

Essex Conservation Commission

April 29, 1997 - Minutes

Present: Edwin Perkins, Acting Chairman, Edith Messersmith,
Peter Perrigo, Thomas Prentiss, George Stavros.

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

A Request made by Wallace Bruce for the Commission to Determine the Applicability of the Wetlands Protection Act, M.G.L. Chapter 131, Section 40, for organically farming land on Apple Street, Assessors Map 32, Lots 32A and 28, was heard at 7:40 p.m.

Wallace Bruce told the Board he would like to do some small scale farming in three particular areas, two areas on Lot 32A, labelled 1 and 2 on the plan submitted with the Request, and one area on Lot 28, labelled 1. He also requested a ten foot barrier from the edge of the wetlands with a berm, 18 to 24 inches in height. Inside the three areas marked in green, Bruce said he would like to clear and then organically farm on a small, individual level. He would like to use Emerson Lane as an access area, which will be maintained for pick-up truck access via points A and B shown on the plan. Access to the areas will also be made from his 21 Apple Street home. Once clearing and initial tilling is completed, most of the farming will be done manually with rototillers, carts, hand equipment and pick-up truck. Plowing will only be done once a year. The Board reviewed the Request and accompanying plan

Stavros moved to issue a negative Determination to Wallace Bruce for organic farming on Apple Street, seconded by Perrigo, with Perkins, Perrigo, Prentiss and Stavros voting in favor; Messersmith abstained.

A Request made by Patrowicz Land Engineering for the Commission to Determine the Applicability of the Wetlands Protection Act, M.G.L. Chapter 131, Section 40, for soil testing for septic system repair/upgrade at Conomo Point Road, Assessors Map 15, Lot 19, and Map 19, Lot 123, was heard at 7:50 p.m.

Scott Patrowicz, Patrowicz Land Engineering, told the Board he was representing the Conomo Point Committee for a Fair Solution. He would like to test soils for the suitability of septic systems. He received a letter from the Board of Selectmen stating that they voted unanimously to permit soil testing at the end of summer 1997. The following requirements

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were stipulated: 1) Patrowicz would perform the soil evaluation himself, with the Board of Health agent witnessing the testing, 2) Soil testing will be done using an excavator machine, 3) All soil test holes will be backfilled prior to nightfall. No test holes will remain open overnight. In order to gain access to several of the test sites, small trees and shrubs will need to be removed using the excavator. Large trees will not be removed. Perrigo asked Patrowicz whether he had to cross a wetland to reach the soil testing areas. Patrowicz said that he did not - there were little puddles caused mainly by ruts. He added that soil testing has to be a minimum of 50 feet away, but they would like to try and make it further than that. Prentiss asked if he was selecting the sites because they were the most suitable. Patrowicz said yes, they had walked a lot of the area, with the hope of going to the most suitable sites for testing. Prentiss asked how much area they needed for the systems. Patrowicz said it depended upon how many houses would be going in. Ideally, they would like enough for the whole area -approximately two acres would handle the whole area. Patrowicz added that if these area did not work out, then they would refile for other areas. The Board reviewed the Request.

Stavros moved to issue a negative Determination to Patrowicz Land Development for soil testing on Conomo Point Road, seconded Perrigo, with the Board voting unanimously in favor.

The Board discussed the ongoing project of James and Norrie Stavros on Pond Street. Commission member George Stavros abstained from any discussion because of a conflict of interest. Perkins said he had made a site visit and the contractor will be putting in the pipe through the brook. The haybales are all in place. He felt that the pipe is six inches too high on the downstream end as drawn by the engineer - he felt it ought to be brought down. Perkins also felt rip-rap should be placed in the street to the point where the pipe is going. Because of run-off from Pond Street, Perrigo suggested a catch basin might be installed. The Board further discussed the project.

After a site visit to Lot 1, Scot's Way, made because of the filing of a Request for a Determination of Applicability by PMC Realty Trust, the Board concurred with the wetlands flagging on the lot.

Prentiss moved to issue a positive Determination to PMC Realty

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Trust for Lot 1, Scot's Way, seconded by Messersmith, with the Board voting unanimously in favor.

A building permit application submitted by Carl Coose, 75 Wood Drive, for the addition of a deck to an existing dwelling. The Board felt an Abbreviated Notice of Intent should be filed.

The Board discussed the appeal to the Order of Conditions, D.E.P. File #21-310, issued to Melanie Burnham for the addition of a second floor to an existing dwelling at 26 Lufkin Point Road. An appeal was submitted by Attorney Francis Flatley, representing Joseph and Helen Whelton, 29 Lufkin Point Road.

The Board reviewed the correspondence.

Perrigo moved to accept the Minutes of March 18, 1997, and April 8, 1997, as read, seconded by Mesersmith, with Messersmith, Perkins, Perrigo and Prentiss voting in favor; Stavros voted present.

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

Meeting adourned at 8:30 p.m.

Prepared by:



Gillian B. Palumbo
Administrative Clerk

Attest: