



ESSEX CONSERVATION COMMISSION

Minutes for the Meeting of August 4, 2020

Commissioners:	*Absent	Staff:
Michael Burke, Chairman	Kevin Cooke	Deborah Cunningham
Cliff Ageloff	Ted Marshall	Administrative Clerk
Thomas Barrieau	Laureen 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 discussion regarding the Enforcement Order for 15 Burnahm Court. Mr. Brendhan Reilly was in attendance with his representative, Mr. Matt Hamor of Landplex. The property owner, Ms. Amy Reilly, had submitted pictures of the disturbed area showing the extent of the stone that had been removed. A request had been made to have this matter closed. The Commission reviewed the photos submitted by the property owners and those submitted by the Agent. Concerns were raised by some Commissioners that there were still "pockets" of stone that needed to be removed. It was also discussed that, although the Commission may stipulate that the removal of the stone was complete, the Enforcement Order could not be "closed" due to requirements of monitoring. There was discussion regarding access to the property for monitoring purposes. Mr. Hamor explained that "plugs" from the salt marsh had been replanted in the disturbed area and provided photos to show this work. Commissioner Ted Marshall advised the Commission that he passed the site of the work being done on a daily basis. It was his opinion that the area was in much better condition than previously observed. The Commission agreed that a site inspection would be needed to evaluate the current condition of the site. Mr. Reilly agreed to this stipulation. The Administrative Clerk would coordinate a date and time for the site inspection. The matter would be tabled until the next meeting.

The Commission opened a public hearing on a Request for Determination of Applicability filed by Glenn Jernegan to construct a 5'-6' fence along the northwest border at 6 Dodge Street. Due to issues with Mr. Jernegan connecting to the meeting and the hearing starting late, the Commission suspended this hearing until Mr. Jernegan could be available. After the hearings on 97 Conomo Point Road and 25

Centennial Grove Road, Mr. Jernegan was able to call in and was able to answer questions from the Commission. The Agent explained that the placement of the fence would be in a previously disturbed lawn area but was adjacent to a gully. Although possibly exempt, the Agent had felt it prudent to have the Request for Determination filed. There being no questions from the public, the Commission moved to close the public hearing. 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 with no conditions.

The Commission opened a public hearing on a Notice of Intent filed by Stephen Kelley to demolish current structure and build a new single family house at 97 Conomo Point Road. Ms. Evin Guvendiren of DeRosa Environmental Consulting gave an overview of the project. The Commission asked about the proposed mitigation and the type and size of plants/trees to be used. Ms. Guvendiren gave a brief description of the planting planned. The Commission requested the the plan be updated to give specific details on the size of the plantings to be used. There was also a discussion regarding the trees that would need to be removed. The Commission asked that the trees be located on the plan and that the size of the trees to be planted also be specified. The Commission requested that the hearing be continued to allow for the revised plan to be submitted and reviewed. Ms. Guvendiren agreed to this on behalf of the applicant. On a motion made and duly seconded, the Commission voted unanimously to continue the hearing to the next meeting.

The Commission continued a public hearing on a Notice of Intent filed by Zachary Brady to remove trees for the purpose of landscaping and orchard planting at 25 Centennial Grove Road. This hearing had been continued pending a site inspection by the Commissioners. Mr. Zachary Brady was available and reviewed the project with the Commission along with the revised documents prepared based on comments from the site inspection. The Commission still had concerns about the delineation of the wetlands. A consensus was reached that the area should be delineated by a wetlands professional before the hearing was closed and a decision was reached on authorizing the work. Mr. Brady agreed to continue the hearing pending the delineation. On a motion made and duly seconded, the Commission voted unanimously to continue the public hearing to the next meeting.

The Commission continued a public hearing on a Request for Determination of Applicability filed by Carter Roberts to install a gravel road and storage at 197R Western Avenue. The applicant was not available but had submitted a request for a continuance to October 20, 2020. On a motion made and duly seconded, the Commission voted unanimously to continue the public hearing to October 20, 2020.

The Chairman presented the minutes of the meeting of July 7, 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