

Essex Conservation Commission

October 7, 1997 - Minutes

Present: Edwin Perkins, Chairman, R. Jeffrey Lyman, Peter Perrigo, Thomas Prentiss, George Stavros.

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

John Coughlin, together with Attorney Paul Shea and Robert Lynch, Atlantic Engineering, met with the Board to discuss the redesign of the structure proposed for Lot 1, Scot's Way. Attorney Shea submitted a letter to the Board which was generated in response to concerns raised at a prior Commission meeting. Shea told the Board, "The last time we came before you, we had come in to ask what we could do to use this land. We had heard it was going to be a septic transfer station, but the only consideration had been the storage of septic handling trucks by the Woodman family. We hope this meeting will diffuse all the things that have been of concern. A modified plan has been drafted from which we have deleted all paved areas from the northerly and westerly sides of the proposed building opposite the resource area, deleted all loading docks, deleted the dumpster area from the site, we have enlarged the infiltration system, included a grassed berm along all improved areas opposite the resource area to prevent any runoff from entering the resource area without going through the detention system, shrunk the footprint by 13%, and pulled the building back from the resource area. We have also retained much of the original grading as was requested. The property will only be used for light manufacturing, office space, research and development and storage/warehouse."

M. Bolan, Blueberry Lane - "I'm open to industrial development in the area, but I have my concerns, such as a simple thing of percolation based on the 100 year storm. Many manufacturers use a nitrous glycerol for cleaning. From this, they have found children born without arms. That particular area drains into Chebacco Lake, which is the principal supply of drinking water. In certain areas they are giving out PCB reports showing the water cannot be drunk. It's not only looking at the chemicals that flow through there, it is also the use of the building. I feel there should be parameters on what the building should be used for, so as to protect the area. My main concern is there be specific parameters and guidelines for what it will be used for."

William Martin, Blueberry Lane - "I first heard about the sewage disposal trucks being on the property, which made me very concerned and nervous. I hope you can enforce what they

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do, because they can make all make all kinds of promises. So if they make the promises, I hope you can enforce it, otherwise what can I do - I cannot move."

M. Bolan - "I'm okay with some of the usage, but I do agree with the enforcement and to hold them accountable. You are talking about run-off, which then runs into the Lake."

Robert Lynch, Atlantic Engineering - "Drainage is calculated for a 500-year storm, even though we design for a 100-year storm."

M. Bolan - "What percentage of the property is being put in asphalt?"

Lynch - "36%."

M. Bolan - "36% that is taken from the area for natural filtration."

Lynch - "We design it for a 2, 10 and 100-year storm. At each stage you get different kinds of run-off. This is designed for over-topping and relieving the pressure. We are basically creating more flood plain."

M. Bolan - "There is no septic design for a 100-year flood."

Shea - "Chemicals - we are in a water resource area and any company that wants to come, Massachusetts laws and local by-laws restrict us to the amount of storage. We have to get permits for each thing that is stored. The Planning Board also has to regulate us through the Water Resource Protection by-law."

Alison Jenkins - "The biggest concern is what will be stored there. My concern is what chemicals will be used. This is our area and it will be destructive to the neighborhood and cause our property values to depreciate. It concerns me terribly."

Shea - "(1) We can make a special condition that it could not be used for certain things (as in a letter), which is then filed at the Registry and becomes an incumbrance on the property. (2) We had a visit from the Department of Environmental Protection who said they wanted to look through the property. The things you are concerned with are contained in long term leases. After the D.E.P. representative walked through the building, he said it was the cleanest and best run facility he has ever seen."

Francis McDermott - "My property borders directly on John Coughlin's property. You cannot say 100% what people will or will not do. At the corner of the property are tons of equipment that have been thrown there."

Public (name unknown) - "I have spent many years as an engineer in many manufacturing fields. Nothing that has been mentioned here cannot be covered by rules at the State level."

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One community should not ruin the harmony and peacefulness of another community. If it happens, it is the responsibility of the State group to protect the harmony of the communities. They are going to have to be monitored, and monitored effectively - and we are talking about environmental controls. We have here the opportunity to control this effectively - the Town is not the only one - the State is also. If the people of Hamilton feel they are in any way abused, it is up to the State to monitor this. Make sure it complies with State regulations as well as local ones."

Loretta Cusick - "I share the concerns of my neighbors. I'm also concerned with the terminology of "light manufacturing". What exactly does that mean?"

Attorney Shea then explained to her that guidelines are required and outlined the types of tenants leasing the building. Commission member Lyman wanted to know whether floor drains or a sloped floor would go to a particular area. He also asked what the applicant will do to address the concerns of the residents. Lynch stated that it was up to the architect - they could not have a sloped floor if machinery was needed on a level floor. The applicant felt that what was under discussion, the usage etc., should be presented to the Planning Board. Lyman said he disagreed that it was wholly a Planning Board issue. Perkins said he felt this was a situation where you first go to the Planning Board to see what you can do, and then return the Commission after. All the questions he had heard seem to be Planning Board questions. Lyman then said, "I have two sets of concerns - the quality of the run-off off the site and the quantity and rate of the run-off. We do have a set of elaborate calculations for this. The first question to relate to is the quality, which you have raised." The public was then told of the monitoring process via the Building Inspector as the enforcement officer. Lyman said at the next meeting he would be asking about the decreased run-off volumes and where they are going.

The Commission scheduled a meeting with John Coughlin to further discuss the proposed project for Lot 1, Scot's Way, on Tuesday, October 21, 1997, at 7:35 p.m.

The Board signed the Extension Permit for J.T. Farnham's Restaurant, 88 Eastern Avenue. The Board voted to grant the the extension at their meeting of September 16, 1997.

At this time, Commission member George Stavros left the

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meeting.

Engineer Clay Morin, Morin Engineering, met with the Board for an informal discussion of a driveway crossing to a lot on Choate Street, former property of Stanley Collinson, and the involvement of the Rivers Act. The Board reviewed the plan with Morin.

A request for an extension to the Order of Conditions D.E.P. File Number 21-259 was received from Filias Realty Trust. They would like to have an extension of two years in order to have sufficient time to complete the project.


Prentiss moved to approve the extension to the Order of Conditions D.E.P. File Number 21-259 issued to Charles Filias, property owner Filias Realty Trust, for two years, seconded by Perrigo, with Lyman, Perkins, Perrigo and Prentiss voting in favor.

A request for a Certificate of Compliance was made by Attorney John Guerin on behalf of John Knowles, 206 Southern Avenue, for a project under Order of Conditions D.E.P. File Number 21-214. Commission member Prentiss, who was the Commission's representative for the project, made a site visit to see if the work was in compliance. He told the Board that there is no silt fence in place, and there is a gravel area which he felt should be seeded prior to the issuance of a Certificate of Compliance. It was felt the silt fence should be reinstalled and maintained until such time the area is stabilized. Once this is done, then a Certificate of Compliance will be issued.

The correspondence was reviewed. The Bills Payable voucher was signed.

Perrigo moved to adjourn the meeting, seconded Prentiss, with Lyman, Perkins, Perrigo and Prentiss voting in favor. Meeting adjourned at 9:15 p.m.

Prepared by:

  
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Gillian B. Palumbo  
Administrative Clerk

Attest: