



## ESSEX CONSERVATION COMMISSION

Minutes for the Meeting of October 16, 2014

### 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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Mr. Brophy acted as Chairman in the absence of Mr. Bruce.

The Commission reviewed a Building Permit Application and Mr. Brophy signed the application as the project was not within the Commission's jurisdiction.

Mr. Bruce and Mrs. Frye arrived at approximately 7:54 pm. Mr. Bruce continued as Chairman for the remainder of the meeting.

The Commission opened a public meeting on a Request for Determination of Applicability filed by Mary Duncan Trust to move all woodchips, grinders, splitters, sheds and lumber outside the 50 ft buffer zone with fencing and boulders to mark the limit of the approved work area and to seed any areas of exposed or disturbed soil within 50 ft of wetlands and 100 ft of the stream with conservation seed mix which will be allowed to re-vegetate at 0 Story Street. Mary Rimmer of Rimmer Environmental represented the applicant who was filing the RDA in response to an Enforcement Order. Ms. Rimmer explained that the site had been cleaned up and that material which had been in the resource area had been removed. The Commission discussed how to delineate the "no work" area which was 50' from the resource area. Given the time concerns, the Commission decided to close the public meeting and discuss issuance of the Determination during the business portion of the meeting. On a motion made and duly seconded, the Commission voted unanimously to close the public meeting. During the business portion of the meeting, the Commission discussed the delineation of the "no work" area and gave consideration to the concerns which had been expressed regarding mowing of the area and determined that 3/4" galvanized pipes would be placed every 50' along the line as shown on the plan presented. The applicant would place markers, such as driveway makers used for snow removal, into the pipes which could then be removed for mowing. The also discussed the guidelines for use of a grinder on the property. On a motion made and duly seconded, the Commission voted unanimously to issue a Negative Determination with the condition that the galvanized pipes be installed as discussed and that the grinder be used on site two times per year for no more than 40 hours each time.

The Commission opened a public hearing on a Notice of Intent filed by Gregory Crockett to upgrade an existing septic system at 130 Rocky Hill Road. Mary Rimmer of Rimmer Environmental represented the applicant. She gave an overview of the project and advised that it was the upgrade of a septic system which was being required as part of the sale of the home. The Commission had no concerns with the project and on a motion made and duly seconded, voted unanimously to close the public hearing. During the business portion of the meeting, the Commission agreed to issue a standard OOC with the standard special conditions. Mr. Bruce agreed to be the overseer for this project. On a motion made and duly seconded, the Commission voted unanimously to issue an OOC with standard conditions for this project.

The Commission opened a public meeting on a Request for Determination filed by the Alewife Condominium Trust to structurally reinforce an existing steel bridge with footprint to remain unchanged, existing concrete abutments to remain in place, bridge deck will be removed and new steel beams will be placed from above between existing beams, existing member to remain in place and be treated with rust inhibitor to prevent further rust flakes from entering stream at 106 Western Avenue. Mr. Bruce requested that Mr. Brophy act as Chairman for this hearing as he was an immediate abutter. Emilie Cademartori represented that applicant and presented the project. She explained that the bridge would be worked on in two sections because access had to be maintained to the businesses using the bridge. All work would be done from above. The Commission asked about adding an oil boom downstream and Ms. Cademartori advised that this would not be a problem. On a motion made and duly seconded, the Commission voted unanimously to close the public meeting. During the business portion of the meeting, the Commission discussed the issuance of a Determination. It was determined that a Negative Determination would be issued with the condition that the oil boom be added downstream. On a motion made and duly seconded, the Commission voted unanimously to issue the Negative Determination.

The Commission continued 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 area at 138 Conomo Point. Mr. Marshall recused himself from this hearing as Trustee of an abutting property. The Commission had been provided with the additional information they had required regarding ownership of the property. Mr. DeRosa, representing the town, explained that the DEP had advised that the lot should be graveled to retain the town's rights to development at a future date. The Commission opened up the hearing to comments from the public. Kim Smith advised the Commission that it was her opinion that the residence on the property was still owned by her family. She also cautioned the Commission that the removal of the foundation could potentially cause erosion problems in the area. Other abutters brought up the issue of using the lot as a parking area and it was again explained that not use for the property had been determined at this time and that a town vote would be needed to change the use of the property before any further work could be done. At that time, another application would have to be filed with the Commission. There being no further comments, on a motion made and duly seconded, the Commission voted unanimously to close the public hearing. During the business portion of the meeting, the Commission discussed issuing the OOC for the project. It was determined that the OOC would be issued with the following conditions: 1) only the one tree that was determined to be diseased at the back of the lot would be removed; 2) all grassy areas would be reseeded once the project was completed; and 3) boulders would be placed around the property line to deter parking as

suggested by the DEP. On a motion made and duly seconded, the Commission voted unanimously to issue the OOC with the above conditions.

The Commission continued a public hearing on a Notice of Intent filed by Carlton Coose to permit after the fact removal of trees, the construction of a vegetable garden, construction of a drainage ditch, the maintenance of an existing stone wall, the construction of a new stone wall and to propose the enclosure of an existing deck, re-gravel driveway, install boulders along driveway, install fence, and construct a gravel driveway extension within 100 ft of Chebacco Lake at 75 Wood Dr. Mr. Brophy asked to be excused from this hearing. Greg Hochmuth represented Mr. Coose and explained the changes to the plan which had been given to the Commission at the last meeting to review. The Commission discussed with Mr. Hochmuth how mitigation could be done for the removal of the pine trees. Mr. Hochmuth agreed that this could be an option and suggested that the Commission continue the hearing to allow him to come up with a planting plan for the Commission to review. On a motion made and duly seconded, the Commission voted unanimously to continue the public hearing.

Business:

The Commission signed the OOC for 125 Rocky Hill Road which had been voted on at the last meeting.

The Chairman presented the minutes from the meeting of July 15, 2014 for approval. On a motion made and duly seconded, the Commission voted unanimously to approve the minutes as presented.

S. Singleton advised the Commission that she had been meeting regularly with the owner of the Essex Marina. She explained that the work was progressing as permitted under the Determination and that a NOI was being prepared for the additional work.

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

Approved: Essex Conservation Commission

Prepared by: Deborah Cunningham, Administrative Clerk