

ESSEX CONSERVATION COMMISSION

Minutes

April 7, 2009

Members: Wallace Bruce, Chairman – present
Robert Brophy - present
Philip Caponigro – present
Elisabeth Frye - present
Stephan Gersh – present
James Rynkowski – present
Shirley Singleton - present

Appointments:

BZ updated the Commission on the status of the NOI application being reviewed by the DEP and the restoration project at Water Street. The DEP is working with the town and has indicated that the current application is close to being completed. BZ will be meeting with Jill Provencal of the DEP soon to discuss the final changes which need to be made before it is submitted to the Commission. BZ stated that, at this time, the town did not need any assistance from the Commission in preparing the application. He said that he understood from PG that the ECC was willing to assist the town with the restoration of Water Street. SS summarized the ECC's position on the work which the DPW does in the town and when the DPW should work with the ECC on projects being done in town in “sensitive” areas. RB asked about the access to the river and if this would remain an access. BZ advised that JP would probably be open to this suggestion. RB also asked about maintaining the right of ways to the river, it was his opinion that this item should be covered under the new order for maintainance.

Tim Shanks advised the ECC that there was a need to add a perimeter drain and a subsurface drain. He was asking the ECC if he needed to file a formal request for an amendment or if the ECC could approve it as a minor change.

Motion to amend the order of conditions by letter as a minor change.

Liz Duff of the Mass Audubon Society and Sara Janson of Dept of Interior requested from the ECC that the use of herbicide be approved to eliminate the pepperweed. SG asked about the herbicide which is used. Sarah answered ESCORT and provided the amount used and the how it was applied. The herbicide is approximatley 90% effective. JR advised he believed that the pepperweed was on his property. SG advised that one of the sites in town is on private property and the owners had indicated that they would rather to the eradication themselves. Sarah advised that this was dangerous if the plant was not destroyed properly. Sarah will forward the information on the owners so that a letter can be drafted advising the owners that the ECC is aware of the work and have approved it. WB asked that Sarah and Liz advise when the work is to begin and when they should be finished.

Motion to approve treatment of any pepperweed in the town of Essex as well as hand pulling for known and any pockets found on town property. Any pockets found on private property a letter will need to be sent to the owner.

Public Hearing opened at 8:01 pm

RDA for 234 John Wise Avenue Isaac Rowe of Mill River Consulting for applicant. Isaac advised that they would try staying as far from the resource line as possible and would be starting at the high area and work out for the soil testing. The work should last about a day. SG asked that the soil be compacted after the testing is completed. SS advised that it had been reported to her that a pipe is draining into the marsh. Isaac advised that it is an old pipe and he believe it was disconnected.

Motion for negative determination
Motion to close
Public Hearing opened at 8:11 pm

Bill Manuele for the applicant. Plan for the construction of a new residence was presented. Applicants will live in the home while the new residence is built. Site visit scheduled for April 18 at 8 am. WB read a letter which was submitted by Sarita Moore of 13 Cogswell Court. Letter is on file with the Commission.

Motion to continue until April 21

Public Hearing opened at 8:23 pm

Mike DeRosa represented the applicant. MD gave a history of the filings

Motion to close
Motion to issue OOC

Ask Brendhan for a letter from Selectman stating that they are supporting the project and that the Town is the applicant. The NOI application should be revised.

2 Moses Lane – site visit on 4/18 after 9:30 am
10 Patriot's Lane – site visit on 4/18 after 9 am

Mr. Appleyard can cut his trees.

Motion to close 9:12 pm