

Meeting Minutes
Essex Conservation Commission
June 5, 2007; 7:30 pm
T.O.H.P. Burnham Public Library

Commissioners

Present: Wallace Bruce, Chairman
Robert Brophy, Philip Caponigro, Elisabeth Frye, Stephan Gersh,
James Rynkowski
Absent: Shirley Singleton
Quorum: Yes
Clerk: Deborah Cunningham

The following building applications were reviewed:

James Bone of Bone Construction representing homeowner George Harvey of **100 Pond Street** presented a plan for the construction of a single story kitchen addition. After review, the application was approved and signed by W. Bruce.

John Costello of Costello Construction representing homeowners Andrews of **49 Story Street** presented a plan for the addition of a mudroom and porch. After review, the application was approved and signed by W. Bruce.

Jennifer Tolo, homeowner, of **49 Martin Street** presented a plan for the expansion of a single family residence. After review, the application was approved and signed by W. Bruce.

D. Cunningham presented a plan on behalf of Mark Lynch, homeowner, of **16R County Road** for the installation of an above ground pool. After review, the application was approved and signed by W. Bruce.

The following items were addressed:

Mr. Brian Farmer of Northeast Environmental presented a change to work being done at **35 Conomo Point Road** in connection with work being done on a septic system. At a site visit prior to the issuance of an Order of Conditions, a request was made by the Commission to save a number of cedar trees in the work area. Mr. Farmer informed the Commission that in order to do this a retaining wall would need to be built to keep the required slope from burying the base of the trees. R. Brophy informed the Commission that he had visited the site and that a number of the trees were dead or dying. He did not feel that the wall would be needed. The Commission determined that a site visit would be needed to determine how work should proceed. J. Rynkowski, R. Brophy and S. Gersh agreed to view the property at 7 am on June 6, 2007.

NOTE: It was determined at the site visit of June 6 that a retaining wall should be installed as noted on a plan submitted by Mr. Farmer at the meeting of June 5. A hearing on an Amended Order of Conditions will be held at the meeting of June 19, 2007.

A public hearing was opened at 7:55 pm on a Request for an **Amendment to an Order of Conditions** submitted by Timothy L Shanks to change the position of a driveway to access the residence being built on **Western Avenue**. Mr. Shanks presented a new plan to the Commission which allowed for the driveway to access the property off of **Centennial Grove Drive** instead of Western Avenue. This plan would avoid the access to the road through the wetlands. The Commission agreed that this was a preferable plan since it avoided encroachment on the wetlands. Mr. Shanks agreed to provide the Commission with a copy of the stipulations for the construction of the original driveway. The abutters in attendance had no objections. Mr. Shanks also advised that the residence has been turned slightly on the property. An Amended Order of Conditions will be issued. A motion to close the hearing was made by S. Gersh, seconded by J. Rynkowski and passed by unanimous consent.

NOTE: Mr. Shanks advised the Clerk that there was not a detailed stipulations document, other than the site plan which was referenced in the previous Order of Conditions.

A public hearing was opened at 8:00 pm for a **Request for Determination of Applicability** filed by Prescott Lee, homeowner, of **One Arielle Lane** for the addition of a shed on the property. Dr. Lee was not present, but had presented the Commission with the details at a previous meeting. J. Rynkowski had visited the property and advised the Commission that the shed would not impact the wetlands. The Commission discussed the size of the shed as well. They determined that would be under the jurisdiction of the Building Inspector. D. Cunningham advised that she did not have the building permit application to sign. The Commission will issue a negative determination subject to the condition that there be no excavation.

A public hearing was opened at 8:15 pm for a **Notice of Intent** filed by Peter Van Wyck for the construction of three (3) single family dwellings with associated grading and construction/installation of one (1) pump chamber, one (1) leaching field and all associated piping and grading for the septic system at **Low Land Farm, Subdivision Lot 4**. The Commission was advised that the plan submitted to the Board of Health was not the same as the plan before the Commission. Mr. Van Wyck advised that the plan was changed to move the dwellings for design purposes. Mr. Van Wyck requested that the discussion be limited to the construction of the two single family dwellings which would be partially in the buffer zone. The Commission advised Mr. Van Wyck that the Notice of Intent included the septic system plan and that they could not address only one portion of the application. After review of the Notice of Intent and the plan, the Commission determined that approval from the Board of Health on the septic plan would be needed prior to issuance of an Order of Conditions. Mr. Van Wyck requested that the Commission at least schedule a site visit to expedite his application. The Commission requested that the site of the dwellings be marked to assist in the review of the property. Mr. Van Wyck said he would place a stake in the middle of each site for the dwellings. A

motion was made by R. Brophy to continue the hearing until approval from the Board of Health on the septic plan, seconded by J. Rynkowski and passed by unanimous consent.

A public hearing was continued on a **Notice of Intent** filed by Cottage Park Realty, Inc. for the installation of tight tanks for Title V remedial compliance at **Cross Island** and Conomo Point Road. John Spink of Coneco Engineers & Scientists, Inc. and Mr. George Emerson were present to present the revised plan for the installation of the tight tanks which included changes requested by the Board of Health. At the time of the hearing, a DEP number had not been received for this application. The Commission requested that the applicant determine the status of the application with the DEP and obtain a file number. An Order of Conditions will be issued when approval from the Board of Health is final and a DEP file number is issued. A motion to continue the hearing was made by S. Gersh, seconded by R. Brophy and passed by unanimous consent.

Business:

The Commission approved the payroll and expense reports submitted by D. Cunningham. D. Cunningham reviewed all mail received and distributed to the appropriate Commissioners.

Mr. Bruce presented to the Commissioners that a vote be taken to approve the need for only one signature by any Commissioner for payroll and expense reports if necessary so that these reports could be filed in a timely manner. Passed by unanimous consent.

The Commission reviewed invoices received on 132 John Wise Avenue and 35 Dodge Street. The Clerk will request the additional funds needed on the 35 Dodge Street matter. Both invoices were approved for payment.

J. Rynkowski made a motion to close the meeting at 9:30 pm, seconded by R. Brophy and passed by unanimous consent.

Prepared by: _____
Deborah Cunningham, Administrative Clerk

Attest: _____
Wallace Bruce, Chairman