removal of existing septic tanks and installation of a new 2,000 gallon grease tank with connection to town sewer at **88 Eastern Avenue**. The Commission asked that the removal of the old tanks be done at low tide. P. Lake asked about the position of the hay bales. The site plan showed a gap in the hay bales and the Commission asked that this be filled when the hay bales were put in place. The Commission approved the plan subject to approval from DPW. The applicant will ask the DPW to provide written notice of the approval. An order of conditions will be issued. A motion to close the hearing was made by S. Gersh, seconded by P. Lake and passed by unanimous consent.

The Commission continued a public hearing on a **Notice of Intent** filed by Jacques Whitford representing Perkins Realty Trust for the removal and disposal of recently discovered abandoned drums at **7 Essex Park Road**. The Commission was advised by the representative from Jacques Whitford that they had received approval from the DEP on the current plan and they were ready to start work at the site. The floor was opened for questions from the public. A motion was made by S. Gersh to close the hearing, seconded by P. Caponigo and passed by unanimous consent. The Order of Conditions will include a request to provide reports on the levels of contaminants once the work is completed. The Commission also asked that a restoration plan be submitted for approval.

The Commission was to meet with Mr. and Mrs. Tomaiolo regarding the upgrade to the septic system and well at **29 Choate Street**. The Tomaiolos were unable to be at the meeting. D. Cunningham advised that the Tomaiolos would return once approval from Board of Health had been received. The Commission advised

The Commission reviewed and signed a Certificate of Compliance for **77 Wood Drive** and **102 Apple Street**.

The Commission reviewed the **Determination of Applicability** issued to J. Parady for the building of a duck blind on the **Great Marsh**. S. Gersh brought everyone up to date and advised that the wrong category was checked on the Determination which was sent to

the applicant. The DEP contacted S. Gersh for clarification. S. Gersh will follow up with applicant and explain to DEP that it was a clerical error.

The Commission reviewed the plan approved by the Board of Health for **Low Land Farm, Lot 5**. The date on the BOH plan does not match date on plan approved by Commission. The Commission agreed that at this time there was no action required.

S. Gersh had received a communication regarding the 10 acres of conservation easement from Peter Van Wyck. S. Gersh advised that certain conditions had been placed on the Commission's acceptance. The first was that trash piles were to be cleaned up, second that granite pillars be placed around the perimeter of the property to differentiate the easement from the development which surrounds it, third the camp sites were to be cleaned up and signs be posted designating the area as a conservation area. The trash and camp sites were cleaned up, but none of the other conditions were completed. The Commission had also requested that Mr. Van Wyck not perform any grading which would adversely affect the drainage onto the easement. Mr. Van Wyck had responded that he would like the Commission to agree to the same thing. S. Gersh asked that the letter be located which the Commission sent to the Selectman advising that they would accept the parcel with certain conditions.

The Commission approved the Minutes for the Meeting held on October 3, 2007 and prepared by S. Singleton.

The Commission reviewed and approved the meeting dates for 2007.

The Commission reviewed and approved the application for notary public prepared on behalf of D. Cunningham.

D. Cunningham advised the Commission of the new policy of Gloucester Times not to bill individuals for legal notices.

The Commission reviewed and approved the payroll and expense reports as submitted by D. Cunningham.

A motion to close the meeting was made by E. Frye, seconded by P. Caponigro and passed by unanimous consent.

Prepared by: _____
Deborah Cunningham
Administrative Clerk

Attest: _____
Wallace Bruce, Chairman