



ESSEX CONSERVATION COMMISSION

Minutes for the Meeting of April 7, 2020

Commissioners:	*Absent	Staff:
Michael Burke, Chairman	Kevin Cooke	Deborah Cunningham
Cliff Ageloff	Ted Marshall	Administrative Clerk
Thomas Barrieau	Lauren Sanderson	
		Ken Whittaker, Agent

Consistent with the Governor's orders suspending certain provisions of the Open Meeting Law and banning gatherings of more than 10 people, this meeting was conducted by remote participation to the greatest extent possible. The Conservation Commission and the public was not physically in attendance at this meeting, but every effort was made to allow the public to participate in the meeting in real time. Persons who wished to do so were invited to join the meeting from a computer, tablet or smartphone by using a GoToMeeting link or dialing in using a phone.

The Commission opened a public hearing on a Notice of Intent filed by Arthur Allen to demolish and rebuild existing structure with added paving areas, rebuild wall and cut 2 trees at 21 Lakeview Road. Mr. Arthur Allen gave the Commission an overview of the work being proposed. The Commission had concerns regarding the proximity of the some of the work to the wetlands resource areas and the removal of the trees. Mr. Allen explained that he had no objection to leaving the trees but would like to have the removal included in the Order of Conditions for potential buyers. The Commission reached a consensus that the Agent should conduct a site visit and provide the Commission with photographs before a final decision was made. The applicant agreed to a continuance. On a motion made and duly seconded, the Commission voted unanimously to continue the hearing to the meeting of April 23, 2020.

The Commission opened a public hearing on a Notice of Intent filed by Frederic Little to construct a single family home with detached garage, access driveway, install a sub-surface disposal system with site preparation, drainage and stormwater management and proposed mitigation at 0 Spring Street. Commissioner Barrieau recused himself from this item due to his proximity to the project. Mr. Michael DeRosa of DeRosa Environmental gave an overview of the project to the Commission. He explained that the only access to the site was over an easement which crossed a wetland resource area. To compensate for this work, mitigation was included in the plans. The Commission expressed concerns about the use of the easement. It was also noticed that the owner of the easement and the property reference had not been referenced on the application form. The Commission reached a consensus that a site visit would assist the Commission in making a decision. They also requested further information on

the use of the easement. A site visit was scheduled for April 14, 2020. The applicant agreed to a continuance to allow for the site visit and research on the easement. On a motion made and duly seconded, the Commission voted unanimously to continue the hearing to the meeting of May 5, 2020.

The Commission reviewed and discussed the issuance of the draft Emergency Certificate for work at 27 Grove Street to clean a drainage ditch. The work was needed to alleviate flooding in the basement of the home. The Commission reviewed a draft of the Notice of Intent application that would be filed. The Agent explained that the work needed to be completed in a timely basis to alleviate the flooding issues with the residence. The Commission recommended some minor revisions to the Certificate. A Notice of Intent application would be filed to record the work. On a motion made and duly seconded, the Commission voted unanimously to issue the Emergency Certificate as amended.

The Commission reviewed a draft cease and desist letter for work at 11 Choate Street. The Commission made recommendations for amendments. On a motion made and duly seconded, the Commission voted unanimously to authorize the issuance of the cease and desist letter with amendments.

The Commission reviewed the report issued on 15 Burnham Court. Mr. Micheal DeRosa of DeRosa Environmental gave the Commission an overview of the report. After the review, the Commission reached a consensus that the applicant should submit a restoration plan for work done on the bank and agreed that the plan should be submitted by May 1, 2020. The Enforcement Order would be amended to reflect the new submittal date. On a motion made and duly seconded, the Commission voted unanimously to amend the Enforcement Order.

The Commission agreed to table the discussions on a potential bylaw and the commissioner guidelines to the next meeting.

The Commission discussed the use of electronic signatures on documents issued during the stay at home order. The Clerk provided information language to be added to the documents. On a motion made and duly seconded, the Commission voted unanimously to authorize the use of electronic signatures until the stay at home order was lifted with the language as presented.

The Chairman presented the minutes of the meetings of March 3 and March 24, 2020 for approval. On a motion made and duly seconded, the Commission voted unanimously to approve the minutes as presented.

There being no further business, on a motion made and duly seconded, the meeting was adjourned.

Approved: Essex Conservation Commission

Prepared by: Deborah Cunningham, Administrative Clerk