



## ESSEX CONSERVATION COMMISSION

Minutes for the Meeting of June 17, 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

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The Commission opened a public hearing on a Request to Amend the Order of Conditions filed by Lyndsey Pierro to amend the current plan on file with the Commission to add an 18' x 24' family room and a 12' x 16' deck at 88 Belcher Street. The applicant's representative, Tom Ford of Ford Properties explained that the changes being made would not be significant and would create no further disturbance to the area. The Commission questioned if the changes had been approved by the BOH. Mr. Ford explained that he had not spoken with the BOH because he wanted to get the Commission's input first. The Commission requested that the approval of the BOH be obtained prior to closing the public hearing. Mr. Ford agreed. On a motion made and duly seconded, the Commission continued the public hearing.

The Commission continued a public meeting on a Request for Determination of Applicability filed by the Board of Selectmen for the Town of Essex to pave the gravel area on the Cogswell Road Extension. The Commission had asked for additional information as suggested by the DEP regarding the management of water runoff. This information had been provided by Horsley Witten and added to the file. It was determined that due to the location and limitations of the area that the current swale would provide the necessary protection. On a motion made and duly seconded, the Commission voted unanimously to close the public hearing. On a motion made and duly seconded, the Commission voted unanimously to issue a negative Determination.

The Commission opened a public hearing on a Notice of Intent filed by the Town of Essex to demolish a single family home and attached garage and construction of a gravel parking area at 138 Conomo Point. Brendhan Zubricki, Town Administrator and Laura Krause of DeRosa Environmental represented the Board of Selectmen. It was explained that the property was now in full possession of the town and that the buildings on the property were in disrepair and now a safety hazard. The town was requesting that the buildings be demolished and the area graveled. The Chairman opened the

hearing up to the public. Those in attendance expressed concern about the use of the area for parking and asked if the area could be returned to a grass area instead. Mr. Zubricki explained that at this time there were no plans for using the lot for parking but it would be graveled to help with maintenance until the Town voted on a change of use for the lot at the fall town meeting. The use of the word "parking" in the application and legal notice had been in error. The Commission asked if the representative for the town would amend the application form to remove the references to "parking" and provide some additional suggestions for the use of the lot instead of the gravel. Mr. Zubricki agreed to this and to a continuance of the hearing. On a motion made and duly seconded, the Commission voted unanimously to continue the hearing.

The Commission continued a public hearing on a Notice of Intent filed by David Kempkie to construct a single family residence with associated driveway, utilities and landscaping at 36R2 Story Street. The Commission had done a site visit for this project after the last meeting. They had asked that a screen of shrubs be placed along the driveway as a filter for the resource area and this had been agreed to. A new plan was submitted. The applicant had not agreed to changes in the location of the driveway and entrance of the garage to bring the project further from the resource area. On a motion made and duly seconded, the Commission voted unanimously to close the public hearing. On a motion made and duly seconded, the Commission voted unanimously to issue an Order of Conditions.

The Commission opened a public hearing on a Notice of Intent filed by Tom and Joe Pallazola of Pallazola Brothers Landscape Construction & Maintenance, LLC to construct a 50' x 100' metal storage building at 60 John Wise Avenue. Robert Griffen of Griffen Engineering represented the applicants and presented the project. He explained in response to questions from the Commission that this location was the least invasive and still allowed the necessary access for vehicles. On a motion made and duly seconded the Commission voted unanimously to close the public hearing.

Public hearing on a Notice of Intent filed by Charles Cataldo to replace the existing SAS with new Title V septic system and a house addition at 125 Rocky Hill Road. Dan Johnson represented the applicant and explained that the owners were upgrading an existing home. The Commission was not familiar with the property and the Agent had been unable to do a site visit so the Commission asked that the hearing be continued until the Agent could see the site and give his recommendations. The applicant agreed to the continuation and a meeting was arranged for the following Monday.

Business:

The Commission was presented with two Enforcement Orders for ratification issued to Ciciora Tree and Essex Tree for pumping water from the Alewife Brook. The Clerk explained that these had been issued at the request of the Agent due to complaints received from the public who had observed the pumping. No action had been required from the companies other than to discontinue the pumping. On a motion made and duly seconded, the Commission voted unanimously to ratify both of the Enforcement Orders.

The Clerk presented Requests for Certificates of Compliance for 82R Eastern Avenue, 65 Eastern Avenue and 69 Choate Street. On a motion made and duly seconded, the Commission voted unanimously to issue the Certificates of Compliance for 82R Eastern Avenue, 65 Eastern Avenue and 69 Choate Street.

MINUTES FOR ECC MEETING

June 17, 2014

The Chairman presented the minutes of May 20, 2014 for approval. On a motion made and duly seconded, the Commission voted unanimously to approve the minutes.

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

Approved: Essex Conservation Commission

Prepared by: Deborah Cunningham, Administrative Clerk