

Essex Conservation Commission

April 21, 1998 - Minutes

Present: Thomas Prentiss, Acting Chairman, Robert Brophy,
R. Jeffrey Lyman, Peter Perrigo, George Stavros

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

Carl Coose, 75 Wood Drive, met with the Board to discuss the placement of a portable transfer to his dock and ramp. Perrigo removed himself from this discussion as he is an abutter to the property. Coose showed the Board photographs of what he would like to do. It will be stabilized to the ground with two pipes and will be anchored by moorings in Chebacco Lake. Coose said he has received his Chapter 91 Amnesty License which covers the existing dock and ramp and the maintenance of it. Brophy asked if Coose would have to take it apart in the winter. Coose said he would dismantle it. Prentiss felt it was less of an impact than repairing what was there. It was the consensus of the Board that the project came under the Chapter 91 License.

A public hearing was held at 7:50 p.m. under the Wetlands Protection Act, M.G.L. Chapter 131, Section 40, on a Notice of Intent filed by Shea Brothers Interiors covering the reconstruction of a structure on an existing foundation at 242 John Wise Avenue.

Thomas Shea told the Board the proposed project is to remove an existing structure, which is in a deplorable state, and re-build it on the same footprint. The new construction will have a second story, whereas presently, it is a single story. They will not be adding any additional bathrooms, and they will not be adding to the parking area. The additional area will increase the showroom and work space. Abutters Joseph and Sandra Ginn spoke in favor of the project, stating that Mark and Thomas Shea seem to be very conscious of the locale, and that this reconstruction would only enhance the site. The Board reviewed the Notice of Intent.

Perrigo moved to close the public hearing for Shea Brothers Interiors, 242 John Wise Avenue, seconded by Brophy, with the Board voting unanimously in favor.

A Request made by SMB Development to Determine the Applicability of the Wetlands Protection Act, M.G.L. Chapter 131, Section 40, for the isolated depression on the southwesterly portion of property at 91 Martin Street was heard

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at 8:00 p.m.

Engineer John Judd represented SMB Development. Judd told the Board that they are requesting a negative Determination on a wet pocket. It is an isolated wetland subject to flooding and determined by Seekamp Environmental Consulting that it does not meet the size criteria to qualify as a jurisdictional wetland under the Wetlands Protection Act. The storage capacity is 1,500 cubic of storage, which is less than the 11,000 cubic feet of capacity required to qualify for an Isolated Land Subject to Flooding (1/4 acre-feet). The total lot is 8.3 acres. Brophy was concerned about the run-off from the property and felt a catch basin should be installed for run-off. A recommendation will be made to the Planning Board on Form F of the Subdivision Rules and Regulations regarding run-off.

Perrigo moved to issue a negative Determination to SMB Development at 91 Story Street, seconded by Lyman, with the Board voting unanimously in favor.

Commission member Stavros, who is the Commission's representative for the MacLain property on Southern Avenue, told the Board that the MacLains would like to put in a riding arena in a wet meadow. There was standing water in the Spring and it is there now. There is a swale shown on the plan which is draining the water down through the field. Stavros was asked if this was within 100 feet of the 'bona fide' wetlands. He said it was not, it was about 350 feet, but the drainage swale does run to the brook.

A continuation of a public hearing was held at 8:10 p.m. under the Wetlands Protection Act, M.G.L. Chapter 131, Section 40, on a Notice of Intent filed by Elizabeth Pratt covering the expansion and deepening of an existing pond at 15 Tree Hill.

A letter was received from David Klinch, Hayes Engineering, who represented Pratt, stating that on behalf of the applicant, Elizabeth Pratt, Hayes Engineering, Inc. requests a continuance of the public hearing in order to prepare and submit all information requested by the Conservation Commission and the D.E.P., including an additional topographic survey in and around the existing pond.

Brophy moved to continue the public hearing for Elizabeth Pratt

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to May 12, 1998, at 7:35 p.m., seconded by Perrigo, with the Board voting unanimously in favor.

A public hearing was held 8:13 p.m. under the Wetlands Protection Act, M.G.L. Chapter 131, Section 40, on a Notice of Intent filed by Laurie Ingalls covering the installation of a 3,000 gallon tight tank at 26 Eastern Avenue.

Willian Perkins of Saneco, Inc. represented Ingalls. Perkins told he Board that the Board of Health has approved the installation of a tight tank for the 4-bedroom dwelling. The property is being transferred, and the new owners knew the system would fail, so waived the inspection. The excavation of the hole will be approximately 20 feet long, 10 feet wide, and 6 feet deep, 10 feet from the house foundation and 25 feet from the edge of the marsh bordering the Essex River. The groundwater level comes up the tank about seven feet. The existing system will be dug up and filled in, according to the Board of Health regulations. A discussion followed as to how the tank would be anchored.

Stavros moved to close the public hearing for Laurie Ingalls, 26 Eastern Avenue, seconded Perrigo, with the Board voting unanimously in favor.

Marilyn Heath, together with contractor John Sacco, met with the Board for an informal discussion on property she owns and wishes to upgrade. The existing dwelling has a porch and she would like to enclose it to become part of the house. Heath said she would like to construct a foundation under the porch area and make the area slightly smaller than what existed. She also would like to construct an addition to the property. She was told to file a full Notice of Intent for the project.

A building permit application submitted by Anthony Dragonetti, Harry Homans Drive, for the installation of an above ground pool, was reviewed. Perrigo felt there was no problem, as the Alewife Brook was approximately 200 feet across the street. The application was signed.

The Order of Conditions was written for Laurie Ingalls, 26 Eastern Avenue.

Stavros moved to approve the project at 26 Eastern Avenue as submitted in the Notice of Intent, seconded by Lyman, with the

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Board voting unanimously in favor. Brophy will be the Commission's representative for the project.

The Order of Conditions was written for Shea Brothers Interiors, John Wise Avenue.

Stavros moved to approve the project for Shea Brothers Interiors, John Wise Avenue, as described in the Notice of Intent, seconded by Perrigo, with the Board voting unanimously in favor. Stavros will be the Commission's representative for the project.

The Board reviewed the subdivision plan for Story Hill, 91 Martin Street. The Board's recommendation to the Planning Board was as follows - There should be no increase in the rate or volume of discharge through the culvert. In addition, an oil and gas separator should be installed to prevent water quality degradation.

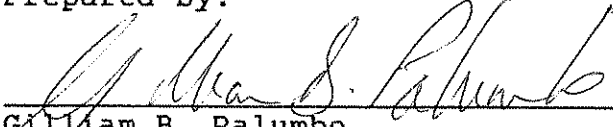
Brophy moved to accept the Minutes of February 3, 1998, February 17, 1998, and March 3, 1998, as read, seconded Stavros, with the Board voting unanimously in favor.

Perrigo said he had some issues he wanted to discuss with the Board. 1) Water from the sump pump from Richard Minturn's cellar at 1 Apple Street is flowing directly into the brook. 2) Steven Grimes, 44 Pond Street, filed a Notice of Intent and received an Order of Conditions for the construction of a dwelling, but would like to move the dwelling 12 feet further into the buffer zone. He would like to have the consensus of the Board for this revision.

Essex County Greenbelt, Eastern Avenue, is inviting members to attend a business meeting on May 17, 1998.

Brophy moved to adjourn the meeting, seconded by Stavros, with the Board voting unanimously in favor. Meeting adjourned at 9:30 p.m.

Prepared by:



William B. Palumbo
Administrative Clerk

Attest: