

Essex Conservation Commission

February 23, 1999 - Minutes

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

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

The Commission was requested by Donald Browning to Determine the Applicability of the Wetlands Protection Act, M.G.L. Chapter 131, Section 40, for the replacement of a dirt floor of an existing barn with gravel and to rebuild the existing garden at 42 Apple Street.

Browning told the Board he took the garden soil and stockpiled it where it is presently in order to level off the garden which has been in existence for a number of years. He wants to have four boxes of 2'x10' planks, to create raised beds, with a 2 foot path in between. The stockpiled soil will then be placed into these beds. He would also like to remove the mud from under the existing barn and then place lynnpack on that area. Browning stated he is trying to shore up the 200 year old barn because the foundation is poor in some areas. The Board reviewed the Request.

Messersmith moved to issue a negative Determination to Donald Browning, 42 Apple Street, seconded by Perrigo, with the Board voting unanimously in favor. The Board felt haybales should be placed between the wetlands and the stockpiled material. Browning will be so notified.

The Board felt Jane Fox, 52 Martin Street, should be notified to reinstall the siltation fence and maintain it while work is ongoing.

A public hearing was held under the Wetlands Protection Act, M.G.L. Chapter 131, Section 40, on a Notice of Intent filed by Anthony Rainone covering the construction of a single family dwelling with appurtenances at Patriot's Lane, Assessors Map 8, Lot 32C.

Rainone told the Board that he would like to construct a single family dwelling on the lot. Stavros asked how much of the lot was upland and wetland. Rainone indicated it was about fifty percent upland and fifty percent wetland. He then showed the Board photographs of the area. Rainone said the septic system has been approved by the Board of Health. He noted that all

Page Two
February 23, 1999

construction except the garage will be in the buffer zone. He then said he would like to request that the house be moved further away from Chebacco Lake and further north, as he would like to bring it within 20 feet of the leach field. The Board felt the relocation would be better from a Commission standpoint. The Board reviewed the Notice of Intent and plan.

With no further questions from the Board or the public, Perrigo moved to close the public hearing for Anthony Rainone, Patriot's Lane, seconded by Messersmith, with the Board voting unanimously in favor.

Perrigo moved to approve the Minutes of Meetings of November 3, 1998, November 17, 1998, December 1, 1998, December 15, 1998, and January 5, 1999, as read, seconded by Messersmith, with Brophy, Messersmith, Perkins, and Perrigo voting in favor; Stavros voted present.

A request was made by William and Alice Bancroft to extend the Order of Conditions D.E.P. File Number 21-276 for work at 191 John Wise Avenue.

Perrigo moved to extend the Order of Conditions D.E.P. File Number 21-276 issued to William and Alice Bancroft for work at 191 John Wise Avenue for three years, seconded Stavros, with the Board voting unanimously in favor.

The Order of Conditions was written for Anthony Rainone, Patriot's Lane, Assessors Map 8, Lot 32C.

Perrigo moved to approve the project of Anthony Rainone, Patriot's Lane, Assessors Map 8, Lot 32C, seconded by Messersmith, with the Board voting unanimously in favor. The Board requested that a revised plan, showing the dwelling 14 feet closer to the street, be submitted prior to commencement of any work. Any future work not shown on the plan will require notification to the Commission.

A building permit application for Chris Gangi to remodel the interior of a house at 242 Western Avenue was reviewed. As the work was all within the dwelling the Board approved the application.

A public hearing was held at 8:30 p.m. under the Wetlands Protection Act, M.G.L. Chapter 131, Section 40, on a Notice of

Page Three
February 23, 1999

Intent filed by John Heath covering the installation of a 2,000 gallon septic holding tank at 83 Western Avenue.

Engineer John Judd, Gateway Consultants, Inc., represented the applicant. Judd told the Board the proposed project is to install a 2,000 gallon septic holding tank within the wetland buffer zone, approximately 61 feet from the wetland. The area is flagged and they are proposing haybales as a siltation barrier. The tight tank will be installed in the same area as the septic system. The elevation is 91.9 and the tank will be at 90. They are proposing 6 inches of stone beneath the tank. Bouyancy calculations have been provided, as follows: Tank weight: 16,980 lbs., soil weight over tank = 7,800 lbs., total downward forces = 24,780 lbs.; bouyancy forces: displaced water table = 20,280 lbs. Judd noted that that the soil testing was not that great. The installation usually takes a day, and then he will do a final as-built plan. Judd was asked who will be present to determine whether it requires pilings, more stone, etc. Judd told the Board he was comfortable with the bouyancy calculations, based on an empty tank. The tank is precast monolithic. A water test will be performed by the Board of Health. The existing tank will be pumped and will be filled with clean sand.

With no further questions from the Board or the public, Perrigo moved to close the public hearing for John Heath, 83 Western Avenue, seconded by Stavros, with the Board voting unanimously in favor.

The Order of Conditions was written for John Heath, 83 Western Avenue.

Perrigo moved to approve the installation of a tight tank for John Heath, 83 Western Avenue, as submitted in the Notice of Intent, seconded Messersmith, with the Board voting unanimously in favor.

Perkins told the Board that tentative arrangements are being made to have prisoners come to Essex to clean the Alewife Brook. There is an ongoing Order of Conditions for this project. He noted that a tree had fallen across the brook near the Metcalf property off Martin Street and also another branch was across the brook at Pond Street. Perkins felt the Department of Public Works should be asked to remove the tree.


Page Four
February 23, 1999

The Board reviewed the correspondence.

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

Meeting adjourned at 8:55 p.m.

Prepared by:



Gillian B. Palumbo
Administrative Clerk

Attest: