



## ESSEX CONSERVATION COMMISSION

Minutes for the Meeting of June 21, 0222

### Commissioners:

\*Absent

+Remote

### Staff:

Cliff Ageloff  
Thomas Barrieau  
Kevin Cooke

Bill Levy  
Ted Marshall\*  
Laureen Sanderson

Deborah Cunningham  
Administrative Clerk

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The Conservation Commission held a public meeting under the Massachusetts Wetland Protection Act, M.G.L. Chapter 131, Section 40 at 7:00 pm on Tuesday, June 21, 2022. The meeting was held at Town Hall, 30 Martin Street. Remote access was provided.

The Commission reviewed inquiries submitted to the Conservation office.

The Commission met with potential candidate, Sharon DeMeo, for the open vacancy.

The Commission opened a public hearing on a Request for Determination of Applicability filed by Julian Balili to repair an existing stone wall, modify an existing sunporch and construction of an addition at 184 Western Avenue. Mr. Julian Balili was in attendance and explained the project. The Commission came to a consensus that due to the proximity to the wetlands resource area and the work being proposed a Notice of Intent application would need to be filed to provide the Commission with more details on the project. On a motion made and duly seconded, the Commission voted unanimously to issue a positive Determination requiring the submittal of the Notice of Intent application.

The Commission opened a public hearing on a Request for Determination of Applicability filed by Elizabeth Browning to install a replacement septic system at 42 Apple Street. Mr. Daniel Ottenhemer of Mill River Consulting was in attendance on behalf of the applicant. Ms. Elizabeth Browning was also in attendance. Mr. Ottenhemer reviewed the project with the Commission. The Commission agreed that the project could proceed as presented. On a motion made and duly seconded, the Commission voted unanimously to issue a negative Determination.

The Commission continued a public hearing on a Notice of Intent filed by Christina Gilbertson of Hi Rok Real Estate Trust to construct six (6) paddocks including clearing and re-grading, a stormwater basin with forebay and planting of a screening evergreen border at 106 Choate Street. Ms. Mary Rimmer of Rimmer Environmental Consulting and Mr. Scott Laffey of Laffey Construction were in attendance and presented revisions made to the plan to reduce the amount of clearing that would be required. The Commission again expressed concerns about the amount of clearing which would be needed with the current plan. Ms. Rimmer advised that the project met the standards under the Wetlands Protection Act. It was agreed that another site inspection would be scheduled with the incoming Conservation Agent and any Commissioners who had been unavailable for the previous site inspection. Ms. Rimmer and Mr. Laffey agreed to review the plans for any further reduction in the cutting that

would be needed. It was agreed to continue the public hearing. On a motion made and duly seconded, the Commission voted unanimously to continue the hearing.

The Commission opened a public hearing on a Notice of Intent filed by Mary Beth Tirrell for demolition of current structure and construction of a new single family house at 20 Cogswell Road. Mr. John Judd of Gateway Consultants was in attendance on behalf of the applicant and reviewed the project. He also advised the Commission that a DEP number had not yet been issued. The Commission had no concerns with the project but asked that the hearing be continued pending the issuance of a DEP number. On a motion made and duly seconded, the Commission voted unanimously to continue the public hearing.

The Commission continued a public hearing on a Notice of Intent filed by John Coughlin of PMC Realty Trust/Gateway Realty Trust to construct a 30'x160' storage building partially within the 100' Buffer Zone to a wetland area at 73 Eastern Avenue. Mr. John Judd of Gateway Consulting was in attendance on behalf of the applicant. Also in attendance were the applicant, Mr. John Coughlin, and Mr. Thomas Coughlin. Mr. Judd reviewed the revision made to the plan which relocated the proposed storage building outside the 100' Buffer Zone to Bordering Vegetated Wetlands. Access and stormwater portions of the project would be in 50' from the resource area. Since a report on the revised plans had not been received from the third party reviewer, Linden Engineering, the Commission asked that the hearing be continued. The applicant agreed.

The meeting was opened for public comment and the Commission reviewed materials previously submitted by Ms. Shelley Bradbury for work which was completed at what is now 65 Eastern Avenue. This parcel had historically been part of a larger parcel that was later subdivided and included the parcel now known as 73 Eastern Avenue. Ms. Bradbury had raised concerns regarding the ongoing conditions which had been included in an Order of Conditions issued by the Essex Conservation Commission. The Commission advised that the Order had been appealed to the DEP and a Superseding Order of Conditions had been issued. In addition, the DEP had issued a Certificate of Compliance which also contained ongoing conditions. Mr. John Judd of Gateway Consultants reviewed the ongoing conditions with the Commission. With the issuance of the Superseding Order of Conditions and the Certificate of Compliance by the DEP, the original Order issued by the Essex Conservation Commission became void. Mr. John Coughlin advised that the ongoing conditions outlined in the DEP's Certificate of Compliance were being followed. These included cleaning of the catch basins and no use of herbicides or rock salt on site. Mr. Thomas Coughlin advised that he managed the landscaping for his grandfather's properties and confirmed that no herbicides or salt were used on the property. Ms. Ruth Preen of 15 Lufkin Street commented that it was her experience that Mr. Coughlin maintained all of his properties in Essex in a pristine condition. She expressed the belief that living next to one of his properties helped increase property values.

At this time, the Commission agreed to continue the public hearing. On a motion made and duly seconded, the Commission voted unanimously to continue the public hearing.

The Commission discussed Goal 4 of the Strategic Plan and made recommendations for revisions. As the Commission's representative with the Strategic Planning Committee, Commissioner Barrieau, would present he proposed revisions at the next Strategic Planning Committee meeting..

Due to the lateness of the hour, all other matters on the agenda were tabled until the next meeting. The Commission agreed that the co-Chairs could approve final FY22 expenses.

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