



## ESSEX CONSERVATION COMMISSION

Minutes for the Meeting of April 16, 2013

### Commissioners:

Wallace Bruce, Chairman  
Robert Brophy  
Elisabeth Frye  
Ted Marshall\*

James Richardson\*  
Shirley Singleton\*  
Samantha Stevens

### Staff:

Deborah Cunningham  
Administrative Clerk

\*Absent

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The Commission continued a Public hearing on a Notice of Intent filed by Ted Guldmond to raise the grade of an existing backyard to mitigate flood risk during extreme high tides at 5 Ralston Lane. The Clerk advised that the applicant had requested that the hearing be continued to the next meeting. On a motion made and duly seconded, the Commission voted unanimously to continue the hearing to the meeting scheduled for April 30, 2013.

The Commission continued a Public hearing on a Notice of Intent filed by David Brown of Shea's Restaurant to construct a seasonal deck with a fence and handicap access gate and replace existing rail road tie wall with a stone wall at 122 Main Street. Mike DeRosa of DeRosa Environmental represented the applicant. He submitted a revised site plan for the project which incorporated changes based on set backs for the fence and comments received from an abutter. The Clerk advised that she had spoken with Edward Culverson, the abutter and briefly outlined his concerns. Mr. Culverson was unavailable to attend the meeting but the manager for the property was in attendance and advised that the concerns had all been satisfied. There being no further discussion, on a motion made and duly seconded, the Commission voted unanimously to close the public hearing. The Commission discussed the issuance of an OOC. On a motion made and duly seconded, the Commission voted unanimously to issue an OOC.

The Commission opened a public meeting on a Request for Determination of Applicability filed by Jud Lane of Curlew Cove Realty Trust to fill deep trough with material from same lot and grade, cover with loam and seed area at 21 Lane's Road. Mr. Lane explained the project to the Commission and provided some history of the property. There being no concerns from the Commission, on a motion and duly seconded, the Commission voted unanimously to close the public meeting. The Commission discussed the issuance of a Determination. On a motion made and duly seconded, the Commission voted unanimously to issue a negative determination.

The Commission opened a public meeting on a Request for Determination of Applicability filed by Mark Osborne to install a 2000 gal. monolithic septic holding tank and connect to building sewer; backfill and

establish final grade; pump existing failed system and abandon at 22 Cogswell Road. Rick Clarke represented the applicant and explained the project to the Commission. There being no concerns from the Commission, on a motion and duly seconded, the Commission voted unanimously to close the public meeting. The Commission discussed the issuance of a Determination. On a motion made and duly seconded, the Commission voted unanimously to issue a negative determination.

The Commission opened a public meeting on a Request for Determination of Applicability filed by Mary Beth Tirrell to install a 2000 gal. monolithic septic holding tank and connect to building sewer; backfill and establish final grade; pump existing failed system and fill by hand at 20 Cogswell Road. Rick Clarke represented the applicant and explained the project to the Commission. There being no concerns from the Commission, on a motion and duly seconded, the Commission voted unanimously to close the public meeting. The Commission discussed the issuance of a Determination. On a motion made and duly seconded, the Commission voted unanimously to issue a negative determination.

The Commission opened a public hearing on a request for an Amended Order of Conditions filed by Andrew and Lisa Briggs c/o Dreamline Modular Homes, LLC to modify the placement of the residence on an already approved plan at Lot 2 Low Land Farm Road. The Clerk advised that the applicant had not provided the necessary plans and no representative had attended the meeting. She advised that the Commission continue the hearing so she could contact the applicant on the status of the project.

Business:

The Commission reviewed a building permit application for Lot 11, 69 Choate Street and determined that the project was outside the Commission's jurisdiction. The Chairman signed the building permit application.

The Chairman presented the Minutes from the meeting of March 19, 2013 for approval. On a motion made and duly seconded, the Commission voted unanimously to accept the minutes as presented.

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

Approved: Essex Conservation Commission

Prepared by: Deborah Cunningham, Administrative Clerk