



ESSEX CONSERVATION COMMISSION

Minutes for the Meeting of November 5, 2013

Commissioners:

Wallace Bruce, Chairman
Robert Brophy
Elisabeth Frye
Ted Marshall*

James Richardson
Shirley Singleton
Samantha Stevens*

Staff:

Deborah Cunningham
Administrative Clerk

Bill Decie, Agent

*Absent

The Commission opened a public meeting on a Request for Determination of Applicability filed by Suzanne Eliastam to install a building sewer pipe at 42 Lakeshore Drive. The Clerk advised that there would be no representative due to scheduling conflicts and that the project was for the installation of a sewer pipe to connect the garage to the septic system. The Agent advised that he had reviewed the plan and application and did not see any problems. The Commission agreed that it was a simply project but inquired if the Board of Health had approved. The Clerk advised that, to date, the Board of Health had not issued an approval. There being no further questions, the Chairman requested a motion to close the public meeting. 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 applicant receive BOH approval before commencing work.

David Santomeme of Essex Greenbelt presented a Conservation Restriction for the Commission's recommendation of acceptance. Mr. Santomeme advised that the majority of the CR would be held by the Town of Ipswich but a small portion was in the Town of Essex and would be held by the Manchester-Essex Conservation Trust. The Commission had no concerns with the CR. On a motion made and duly seconded, the Commission voted unanimously to sign the Municipal Certificate. On a motion made and duly seconded, the Commission voted unanimously to recommend to the Selectmen that they approve the CR.

Peter Chanty attend the meeting at the request of the Commission to discuss a complaint which had been received from the DEP of possible violations at 156 Main Street. Mr. Chanty advised that he was not the property owner but the tenant. Mr. Decie explained that the DEP had advised that there was a dumpster and some propane canisters within resource areas. He advised that, after a review of the files, it was his opinion that the dumpster had been there for many years and did not need to be removed. He asked if the propane tanks and

concrete barriers could be removed or relocated. Mr. Chanty advised that the propane tanks belonged to another vendor and he would contact them to have them removed immediately. The Commission agreed that this would close this matter and the Agent would follow up to see that the tanks and barriers were gone.

The Commission met with Joseph Romano regarding a boardwalk which had been installed at 29 Robbins Island Road without permitting. Bill Manuel of Wetlands Land Management was also in attendance to advise Mr. Romano. Mr. Romano explained that he did not know that he had to have permitting to construct that boardwalk and that, due to the way it was installed, it would be easily removed and he would do that if that was the Commission's decision. Mr. Manuel advised that the installed had caused minimal impact and that this impact would probably be reversed at the first high tide. The Commission asked that Mr. Manuel provide the Commission with a letter outlining the current situation and how the boardwalk would be removed and that the boardwalk be removed immediately. The Agent was requested to follow up on the removal. Mr. Manuel was also asked to provide a written report of any impact after the boardwalk was removed and the steps which would be taken to repair the damage.

The Commission discussed the Request for a Certificate of Compliance for 148 Main Street. The Clerk presented a response from MACC on the issue of work which was partially done but not completed and an expired OOC. It was determined that at this time the Commission had insufficient information to proceed and that the Agent should do a site visit. The matter was tabled until the next meeting.

The Commission reviewed a Request for a Certificate of Compliance for Low Land Farm Road, Lot 1. The Clerk advised that the current owners did not have an "as-built" for the property because the engineering firm that had prepared it was no longer in business and had advised the homeowners that the files had been destroyed. The Commission determined that the documentation provided by the applicants was sufficient to issue the Certificate of Compliance. On a motion made and duly seconded, the Commission voted unanimously to waive the "as-built" plan requirement in the OOC. On a motion made and duly seconded, the Commission voted unanimously to issue the Certificate of Compliance.

The Commission reviewed a Request for a Certificate of Compliance for 24 Lufkin Point Road. The Clerk advised that the project was for the expansion of a parking area and was dated 1988. The property was now in an estate and was being sold. The trustee of the estate had no records for the project. On a motion made and duly seconded, the Commission voted unanimously to issue the Certificate of Compliance.

The Chairman presented the minutes from the meeting of October 1, 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