

Meeting Minutes
Essex Conservation Commission
September 11, 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, Shirley Singleton

Quorum: Yes

Clerk: Deborah Cunningham

The following building permit applications were reviewed:

- Bill Hurley, homeowner, **19 Milk Street** presented a building application for the addition of a deck to the back of the home. After review, the application was signed by W. Bruce.
- Jodie Harris, homeowner, **21R Spring Street** presented a building application for the installation of an in-ground pool. After review, the application was signed by W. Bruce.

Appointments:

Kirk Smith of **111 Conomo Point Road** met with the Commission regarding the rebuilding of a float with access. Mr. Smith advised that the DEP advised that he could rebuild a previously existing structure. The Commission advised that a letter from the DEP would be needed to confirm jurisdiction and confirmation that structure can be rebuilt together with a site plan.

Public Hearings:

A continuation of hearing was opened at 7:40 pm on Request for Determination filed by the Board of Selectmen for the Town of Essex for the clearing of debris, vegetation, and beaver dams within the **Alewife Brook**. Brendhan Zubricki was in attendance to answer questions on behalf of the town. The Commission expressed concerns that there was no one who was being made responsible for the work which was being done under the RDA. Mr. Zubricki advised that he would oversee the project and those who would be volunteering to do the work. A motion was made by R. Brophy to issue a Determination of negative and to close the hearing, seconded by S. Gersh and passed by unanimous consent.

A continuation of a hearing was opened at 7:50 on a Notice of Intent filed by Massachusetts Highway Dept. for the reconstruction of 1.01 miles of **Route 133** from **John Wise Avenue** to **Water Street** including new pavement, curbing, sidewalks, drainage and replacement of 196 L.F. of granite block wall along the bank of the Essex River. A motion was made to issue an Order of Conditions and to close the hearing by S. Gersh, seconded by R. Brophy and passed by majority vote. P. Caponigro, J. Rynkowski and S. Singleton abstained due to absence at the last meeting when the project had been discussed in detail.

A hearing was opened at 8:00 pm on a Request for Determination of Applicability filed by Edward Marchetti to build a stone or stone veneer seawall at **20 Ralston Drive**. Mr. Marchetti presented plans for the work and after some discussion with the Commission, it was determined that the project would require an Abbreviated Notice of Intent to be filed. A motion was made to issue a Determination of positive and to close the hearing by S. Singleton, seconded by R. Brophy and passed by unanimous consent.

A hearing was opened at 8:18 pm on Request for Determination of Applicability filed by Curtis Jones, Jr. to install a tight tank in the 100' buffer zone at **75R Wood Drive**. After a discussion of the scope of the project, a motion to issue a Determination of Negative and to close the hearing was made by S. Gersh, seconded by J. Rynkowski and passed by unanimous consent.

Business:

The Commission reviewed Request for Certificate of Compliance for **150 Main Street** (DEP 21-363). The Certificate of Compliance was signed.

The Commission reviewed a Request for Certificate of Compliance for **Low Land Farm** (DEP 21-447). After a review of the file, the Commission determined that the Order of Conditions had not been complied with. The applicant will be advised to contact the Commission regarding the outstanding items.

The Commission reviewed a Verification of Conservation Commission Jurisdiction Form from the Board of Health. It was determined that not filing had been made with the Conservation Commission and the form was signed. The Board of Health will advise the homeowner that a Certificate of Compliance cannot be issued until they have contacted the Conservation Commission regarding jurisdiction.

The Commission discussed the approval of the purchase of software from Custom Conservation Application Services to assist in the management of the projects which were under the Commission's jurisdiction. A motion was made to purchase the software by J. Rynkowski, seconded by S. Gersh and approved by unanimous consent.

The Commission reviewed a request for an Extension for **6 Shea's Court**. The Extension was be issued. The applicant will be advised to file a request for an Amended Order of Conditions if there are changes to the original plans.

S. Gersh asked if the Commission would vote to approve his appointment to the Community Preservation Committee. A motion to approve this appointment was made by R. Brophy, seconded by S. Singleton and approved by majority vote. S. Gersh abstained.

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

A motion to close the meeting was made by S. Gersh, seconded by S. Singleton and passed by unanimous consent.

Prepared by: _____
Deborah Cunningham
Administrative Clerk

Attest: _____
Wallace Bruce, Chairman