

ESSEX CONSERVATION COMMISSION

MINUTES

APRIL 5, 2011

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

The Chairman opened the public hearing and advised that the hearing was being recorded for the benefit of the Clerk to prepare the minutes.

There being no public hearings scheduled for this meeting, the Chairman moved to the first item which was an appointment with Corey Jackson who was meeting with the Commission on behalf of Woodman's. Mr. Jackson explained that there was a drain on the property on Main Street which had deteriorated and was no longer allowing the water to drain off. This was causing issues with drainage in the parking area. J. Hankin advised that he had been to the property and had seen the site. It was his understanding that Mr. Woodman wanted to clear an area within the marsh that was being clogged due to improper drainage. S. Singleton asked if they were trying to clear a drain into the marsh. J. Hankin advised that he believed this was the case. Mr. Jackson advised that his understanding was that the drain would be in the parking area and he did not know about the drainage into the marsh. J. Hankin advised that a Determination had been issued in 2004 for the maintenance of the drain, but this had expired in 2007. S. Singleton stated that in the time she had been on the Commission that there had not been a project which had been approved for drainage directly into the marsh which would change the marsh. She knew that there were other methods which would slow down the drainage and filter the water before it went into the marsh. R. Brophy and S. Singleton felt that some type of grease or oil trap would be needed for the run off from the parking lot. The Commission continued to discuss the options for managing the run off into the marsh. It was determined that if the work could be kept within the buffer zone that an RDA would be sufficient but any work which needed to be done by or in the resource area would require an NOI. It was felt that any work would require a plan with the wetland areas and the river clearing delineated.

The Commission reviewed a Request for Certificate of Compliance for Paul Pennoyer of 57 Grove Street. J. Hankin advised that he had been to the property and had not seen any cause to deny the request. On a motion made and duly seconded, the Commission voted unanimously to issue the Certificate of Compliance.

The Agent reported that the gravel at 11 Patriot's Lane had been substantially removed. There was a small amount of gravel remaining but it is underwater. Mr. DeRosa has asked for an extension to May

1 to remove the rest of the gravel with rakes. On a motion made and duly seconded, the Commission voted unanimously to ratify the Enforcement Order with the change to the deadline to remove the gravel from April 1 to May 1.

The Agent then reported to the Commission that the DEP had issued a Superseding Determination for the clearing of the Alewife Brook and has required the Town to file a NOI. R. Brophy advised that there is an abandoned beaver dam which is effecting the level of the lake. He would like to see the NOI include the clearing of the silt by hand from the beaver dam to the lake. He would also like to see the weeds removed near Apple Street. These areas effect the running of the alewives. R. Brophy felt that the town would need assistance with the writing of the NOI. J. Hankin advised that the Commission could not participate in the writing of the NOI. He suggested that R. Brophy could assist and then recuse himself since he has been personally involved in the project all along. R. Brophy will follow up with the Town Administrator.

The Chairman advised that he had received an email from the Chairman of the Long Range Planning Committee requesting that one of the Commission members go to the meetings. W. Bruce advised that he had tried to attend the meetings on behalf of the Commission, however, it had become difficult for him to do this. The Commission felt that it would be better if a representative of the Long Range Planning Committee came to a meeting of the Commission to present the ideas they are considering for areas within the jurisdiction of the Commission. J. Hankin advised that he had met with a landscape designer who had showed him the plans for the “pocket parks” and told him that she understood that the projects would require a filing. J. Hankin advised the Commission that he had seen the plans for a boardwalk and advised the designer that it was very close to the resource area or possibly within it and would be difficult to permit. The Chairman will contact the Town Administrator regarding the request from the Long Range Planning Committee and that a representative from that committee should come to Commission to discuss any future plans. He will also advise that the Commission will be preparing a letter regarding the “pocket parks” and what the Commission would like to see in connection with the planning of the parks.

On a motion made and duly seconded, the Commission voted unanimously to accept the minutes of March 1, 2011

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

Approved: Essex Conservation Commission

Prepared by: Deborah Cunningham, Administrative Clerk