

ESSEX CONSERVATION COMMISSION

MINUTES

JULY 6, 2010

Members: Wallace Bruce, Chairman – present
Joseph Ahearn - absent
Robert Brophy - present
Philip Caponigro – absent
Elisabeth Frye - present
James Rynkowski – present (arrived 8:20 pm)
Shirley Singleton - present

Public Hearings:

The Conservation Commission continued 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. S. Singleton questioned if the septic system had failed. Mr. McGraw stated that he was not sure but believed it had. R. Brophy asked when the system was last used. Mr. McGraw did not know, but advised that the system would be drained, crushed and filled. S. Singleton asked that the Proposed Construction Schedule be revised to show that there would be no stockpiling of materials on the site. In addition the finished project will be no more than 12-15 feet from the resource area which is the current footprint. S. Singleton asked if the residence had been approved. Mr. McGraw advised that they had not finalized the plan for the home, but if any changes were made to the approved footprint, it would be brought to the Commission. S. Singleton asked about the number of bedrooms. Mr. McGraw advised that there were two and this number was a deed restriction. S. Singleton asked about the vegetation on the site and about replanting for erosion control. Mr. McGraw said that there had been a discussion with the engineer about planting with native grasses to stabilize the area. Clerk will contact M. DeRosa for recommendations on mix to use to include in the OOC. S. Singleton asked about the building schedule. Mr. McGraw advised that the septic will be put installed in the fall and the residence will be built in the spring. R. Brophy advised planting bayberry and beach roses to restore the area. Mr. McGraw will have plantings added to the plan. Changes to the Proposed Construction Sequence will be forwarded to the engineer for updating. The Clerk will contact B. Sandborn for the decision of the Planning Board. The applicant agreed that the hearing could move forward without Mr. Caponigro. 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 of Applicability filed by Nathan Woodman to construct an addition and a wrap around porch at 9 Shephard Memorial Drive. S. Singleton asked about the addition. Mr. Woodman explained where the addition would be placed on the lot. There being no further discussion on a motion made and duly seconded, the Commission voted unanimously to close the public hearing. On a motion made and duly seconded, the Commission voted unanimously to issue a negative determination with a condition that hay bales be placed 50 ft. from the construction of the new addition.

The Commission continued a Public Hearing on a Notice of Intent filed by Karen McNiff, Trustee of Chocorua Realty Trust to construct a single family home with garage, septic system, and associated grading

and utilities at Lot 4A, near 90 Apple Street. The Applicant agreed to a continuation of this hearing due to a lack of a quorum of members at the opening of the hearing. On a motion made and duly seconded, the Commission voted unanimously to continue the hearing to August 3, 2010.

The Commission continued a Public Hearing on a Notice of Intent filed by Apple Street Nominee Trust to construct a 20' wide road for a single family development with associated drainage structures, utilities and wetland replication area at Land of Essex Park Road. This will be continued at the request of the applicant pending a peer review. With R. Brophy acting as Chairman, on a motion made and duly seconded, the hearing was continued to August 3 with E. Frye and W. Bruce abstaining as abutters.

The Chairman then moved on to the hearings on the lots on Choate Street. The applicant agreed to have all three hearings opened for purposes of discussion.

The Commission opened a Public Hearing on a Notice of Intent filed by Michael Staiti of Lingley Lane, LLC to construct a single family home with associated sewage system, well, utilities, grading, landscaping and driveway at Lot 9 Choate Street. Portion of the house, driveway and yard will be in the buffer zone.

The Commission opened a Public Hearing on a Notice of Intent filed by Michael Staiti of Lingley Lane, LLC to construct a common driveway to access Lots 6 and 11 at Lot 11 Choate Street. Driveway will serve three single family residences and will border the resource area. There is a stonewall between the drive and wetland area.

The Commission opened a Public Hearing on a Notice of Intent filed by Michael Staiti of Lingley Lane, LLC to construct a single family home with associated sewage system, well, utilities, grading, landscaping and driveway at Lot 7 Choate Street. Small portion of the driveway will be in the buffer zone.

Michael Staiti of Lingley Lan, LLC explained that the area under discussed had been subdivided under an ANR. It was the intention of the applicant to make no significant changes to the site line along the road as Choate Street was listed as a scenic road. S. Singleton questioned if the septic systems for the two homes in question had been approved. Mr. Staiti stated that they had not been to the BOH at this time. The Commission advised the Applicant that if the hearings were closed at this time, any changes were made to the septic plans which brought the systems within the buffer zone that the revised plans would have to be submitted to the Commission under a new application. The Applicant requested that the hearing be continued to July 20, 2010. On a motion made and duly seconded, the Commission voted unanimously to continue the hearing to July 20, 2010.

Business:

The Commission reviewed a line item transfer to cover costs of office furniture. On a motion made and duly seconded, the Commission voted unanimously to approve the line item transfer.

The Commission reviewed a request for an extension for 7R County Road (Means). On a motion made and duly seconded, the Commission voted unanimously to extend the OOC for three years.

The Commission reviewed and signed the OOC for 24 Lufkin Point Road (Dutton).

The Commission reviewed the proposal received from Meridian Associates for Essex Park Drive. This item was moved to the next meeting.

On a motion made and duly seconded, the Commission voted unanimously to accept the minutes of June 1, 2010.

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

Approved: _____

Prepared by: _____