



ESSEX CONSERVATION COMMISSION

Minutes for the Meeting of September 22, 2015

Commissioners:

*Absent

Staff:

Wallace Bruce, Chairman
Robert Brophy*
Angus Bruce
Michael Burke

Elisabeth Frye
Ted Marshall
James Richardson

Deborah Cunningham
Administrative Clerk

Samantha Stevens, Agent

The Commission continued public hearing on a Request for Determination of Applicability filed by the Town of Essex, Board of Selectmen to remove existing dwelling from its slab and kneewall(s) at 153 Conomo Point Road. W. Bruce asked that the public and the Commission remember that the hearing was to discuss and review wetlands issues only and that other matters would not be considered. Brendhan Zubricki spoke for the Town and asked that Mike DeRosa again give an overview of the project which had been presented at the July meeting and again asked that the Commission issue a Determination. Mr. DeRosa explained that the project would not cause any damage to the abutting wetland areas and that the seawall that was already in place would be a protection. A question was asked about asbestos and lead in the building and B. Zubricki advised that all necessary permits would be obtained and testing would be done prior to the demolition. The Chairman opened the meeting up for public comments. Sarah Cushing asked if the Commission would approve a new structure on the site. It was explained that the site was being kept in a degraded state so that the town would have options for the site in the future. All plans would have to be submitted to the Commission for review. Steven Cutherbertson asked if there was any issue with leaving the structure "as is" or tearing it down. S. Stevens responded that the current structure was not being maintained and the lot would be safest to maintain once the structure was removed. Joan Woodward asked when a decision would be made as to the use of the property. B. Zubricki advised that a master plan had been presented to the town for a non-binding vote and had been accepted overwhelmingly. It was also discussed that if future projects were did not get financial backing that the lot could remain in a degraded state. Concerns were made that the lot would be used for unauthorized parking. It was suggested that "No Parking" signs be posted so that the police could enforce that restriction. A question was raised about removing the concrete slab and it was again advised that any future work would have to be reviewed by the Commission. There being no further comments, the Chairman requested a motion to close the public hearing. On a motion made and duly seconded, the Commission voted unanimously to close the public hearing. The Commission discussed the issuance of the Determination and any conditions that would be required. It was decided to ask that all breaches in the seawall be covered with either a silt sock or haybales, that "No Parking" signs be erected and that the vegetation on the property be regularly maintained. On a motion made and duly seconded, the Commission voted unanimously with T. Marshall abstaining to issue a Negative Determination with the agreed conditions.

MINUTES FOR ECC MEETING
January 3, 2016September 22, 2015

Continuation of a Public hearing on a Notice of Intent filed by David Rimmer of Essex County Greenbelt Association to construct an observation platform at 82 Eastern Avenue. The Clerk advised that the applicant would not be present for this hearing. She also advised that a DEP number had been issued but that the project was still under review. She then submitted an email from the applicant advising that they wished to close the public hearing and would address comments, if any, which were received by the DEP. On a motion made and duly seconded, the Commission voted unanimously to close the public hearing. On a motion made duly seconded, the Commission voted unanimously to issue a standard Order of Conditions.

The Agent advised that she had been asked to check on a complaint that there had been dumping at 65 Eastern Avenue into a wetland area. She explained that she had been on site and determined that the area of dumping did effect the wetland area and that an Enforcement Order had been issued. The property owner would be working with the Agent and a wetlands professional to remove the debris and stabilize the site. On a motion made and duly seconded, the Commission voted unanimously to ratify the Enforcement Order as issued.

The Clerk advised that she had been contacted by the property owner of 147 Eastern Avenue and that the Request for a Certificate of Compliance would be submitted. She also submitted a planting report for the Commission's review.

The Commission signed the Determination for 52 Martin Street and the Order of Conditions for 12 Lufkin Point Lane which had been voted on at the last meeting.

The Chairman presented the minutes for the meeting of August 18, 2015 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