

Essex Conservation Commission

January 7, 1997 - Minutes

Present: David Folsom, Chairman, Arthur Hodges, Peter Perrigo, Edwin Perkins, Thomas Prentiss, Edith Messersmith (7:45 p.m.).

Meeting called to order at 7:35 p.m.

Attorney George Brown met with the Board to request a Certificate of Compliance for Thomas Corkery, Jr., 57 Martin Street, for work regulated under Order of Conditions D.E.P. File Number 21-196. Brown told the Board that although the filing was made, the work was never done because of the cost involved. Prentiss made a site visit to verify that the project had never commenced.

Perkins moved to issue a Certificate of Compliance to Thomas Corkery, Jr., 57 Martin Street, certifying that work regulated under Order of Conditions D.E.P. File Number 21-196 had never commenced, seconded Prentiss, with Hodges, Perrigo, Perkins and Prentiss voting in favor.

A public hearing was held at 7:46 p.m. under the Wetlands Protection Act, M.G.L. Chapter 131, Section 40, on a Notice of Intent filed by Patrowicz Land Engineering covering construction of a single family dwelling and driveway within a buffer zone on Pond Street, Assessors Map 5, Lot 2, property of John Stavros.

Scott Patrowicz, Patrowicz Land Engineering, told the Board that the wetlands were flagged by Gulf of Maine. The septic plan has received Board of Health approval. Because of the highwater table the system will be raised quite severely, requiring the land to be filled considerably. The existing shed will be incorporated into the design of the house. The house will not have a cellar, but will have a crawl space. The driveway will be paved. The flood height for a 100 year storm is Zone C. There is an intermittent stream running through the property, which dries up in summer. A regional water study for flood water was not done. The upland area is approximately three-quarters of an acre. The Board then questioned why the septic could not be placed at deep hole 2 and 4. Patrowicz said they chose not to do it because it would have meant a large mound in front of Wood Drive. Hodges then asked, "From an engineering point of view, it could have been done?" Patrowicz - "Yes, it could." Patrowicz told the Board there

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had been a change to the Board of Health Regulations reducing the distance for a septic system from a resource area from 100 feet to 50 feet.

Perkins moved to close the public hearing for John Stavros, Pond Street, seconded Hodges, with the Board voting unanimously in favor.

A Request made by Clean Soils Environmental Ltd for the Commission to Determine the Applicability of the Wetlands Protection Act, M.G.L. Chapter 131, Section 40, for the removal of an underground storage tank at 33 Wood Drive was heard at 8:00 p.m.

Susan Darroch, from Clean Soils Environmental, told the Board they have been contracted to oversee the removal of one 275 gallon underground storage tank at 33 Wood Drive. The tank is approximately 75 feet from Chebacco Lake. It is shielded by the house, and a stone wall on the property is in a good location for the removal. The impact to the Lake should be minimal, but for safety purposes haybales will be put in place around the work area. With these precautions, we feel there will be no impact to the Lake. Hodges asked if there was any oil left in the tank. Darroch told him, "We found 2 inches of oil in the tank. We do not know how old the tank is - the tank was installed and abandoned by the previous owner. A competent contractor can measure whether or not there is oil in the tank." Darroch was then asked if there was any leakage from the tank. She said there was not. She added that it is likely the tank is in water at present. Perkins said that prior to any removal, the tank should be pumped out and cleaned thoroughly. Darroch was asked if there was a site inspection after removal of the tank. Darroch - "We are conducting a site assessment by taking samples of the soil. The Fire Chief should also inspect the site. The results of the samples will be included in the closure assessment." The Board reviewed the Request.

Prentiss moved to issue a negative Determination to Clean Soils Environmental for removal of an underground storage tank at 33 Wood Drive, seconded by Perkins, with the Board voting unanimously in favor.

The Board said the conditions to be placed on the issuance of a negative Determination would be 1) to be sure the tank is

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cleaned thoroughly prior to removal and 2) soil samples must be collected upon removal.

A Request made by Eloise Hodges for the Commission to Determine the Applicability of the Wetlands Protection Act, M.G.L. Chapter 131, Section 40, to fill in an existing well on Apple Street, Assessors Map 10, Lot 2, was heard at 8:20 p.m.

Commission Member Art Hodges removed himself from the Board for this discussion. Eloise Hodges told the Board that there is a surface agricultural well on the property and she had been asked by the Health Agent to do something about it because it was a health hazard. The well is approximately 10 feet deep and 20 feet wide and is not covered. Their contractor, Joseph Ginn, felt the best way to approach it was to drain it and fill it in when the ground is hard. The location is 50 feet north of Apple Street and 75 feet from a cart path. The Board reviewed the Request.

Perkins moved to issue a negative Determination to Eloise Hodges, Apple Street, and to allow the contractor to fill in the well in a way he feels is best, seconded by Messersmith, with Messersmith, Perkins, Perrigo, and Prentiss voting in favor; Hodges did not vote as he had removed himself from the Board.

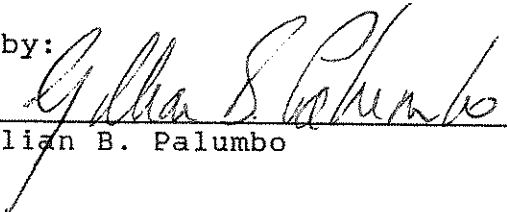
The Board reviewed the corespondence.

Walter Jewett met with the Board to request a Certificate of Compliance for work regulated under Order of Conditions D.E.P. File Number 21-217, for property at 49 Martin Street.

Perkins moved to issue a Certificate of Compliance to Walter Jewett for work regulated under Order of Conditions D.E.P. File Number 21-217, for property at 49 Martin Street, seconded Perrigo, with the Board voting unanimously in favor.

Messersmith moved to adjourn the meeting, seconded by Hodges, with the Board voting unanimously in favor. Meeting adjourned at 9:10 p.m.

Prepared by:

  
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Gillian B. Palumbo

Attest: