

ESSEX CONSERVATION COMMISSION

MINUTES

AUGUST 3, 2010

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

The Commission met with Sue McLaughlin and Robin Kanter of the Chebacco Lake Association regarding concerns in connection with the lake. Ms. McLaughlin asked if there had been a follow up regarding 31 E. Gregory Island Road, it was the Associations understanding that Mr. James had been requested to contact the Association regarding a vegetation buffer. The advised the Commission that, as of this date, no contact had been received. The Commission advised that they will have the Agent contact the applicant. The Association also asked if the Alewife Brook near the Apple Street bridge would be cleared this year. The Clerk will follow up to see if there had been any filings for the clearing in past years. The Association has offered to take the Commission on a boat tour of the lake to point out concerns. The Association will forward some available dates to the Clerk to arrange a day and time.

At the request of the applicants, on a motion made any duly seconded, the Commission voted unanimously to continue all public hearings scheduled for this meeting to August 17.

The Commission then moved on to regular business. The first item was a discussion regarding complaints received on projects on Cogswell Court. J. Hankin gave the Commission an overview of the issues which had been brought to the Commission and his site visits. At 16 Cogswell Court (C. Peyla) the Commission had been advised that there were boulders placed on an easement to conservation land. Mr. Hankin had been advised by the contractor that these boulders would be used for back fill and would be gone within a week. He had not observed any violations at this time and the easement is outside the jurisdiction of the Conservation Commission.

At 7 Cogswell Court (L. Peyla) advised that a retaining wall was not placed as indicated on the plan filed with the Commission. A concern had also been raised in connection with the location of the driveway. Mr. Hankin advised that the driveway did not go around the garage at this time and seemed to be in accordance with the plan. The Commission determined that a site visit should be scheduled with one or more Commissioners in attendance to determine if any further action should be taken. Mr. Ahearn agreed to go to the site visit the following Thursday. The meeting was then opened to the public. Ms. Sarita Moore was in attendance and advised the Commission that the issues with both 7 and 16 Cogswell Court had been going on for some time. Her concern was that there had been no action by the Commission or any other boards in town regarding the alleged violations of the town's by-laws. The Commission advised Ms. Moore that it would have the site visit and issue an Enforcement Order if it felt that it was necessary. Ms. Moore also advised that she had observed fill being added to the property

in 2004. The Commission advised that since the Commission had not been contacted at that time that Ms. Moore should contact the DEP regarding this matter. The Commission discussed authorizing Mr. Hankin to issue the Enforcement Order if he and Mr. Ahearn felt it was warranted. On a motion made and duly seconded, the Commission voted unanimously to authorize the Agent, J. Hankin, to issue an Enforcement Order if he deemed it appropriate.

On a motion made and duly seconded, the Commission voted unanimously to approve the minutes for the meeting of July 6, 2010.

The Commission discussed the position which needed to be filled on the Centennial Grove Committee. J. Ahearn volunteered to fill this position. The Clerk will advise the Town Administrator. On a motion made and duly seconded, the Commission unanimously voted to recommend J. Ahearn to be appointed to the Centennial Grove Committee.

R. Brophy advised the Commission that there had been some clearing of vegetation near the riverfront on Main Street. The Commission asked the J. Hankin follow up with the Town Administrator. It was the understanding of both the Clerk and the Agent that the area was to be mowed, not cleared.

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

Approved: _____

Prepared by: _____