

ESSEX CONSERVATION COMMISSION

MINUTES

JUNE 1, 2010

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

Appointments:

Andrew St. John met with the Commission to discuss the “RiverSails” project scheduled for this summer. Mr. St. John advised that, due to construction on Route 133 which obstructed the view, the project would be postponed until 2011. He asked the Commission to advise if he should proceed with filing an RDA for the project. The Commission felt that this was the best course of action and, if it was approved, the Determination would be good for three years. They also advised that the DEP may comment on the project when it is submitted and require that the applicant file an NOI. Mr. St. John advised that he will proceed with the RDA at this time.

Public Hearings:

The Commission opened a Public Hearing on a Request for Determination filed by Steve Kelly to add a deck on to the corner of the single family home at 97 Conomo Point Road. The applicant was not represented at the meeting. The Clerk and the Agent advised that they had both seen the plan and the Agent had determined that it was not clear if the deck was exempt under the WPA. He had advised Mr. Kelly's contractor to file the RDA. There being no further comments, on a motion made and duly seconded, the Commission voted unanimously to issue a negative determination. On a motion made and duly seconded, the Commission voted unanimously to close the hearing.

The Commission opened a Public Hearing on a Request for Determination filed by Travis James to remove trash/debris; replace eroded/decayed steps; and add loam over area and hydroseed at 31 E. Gregory Island Road. The Clerk advised the Commission that this was an “after the fact” filing. The Agent advised the Commission that he had visited the property after a call from a resident on the lake. After his inspection, he had advised Mr. James to file an RDA. He had also inspected the site today and seed was “well on it's way.” The Lake Association advised the Commission that they would prefer to have a buffer of native vegetation rather than grass to the retaining wall. R. Brophy expressed the opinion that a positive determination should be issued. He felt that owners should be more aware of what was required when working within the buffer zone. Mr. James was apologetic about not being aware of the filing requirements. The Commission also heard from other residents who resided on the lake that it would be helpful if the Lake Association had some guidelines regarding work which could

be done on their properties without notifying the Commission. There being no further comment at this time, on a motion made and duly seconded, the Commission voted unanimously to close the hearing. After discussion on issuing the determination, on a motion made and duly seconded, the Commission voted (3-1) to issue a negative determination with the condition that the applicant work with the Lake Association to plant a vegetative buffer along the stone wall leading to the lake.

The Commission opened a Public Hearing on a Notice of Intent filed by James McGraw of Costello Construction to reconstruct existing dwelling and sewage disposal system with associated retaining wall, grading and utility connections at 43 Lufkin Point Road. John Judd of Gateway Consulting and Sean Costello of Costello Construction were present for the applicant. Mr. Judd advised that the plan had been approved by the BOH and gave a brief overview of the project. The Commission advised that, to date, a DEP number had not been issued. Also, the Commission questioned if the plan had been approved by the Planning Board and questioned the expansion of the dwelling. The Clerk was instructed to contact the Planning Board to determine if the plan needed to be reviewed. It was determined that the hearing should be continued until the DEP number had been issued and the Planning Board question had been addressed. On a motion made and duly seconded, the Commission voted unanimously to continue the hearing to July 6.

Business:

The Commission signed a Certificate of Compliance for 109 Eastern Avenue (Kaminski). The Commission signed Order of Condition for 28 Apple Street (Larson) and for trail maintenance in the town (ECTA).

The Commission discussed the reappointment of J. Rynkowski. Mr. Rynkowski was not present, so this matter was tabled for the next meeting.

On a motion made and duly seconded, the Commission approved the minutes for the meeting of April 20, 2010.

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

Approved: _____

Prepared by: _____