

Meeting Minutes
Essex Conservation Commission
December 5, 2006; 7:30 pm
T.O.H.P. Burnham Public Library

Commissioners

Present: Wallace Bruce, Chairman
Robert Brophy, Philip Caponigro, Elisabeth Frye, Stephen Gersh,
Shirley Singleton
Absent: Philip Lake
Quorum: Yes

Clerk: Deborah Cunningham

The Commission met with Susan Offenburger, owner of the **Riverside Restaurant** regarding maintenance to the pilings under the porch. Ms. Offenburger had a copy of the plan for the replacement of new pilings to replace ones that were rotted. Ms. Offenburger also advised that no concrete would be used in the plan as it was indicated. S. Singleton asked if any alternatives had been considered other than disturbing the riverbed. Ms. Offenburger advised that they had looked at alternatives to using the concrete. S. Singleton asked if the owners had a Chapter 91 license that would give them the authority to maintain the wharf. Ms. Offenburger provided a copy of her deed which referenced maintenance to the wharf. However, this was not the Chapter 91 license. The Commission questioned how the pilings were going to be replaced. R. Brophy explained that Norris Marsten had advised the Commission that he would be driving the new pilings next to the old ones to shore up the rotting pilings. However, R. Brophy stated that the plan did not indicate that he would have to dig and, therefore, not disturb the riverbed. The Commission again advised that if Ms. Offenburger could produce the Chapter 91 license they would be able to do the maintenance. If no license has been issued, a Notice of Intent would have to be filed.

The homeowner at **79 Choate Street** contacted the Commission for guidance on the removal of weeds from a drainage ditch on the property. The Commission requested the Clerk to contact the homeowner and advise that this was permissible.

The Commission reviewed and signed the **Determination** for **29 Choate Street**.

The Commission reviewed that Open Space Plan and asked that copies be made for each Commissioner so that they could review and submit comments. The Commission asked that the Open Space Committee be invited to the meeting of January 9, 2007 to discuss the plan.

R. Brophy asked that it be placed on the record that when Mr. Parady went to the files to complete his application that S. Gersh had removed the file from the Town Hall.

S. Gersh requested that the Clerk contact MACC to determine the status of the handbooks that had been ordered.

S. Gersh advised that Philip Lake had resigned. R. Brophy stated that Mr. Lake should send an official letter of resignation to the Selectmen. The Commission discussed the placement of an advertisement for the open position on the Commission. The Commission agreed that once Mr. Lake's resignation had been received, that the advertisement would be placed in the paper. S. Singleton recommended that if a large response was received, perhaps a subcommittee should be formed to screen the applicants before interviews were scheduled with the full Commission.

S. Gersh asked if a message could be left on the answering machine to advise when the Clerk would be at Town Hall.

R. Brophy advised that he had gone by 12 County Road in response to an anonymous phone call. It appeared that the area had been dug up pretty well and that they might be connecting to the sewer. R. Brophy advised that he was trying to locate the owner or his father to get more information.

The Commission reviewed a Notice of Enforcement Conference received from the DEP in connection with Mr. Van Wyck.

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

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

Prepared by: _____

Deborah Cunningham
Administrative Clerk

Attest: _____

Wallace Bruce, Chairman