

# ESSEX CONSERVATION COMMISSION

## Minutes

July 21, 2009

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

### Building Permit Application Reviews:

The Commission reviewed a building permit application for the construction of a hay storage building at 2 Andrews Street presneted by Margo Kusulas. After discussion, the application was signed by W. Bruce.

The commission reviewed an application for an addition at 95 Apple Street, owner John Corcoran. After discussion, the application was signed by W. Bruce.

### Appointments:

The Commission met with Nicholas Van Wyck to discuss an open application on the property located on Turtleback Road, Lot 11W. Myles Cambridge, an abutter to the property, also attended. Mr. Cambridge advised that he has spoken with Mr. Van Wyck and felt that his concerns that had been outlined in a letter to the Commission were being addressed. W. Bruce advised that the Con Com had done a site visit and asked about a filing regarding the access “road” which had been installed. Mr. Cambridge advised that the “road” was a utility easement and did not know if this required a filing. Mr. Van Wyck did not know what his father's intention was regarding the “road”. S. Singleton stated that she felt that, regardless of the history, the Con Com had observed that there were materials used to develop the road which were not natural to the area and that the Con Com should move forward and hire a wetlands scientist to view the area and make recommendations. The Clerk advised that she had been unable to find any record of a filing for the current driveway. Mr. Cambridge also repeated his concern about the stockpiling of piping in a wetlands area. It was determined that Mr. Van Wyck would notify the abutters that the hearings would continue on August 4. S. Singleton advised that she felt that the Commission should have moved forward with a wetland scientist due to the current conditions in the area.

### Public Hearings:

A continuation of a public hearing on a Notice of Intent filed by Joshua Taylor to construct a single family dwelling, driveway and utilities within 100 feet of a bordering vegetated wetland at 67 Apple Street was opened at 7:53 pm. The applicant had contacted the Clerk to request that the hearing be continued to August 4. On a motion made and duly seconded, the Commission voted (6-0) to continue

the hearing to August 4 at 7:45 pm.

A continuation of a public hearing on a Notice of Intent filed by Gilbert Guerin to construct a portion of an On-site Sewage Disposal System within the 100 foot buffer to the wetland area at 46 Choate Street was opened at 8:00 pm. The applicant was not present and the Chairman suggested to the Commission that the hearing be continued to August 4. On a motion made and duly seconded, the Commission voted (6-0) to continue the hearing to August 4 at 8:00 pm.

A public hearing on a Request for Determination of Applicability filed by Eileen M. and Roger N. Hardy represented by The Neve-Morin Group, Inc. to perform minor regrading within 100 feet of a bordering vegetated wetland with the closest work from the wetland edge to the erosion control being 84 feet at Lot 3A Island Road was opened at 8:15 pm. Greg H. of The Neve-Morin Group presented the plan for the regrading which would need to be done on the edge of the buffer zone which was less than 5,000 sq ft. After discussion, on a motion made and duly seconded, the Commission voted (6-0) to close the hearing. On a motion made and duly seconded, the Commission voted (6-0) to issue a negative determination.

Business:

On a motion made and duly seconded, the Commission voted (6-0) to accept the minutes of June 16, 2009 as presented.

After review of a Purchase and Sale Agreement presented by Anderson and Joan Storey for Rear Belcher Street in regards to the Chapter 61 property, the Commission advised the Clerk to inform the town that it should approve the sale.

On a motion made and duly seconded, the meeting was adjourned at 9:00 pm.

Approved: \_\_\_\_\_  
Wallace Bruce, Chairman

Prepared by: \_\_\_\_\_  
Deborah Cunningham, Administrative Clerk