



ESSEX CONSERVATION COMMISSION

Minutes for the Meeting of October 16, 2012

Commissioners:

Wallace Bruce, Chairman
Robert Brophy
Elisabeth Frye

James Rynkowski*
Shirley Singleton

Staff:

James Hankin, Agent

Deborah Cunningham
Administrative Clerk

*Absent

The Commission continued of a Public hearing on a request for an Amended Order of Conditions filed by John McNiff, Jr. of J&L Land Company, LLC to amend the site plan to move the siting of the two residences previously approved and remove the approved pool from the plan at Lot 7 Low Land Farm Road. The applicant did not attend the meeting. The Clerk advised that this was most likely because the BOH had not yet given approval to the changes requested. The Commission decided to continue the hearing on behalf of the applicant to October 30, 2012. On a motion made and duly seconded, the Commission voted unanimously to continue the hearing to October 30, 2012.

The Commission opened a Public meeting on a Request for Determination of Applicability filed by JJML Realty Trust, Leonard Zide, Trustee to remove existing driveway pavement and replace with the 12' wide porous pavement driveway at 95 Apple Street. Applicant's representative presented plan. The applicant's representative explained the project and the purpose for the changes to the drive. The Commission determined that the project would have no significant impact on the area. On a motion made and duly seconded, the Commission voted unanimously to close the public meeting. On a motion made and duly seconded, the Commission voted unanimously to issue a Negative Determination with the condition that the Agent be contacted to inspect the erosion control once it was installed.

The Commission opened a Public meeting on a Request for Determination of Applicability filed by Henry McKean to replace two or more structural posts as part of rebuilding an existing porch at 94 Eastern Avenue. The applicant's representative attended the meeting to answer any questions for the Commission. The Agent explained that he had visited site and advised that an RDA would be sufficient as long as the only work would be the replacement of the posts. The Commission agreed that the work would be minimal and the applicant could replace as many posts as necessary. On a motion made and duly seconded, the Commission voted to close the public meeting. On a motion made and duly seconded, the Commission voted unanimously to issue a Negative Determination with the condition that the Agent be contacted for a compliance inspection when the work was completed.

The Commission opened a Public hearing on a Notice of Intent filed by Stephen Kelley of P.T. Kelley, Inc. to raise the grade of an existing backyard to mitigate flood risk to the home during extreme high tides at 97 Conomo Point Road. The applicant's representative described the project for the Commission. The Commission agreed that a site visit would be necessary to properly understand the scope of the work and scheduled a date for that inspection. The Agent advised that, at this time, the project had not been received and/or accepted by DEP and issued a filing number. Pending the site visit and the issuance of the filing number, the Commission and the applicant's representative agreed to continue the hearing. On a motion made and duly seconded, the Commission voted unanimously to continue the hearing to October 30, 2012.

Business:

The Agent presented his report for the items he had reviewed since the Commission's last meeting which included, but were not limited to, site inspections, review of building permit applications, possible violations, DPW projects and other relevant matters.

The Commission reviewed Requests for Certificates of Compliance. On a motion made and duly seconded, the Commission voted unanimously to issue the Certificate of Compliance for 3 Riverview Hill. On a motion made and duly seconded, the Commission voted unanimously to issue the Certificate of Compliance for 234 John Wise Avenue. The Clerk advised that two additional requests for 234 John Wise Avenue had been presented. During a review of the file, the original Certificates of Compliance which had been signed by the Commission in 1985 were still in the files and had never been issued to the applicant. The Certificates were complete, however, the book and page information for the filing of the Order of Conditions was incorrect. Addendums had been prepared correcting this information and it was requested that these documents be signed by the present Commission to be attached to the original Certificates of Compliance and to correct the clerical error. On a motion made and duly seconded, the Commission voted unanimously to sign the addendums to the original Certificates of Compliance for 234 John Wise Avenue to correct the clerical error.

The Chairman presented the Minutes for the meeting of September 4, 2012 for approval. On a motion made and duly seconded, the Commission voted unanimously to approve the minutes as presented.

Two potential candidates for the open seats on the Commission attended the meeting. The Commission briefly explained what the duties of the Commission were and the procedure to be appointed. The Chairman will conduct telephone interviews with each candidate and then recommend to the Selectmen the appointments if he feels it is appropriate.

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

Approved: Essex Conservation Commission

Prepared by: Deborah Cunningham, Administrative Clerk