

Essex Conservation Commission

February 4, 1997 - Minutes

Present: David Folsom, Chairman, Edith Messersmith, Edwin Perkins, Peter Perrigo, Thomas Prentiss, Arthur Hodges (8:00 p.m.)

Meeting called to order at 7:40 p.m.

A Request made by the Essex Water Department for the Commission to Determine the Applicability of the Wetlands Protection Act, M.G.L. Chapter 13, Section 40, for the installation of a 12" water main from #3 to #24 Harlow Street was heard at 7:41 p.m. Commission Member Peter Perrigo removed himself from the Board for this discussion.

Damon Boutchie represented the Water Department. He told the Board that the Water Department will be installing a new 12" water main on Harlow Street, going as far as the Tognazzi property line at 24 Harlow Street, as shown on the plan submitted with the Request. The water line will be going down the left hand side of the road. They would like to install 200 feet per day, with the total project taking approximately one week. A discussion followed as to the location of the wetlands. The Request was reviewed.

Perkins moved to issue a negative Determination to the Essex Water Department for the installation of a 12" water main on Harlow Street, seconded Messersmith, with Messersmith, Perkins, Prentiss and Folsom voting in favor; Perrigo abstained from voting. Perrigo returned to the Board.

A Request made by John and Marilyn Heath for the Commission to Determine the Applicability of the Wetlands Protection Act, M.G.L. Chapter 131, Section 40, for the verification of a wetland boundary line at 63 Wood Drive was heard at 7:47 p.m.

John Judd, Gateway Consultants, represented the Heaths. Judd told the Board that the plan dated January 17, 1997, submitted with the Request, shows seventeen wetland flags that were placed on the property at 63 Wood Drive. The flags are situated along the steep slope adjacent to Chebacco Lake. Also shown on the plan is an existing "depression" on the northeasterly portion of the property, an area that was probably used for soil excavation years ago. Judd said he would like the Board to accept the flagged wetlands boundary

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or modify it. He would also like to have a negative Determination issued for the "depression" as, in his opinion, the depression is non-jurisdictional. The storage volume of the depression is approximately 7,500 cubic feet and, therefore, less than the required 10,890 cubic feet (1/4 acre-ft) necessary to define the depression as Isolated Land Subject to Flooding. The Lake elevation is at 44 feet. Judd also noted that any project that came within 100 feet of the boundary would come before the Board again. The Request was reviewed by the Board.

Perkins moved to issue a positive Determination establishing the boundary line on the foot of the slope contouring Chebacco Lake and a negative Determination for the depression as its storage volume is less than is required to be protected under the Wetlands Protection Act, seconded by Prentiss, with Messersmith, Perkins, Perrigo and Prentiss voting in favor.

Melanie Burnham met with the Board to discuss the reconstruction of a dwelling destroyed by a fire at 26 Lufkin Point Road. The dimensions of the structure are 24x34 feet. The Board felt an Abbreviated Notice of Intent should be filed. Perkins also noted that the flood zone area should be checked if the dwelling is to be torn down and rebuilt, as certain building codes may have to be followed.

A Building Permit Application submitted by Turner and Walima Manufacturing, 191 Western Avenue, for the demolition of a portion of the building was reviewed. Chairman Folsom signed the Application.

The Board reviewed the Notice of Intent submittal by PMC Realty Trust, for the relocation of two structures to Lot #7, Piper Lane. The public hearing will be scheduled for February 25, 1997.

A request for a Certificate of Compliance was made by Kevin Street, 46 Wood Drive, for work regulated under Order of Conditions D.E.P. File Number 21-218. Perrigo told the Board that the project has been completed satisfactorily.

Perkins moved to issue a Certificate of Compliance to Kevin Street, 46 Wood Drive, certifying that work regulated by Order of Conditions D.E.P. File Number 21-218 has been

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satisfactorily completed, seconded by Messersmith, with the Board voting unanimously in favor.

Minutes of meetings for November 5, November 19, December 3, and December 17, 1996, were submitted for approval.


Perkins moved to accept the Minutes of November 5, 1996, November 19, 1996, December 3, 1996, and December 17, 1996, as read, seconded by Prentiss, with the Board voting unanimously in favor.

The Board reviewed the correspondence.

Messersmith moved to adjourn the meeting, seconded by Prentiss, with the Board voting unanimously in favor.

Meeting adjourned at 8:45 p.m.

Prepared by:


Gillian B. Palumbo
Administrative clerk

Attest: