



ESSEX CONSERVATION COMMISSION

Minutes for the Meeting of March 4, 2014

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 Alfred and Shirley Descenza to raise the height of a stonewall to minimize flooding at 7 Beach Circle. Mr. Frank Carter was in attendance to represent the Descenzas and is the contractor for the proposed work. He explained that the work had been started and that, upon receiving an Enforcement Order with a Cease and Desist clause, that the work had been suspended and the RDA had been filed. He explained that at this time, the applicants wanted to raise the height of a wall already installed on the property. The Commission had some concerns about using boulders with filler to complete the wall. After discussion, it was determined that a site visit would be necessary to fully understand the extend of the project. The site visit was scheduled and, on a motion made and duly seconded, the Commission voted unanimously to continue the hearing until the regularly scheduled meeting of March 18.

Business:

The Commission reviewed the draft of the Enforcement Order prepared by Town Counsel for the violation on the right of way known as Annabelle Ave off of Wood Drive. It was determined that the Enforcement Order, as written, would be sent to all five homeowners claiming use and right to the rights of way. The Commission agreed on a date of April 1 for the parties to attend the meeting to discuss the work done. On a motion made and duly seconded, the Commission voted unanimously to issue the Enforcement Order as presented by town counsel and with the date of appearance for April 1.

The Commission was advised by the Clerk that there had been no response to an Enforcement Order issued for 21 Western Avenue. R. Brophy will follow up with the party using the property.

The Commission reviewed and discussed the draft wetlands by-law the the Agent had presented for approval to submit for the Annual Town Meeting. The Commission discussed the options for presenting this to the Selectmen and at Town Meeting and determined that a separate meeting to discuss this matter specifically would be needed to give the Commissioners a change to review the by-law and consider ideas for best presenting it to the town. A meeting was scheduled for March 11 at 7 pm. The Clerk was instructed to post the meeting in accordance with the Open Meeting Laws.

The Clerk presented the Amended Definitive Subdivision Plan for a Central Conomo Point Zoning District received from the Planning Board for comments. At this time, the Commission has no comments.

The Commission reviewed and, on a motion made and duly seconded, unanimously voted to issue the Order of Conditions for the project at 65 Eastern Avenue.

The Commission reviewed and, on a motion made and duly seconded, unanimously voted to issue the Determination of the project at 10 Orchard Road.

The Commission reviewed and, on a motion made and duly seconded, unanimously voted to issue the partial Certificate of Compliance for 148 Main Street.

The Chairman presented the Minutes of the meeting of January 7, 2014 for approval. On a motion made and duly seconded, the Commission voted unanimously to approve 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