

Meeting Minutes  
Essex Conservation Commission  
November 21, 2006; 7:30 pm  
T.O.H.P. Burnham Public Library

Commissioners

Present:

Robert Brophy, Philip Caponigro, Elisabeth Frye, Shirley Singleton

Absent: Wallace Bruce, Chairman; Stephan Gersh, Philip Lake

Quorum: Yes

Clerk: Deborah Cunningham

R. Brophy was acting Chairman in the absence of W. Bruce.

The Commission opened a public hearing on an **Amended Order of Conditions** for **67 Western Avenue**. Todd Twombly, homeowner was present. Mr. Twombly was asking for a change to add a breezeway that would push the addition away from the wetlands. He advised that the addition would now be 26' instead of 18' from the delineated wetlands. The Commission stamped the new plan to add to their file. A motion was made to issue the amended order of conditions by S. Singleton, seconded by P. Caponigro and passed by unanimous consent.

The Commission opened a public hearing on a **Request for Determination of Applicability** filed by Morgan Tomioalo for **29 Choate Street**. The Commission advised that a site visit would be need and scheduled this for November 22, 2006 at 10 am. A motion to continue the hearing until December 5, 2006 was made by .

The Commission reviewed a **Notice of Noncompliance** received in connection with the building of a duck blind on the **Great Marsh**. They also reviewed an email with photos of the project that was received by S. Gersh. It was determined that the owner should be contacted and the matter taken up at the meeting of December 5, 2006.

The Commission reviewed and approved the Wetland Border Report and Riverfront Area Restoration Plan for **7 Essex Park Road** and signed the **Order of Conditions**. The approved restoration plan will be added to the Order of Conditions.

The Commission met with Norris Marsten who was engaged to do work at **Riverside Restaurant** to the pilings under the porch. Mr. Marsten stated that there was no Chapter 91 license, however the deed references that the owners are authorized to do maintenance and repair. The building inspector had requested that the Commission sign off before the building permit is issued. Mr. Marsten had checked with the Harbor Master, but could not find one for the Riverside Restaurant. R. Brophy expressed the opinion that this fell under repair and maintenance. S. Singleton expressed the concern that a Notice of Intent should be filed because the work was in the river and affected the riverbank. The Commission

agreed that a Notice of Intent should be filed so that an Order of Conditions could be issued. Mr. Marsten was advised to have the owners contact the Commission in regards to this project. The owners would need to either submit a Notice of Intent or provide the Commission with a Chapter 91 license.

The Commission reviewed and signed the **Order of Conditions** for **Farnham's Restaurant.**

The Commission reviewed and signed **Determinations** for **Fortune Palace Restaurant** and **Building Center, Inc.**

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

Motion to close the meeting was made by S. Singleton, seconded by E. Frye and passed by unanimous consent.

Prepared by: \_\_\_\_\_  
Deborah Cunningham  
Administrative Clerk

Attest: \_\_\_\_\_  
Wallace Bruce, Chairman