

ESSEX CONSERVATION COMMISSION

Minutes

June 16, 2009

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

Appointments:

Henry McCain of 94 Eastern Avenue met with the Commission to discuss mooring a dory with a “come-along” next to Farnham’s. He advised that he would be using a 19 ft. dory stake for the come-along. S. Gersh made a motion to allow the come-along which was seconded by E. Frye and passed by unanimous consent.

The Commission met with Nicholas Van Wyck to discuss the status of filings made by his late father, Peter Van Wyck. The Clerk advised the Commission that Orders of Conditions had been issued on the applications, but that they had expired more than a year ago. The Commission will discuss the matter and determine if extensions can be issued for if the applications must be refiled.

Public Hearings:

A public hearing was held on a Request for Determination of Applicability filed by Frank Kaminski to review work which was recently completed which included thinning and removal of trees, and placement of gravel packed parking area at 109 Eastern Avenue was opened at 7:45 pm. Dan Ottenheimer of Mill River Consulting represented the applicant and gave an overview of the project. Mr. Kaminsky was not in attendance. Mike DeRosa represented the abutters Mr. and Mrs. Emile Gertsch and advised the Commission that it was his professional opinion that the work done was possibly with a riverfront area in addition, he felt that a Notice of Intent was required to determine the boundaries of the wetlands in the area. A motion to close the hearing was made by S. Gersh, seconded by P. Caponigro and passed by unanimous consent. A motion to issue a positive determination was made by S. Singleton, seconded by E. Frye and passed by unanimous consent. A motion to issue a formal cease and desist was made by S. Singleton, seconded by S. Gersh and passed by unanimous consent. Mr. Kaminsky will be advised that no site work can be done until a Notice of Intent is filed. This filing should be submitted not later than the first meeting in August.

A continuation of a public hearing on a Notice of Intent file by Paul Goodwin, Superintendent for the Town of Essex, Department of Public Works to maintain and repair roads, pipe repair, water and sewer distribution/collection system, drainage, erosion control in the Town of Essex was opened at 8:17 pm.

The ECC advised Mr. Goodwin that the DEP had not issued a file number to date and that the Order of Conditions could not be issued until a number was received. Mr. Goodwin advised that he would contact the DEP and forward the file number to the Clerk. A motion to continue the hearing to July 7, 2009 was made by S. Singleton, seconded by R. Brophy and passed by unanimous consent.

On a motion made and duly seconded, the Commission approved and signed the Certificate of Compliance for the work at 20 Ralston Drive to be issued to Edward Marchetti.

The Commission advised the Clerk to contact the potential buyer of Lot 44A Choate Street. In response to the inquiry regarding filing on a driveway in the buffer zone, this work would require a Notice of Intnet.

On a motion made and duly seconded, the meeting was adjourned.

Approved: _____

Prepared by: _____