

Essex Conservation Commission

July 7, 1998 - Minutes

Present: Edwin Perkins, Chairman, Robert Brophy, Edith Messersmith, George Stavros.

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

A public hearing was held at 7:41 p.m. under the Wetlands Protection Act, M.G.L. Chapter 131, Section 40, on a Notice of Intent filed by James and Jill Periton covering the installation of wooden stairs into a bank at 59 Wood Drive.

Periton told the Board they would like to put steps into the banking in order to make it safer for them to walk to Chebacco Lake. They will use pressure-treated timbers. They believe the number of steps will be 25-30, but until they start the project it is difficult to determine the exact amount. The area at the base of the banking levels to about 20 feet. Their dock is registered under the Chapter 91 Amnesty Program. Brophy said he wanted to make sure that the timbers will be non-toxic, and then asked how the Peritons were going to deal with the erosion. James Periton said he felt the steps would secure the erosion, which is now taking place. At present, during a rainstorm, it just sheets and creates a channel. The Board wanted it noted in the Order of Conditions to have the steps securely anchored.

Stavros moved to close the public hearing for James and Jill Periton, 59 Wood Drive, seconded by Messersmith, with the Board voting unanimously in favor.

A public hearing was held at 8:00 p.m. under the Wetlands Protection Act, M.G.L. Chapter 131, Section 40, on a Notice of Intent filed by Sebastian J. Aparo covering the replacement of a holding tank in the existing septic system at 11 Red Gate Road.

Aparo told the Board he has to replace a cracked 1500 gallon metal septic tank for the septic system. At the last cleaning, they were told it was cracked. They had Brendhan Zubricki, the Wastewater Management Sanitarian, look at it, who then said it had to be replaced with a new 1500 gallon concrete septic tank to be in compliance with Title V. Approval for the upgrade has been received from the Board of Health. It was noted that the house is between the construction area and Chebacco Lake. When asked how the grade runs on his property, Aparo told the Board it runs down from the house towards the street.

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Stavros moved to close the public hearing for Sebastian Aparo, 11 Red Gate Road, seconded by Brophy, with the Board voting unanimously in favor.

Patricia and Kerry Kaplon, Gregory Island, met with the Board for an informal discussion regarding property they have purchased adjacent to theirs, formerly owned by Myles Rigney. The property has an existing structure on it, which they would like to demolish, and then grade the area. The Kaplons were asked how they propose to demolish the building. They told the Board that they have found it would be cheaper to have someone come and tear it down. The company they approached felt they could tear it down in one day. They felt the tractor could stay behind the building and pull it back. The trailer could remain in the driveway and the debris placed directly into it. The Kaplons then said they would like to construct another deck onto their dwelling. The new deck would be placed on sono tubes. The Kaplons were told to file a Request for a Determination of Applicability.

Engineer Clay Morin met with the Board to discuss an amendment to an Order of Conditions issued to Stanley Collinson, Choate Street, for the construction of a septic system. Morin told the Board that a retaining wall has to be put in place, with the system being moved closer to the wetlands. Morin was advised to file an amendment to the Order of Conditions.

Morin also discussed with the Board a project presently under way on Choate Street, property of Phil Caponigro, for the construction of a bridge over a stream. Morin said Board member Perrigo has checked the project. The silt fence still has to be placed at the open end, but they are waiting for the stream to dry up to begin work. Because of the weather, Morin felt it was questionable as to whether the stream would dry up.

The Board questioned Morin on one other project, that of the Leck property on Story Street. Morin said they had retested on the right side of the property. The Board felt a letter should be sent to the Board of Health stating there is an existing Order of Conditions, and if there should be any changes made to the present plans, then should come before the Commission.

Messersmith moved to approve the Minutes of the meetings of April 21, 1998, and May 12, 1998, seconded Stavros, with the Board voting unanimously in favor.

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A building permit application was submitted for review for Mark and Linda Osburn, Prospect Street, for the construction of a deck. As the construction did not fall under the Wetlands Protection Act, the application was signed.

A building permit application was submitted for review for Gregory Crockett, 130 Rocky Hill Road, for the construction of an addition to the existing dwelling. There was a question as to whether a brook which flowed through the property was within 100 feet of the addition. Perkins said he would make a site visit prior to signing the application.

A request for a Certificate of Compliance was made by Nancy Roberts, 83 Eastern Avenue, for work regulated by D.E.P. File Number 21-307.

Messersmith moved to issue a Certificate of Compliance to Nancy Roberts, 83 Eastern Avenue, for work regulated by Order of Conditions D.E.P. File Number 21-307, seconded by Brophy, with the Board voting unanimously in favor.

The Order of Conditions was written for James and Jill Periton, 59 Wood Drive.

Brophy moved to approve the project for James and Jill Periton, 59 Wood Drive, as submitted in the Notice of Intent, seconded Messersmith, with the Board voting unanimously in favor.

The Order of Conditions was written for Sebastian J. Aparo, 11 Red Gate Road.

Brophy moved to approve the project for Sebastian J. Aparo, 11 Red Gate Road, as submitted in the Notice of Intent, seconded by Messersmith, with the Board voting unanimously in favor.

The Board felt a letter should be sent to the Planning Board noting that any work, even if there were no footprint changes, should be reviewed by the Conservation Commission, prior to the issuance of a building permit.

A letter was received from the Planning Board regarding Story Hill subdivision, noting that they are requiring a 20 foot paved roadway, a detention pond for run-off, and culverts to be placed at the end of the roadway on Martin Street.

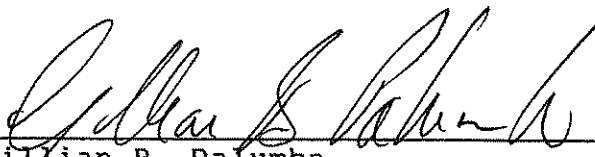
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A letter was received from Mass. Highway regarding spraying on Route 128.

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

Meeting adjourned at 9:15 p.m.

Prepared by:



Gillian B. Palumbo
Administrative Clerk

Attest: