

ESSEX CONSERVATION COMMISSION

MINUTES

AUGUST 4, 2009

Members: Wallace Bruce, Chairman – present
Robert Brophy - present
Philip Caponigro – arrived at 8:15 pm
Elisabeth Frye - present
James Rynkowski – absent
Shirley Singleton - present

Building Permit Application Reviews:

The Commission reviewed a building permit application for an 8' x 12' shed to be placed at 10 School Street presented by Jeffrey Hyde. After discussion, the application was signed by W. Bruce.

The Commission reviewed a building permit application for the renovation of an existing porch and addition of a 12' x 16' deck at 5 Indian Rock Lane presented by the Clerk on behalf of Paul Rogati. After discussion, the application was signed by W. Bruce.

Public Hearings:

The Commission continued 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. The Clerk advised that she had not heard from the applicant on the status of the application. On a motion made and duly seconded, the Commission voted (4-0) to continue the hearing to August 21 at 7:45 pm.

The Commission continued 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. The Chairman opened the hearing for discussion. It was advised that the project had been approved by the BOH. There being no further discussion, on a motion made and duly seconded, the Commission voted (4-0) to close the public hearing. The Commission authorized the Clerk to signed the building permit application when it was available. On a motion made and duly seconded, the Commission voted (4-0) to issue an OOC.

The Commission opened a Public Hearing on a Notice of Intent filed by Karen Whitmore of JP Morgan Chase Bank, NA to repair an existing septic system for a two bedroom dwelling at 6 Turtleback Road. Mike Juliano for Eaglebrook Engineering & Survey presented the plan to repair the septic system at 6 Turtleback Road. Scottie Robinson, an abutter, advised that there was a shared driveway on the property which services 3 homes. She had contacted the engineering firm to question how a failure might cut off the driveway to the other homeowners. She also advised that there is a broken culvert at the end of the private road, however, this is a private way and is a neighborhood issue. Mr. Bruce

questioned how close the water flowed to the leaching field.. Mr. Juliano advised that water flows by the leaching field past the property line which is approximately 12 feet away. Mr. Bruce questioned if the water line would need to be encapsulated. Mr. Juliano advised that at this time they did not know where the line was and this would be a field decision once the water line was located. Ms. Singleton asked about the maintenance of the system. Mr. Juliano advised that the BOH is requiring the system to be inspected twice a year and that a maintenance plan be in place. Mr. Bruce asked about the natural drainage of the area due to the change in the grading. Mr. Juliano advised that the change in grade would be minimal due to the restrictions of the location system and the property itself. Scottie Robinson advised that water does pool in the corner of the yard near the leaching field. Mr. Juliano advised that the water could be collected and dispersed around the leaching field. Mr. Bruce stated that the Commission would like to see this. Mr. Juliano advised that the changes could be submitted for review at the next meeting. There being no further discussion, on a motion made and duly seconded, the Commission voted (5-0) to continue the meeting to August 18 at 8 pm.

The Commission continued a Public Hearing on a Notice of Intent filed by Peter Van Wyck for the construction of two single-family dwellings, the installation of a culvert, two septic systems and two driveways, with associated grading at Lot 11W Turtleback Road. The Chairman recognized Scottie Robinson of the Planning Board. She advised that she and the Planning Board Chairman walked the site. She also advised that the plan before the Commission had not been to the Planning Board and it was possible that two homes could not be built on this lot based on a new by-law recently passed by the town. She would research the matter and advise the Commission further. Greg Hochmuth of The Neve-Morin Group gave the history of the property. S. Singleton asked about the pipes further up on the property. Mr. Hochmuth advised that this is a gas line W. Bruce asked if there was anything that should be done immediately to protect the wetlands. Mr. Hockmuth advised the culverts should be put in before next spring to avoid the ponding and erosion. If the driveway is not allowed, it might be best to remove the drive and restore the area. S. Singleton stated that the Commission appreciated the work that Neve-Morin did on this site. The Commission questioned if the hearing should be closed. Mr. Hochmuth advised that they would like to continue the hearing to further research the additional permitting that might be needed. There being no further discussion, on a motion made and duly seconded, the Commission voted (5-0) to continue the public hearing to September 15 at a time to be determined.

Business:

The Commission reviewed and signed a Determination for work to be done at Lot 3A Island Road (Hardy).

The Commission reviewed a letter received from Joseph Ahearn regarding the open position on the Commission. The Clerk was instructed to contact Mr. Ahearn to see if he was available to meet with them prior to the next meeting.

The Commission reviewed a letter received from Nancy Hemingway Ryder regarding the Conservation Agent position. The Clerk was instructed to contact Ms. Ryder to see if she was available to meet the them prior to the next meeting.

The Commission agreed to move the meeting time for the meeting of August 18 to 6:45 pm.

MINUTES FOR ECC MEETING
AUGUST 4, 2009

On a motion made a duly seconded, the Commission voted (4-0) to approved the Minutes for the July 7, 2009 meeting.

On a motion made and duly seconded, the meeting was adjourned at 9:29 pm.

Approved: _____