

Essex Conservation Commission

June 1, 1999 - Minutes

Present: Edwin Perkins, Chairman, Edith Messersmith, Peter Perrigo, Thomas Prentiss

Meeting called to order at 7:45 p.m.

A public hearing was held at 7:46 p.m. under M.G.L. Chapter 131, Section 40, on a Notice of Intent filed by the Town of Essex Department of Public Works for the replacement of an existing stone box culvert on Conomo Point Road, Assessors Map 19, Lots 119 and 2.

Derek Brown was the representative. Brown told the Board that the Town will now be getting a concrete box culvert, 30"x18" in size, and therefore, not as large as the 36" size that they originally wanted. The existing culvert is partially collapsed which restricts the tidal flow to the salt marsh. An Environmental Notification Form has been submitted and a site visit is to be made, the date at present, to be decided. Perrigo asked if Brown knew when the work may commence. Brown said he was hoping for late August; he did not expect things to be completed much before that date. Brown noted that the Wetland Restriction did not apply because all work will be done in the roadway. The Board reviewed the Notice of Intent and accompanying plans.

Prentiss moved to close the public hearing for the Town of Essex, seconded by Messersmith, with Perkins, Messersmith, and Prentiss voting in favor; Perrigo voted present.

A public hearing was held at 7:55 p.m. under the Wetlands Protection Act, M.G.L. Chapter 131, Section 40, on a Notice of Intent filed by Jerome Crepeau covering the installation of a driveway at 11 Lufkin Point Road.

The Notice of Intent was filed after a Cease and Desist Order had been placed on the property. Jerome Crepeau told the Board that he had contacted Hancock Survey (who had drawn the original subdivision plan), who has now placed the wetland boundaries on the plan. The Board reviewed the Notice of Intent and plan. Crepeau noted that the driveway will service one lot. Perkins asked if he had proposed any drainage for the driveway. Louis Lima, who was present with Crepeau, said he spoke to the surveyor, and the reason no drainage is proposed is because the area is quite level. Perkins felt drainage should be shown on

Page Two

June 1, 1999 - Minutes

the plan or have drainage calculations presented to the Board. Perrigo said he would like to make a site visit with the plan. Perkins said he felt the driveway would either require culverts, or drainage swales. He felt there were three areas that required attention.

Perrigo moved to continue the public hearing for Jerome Crepeau, Lufkin Point Road, to Tuesday, June 15, 1999, at 7:35 p.m., seconded by Messersmith, with the Board voting unanimously in favor.

A discussion was held for the purpose of creating a new wetlands by-law. Derek Brown and Martha Hoar were present. The Rockport Wetlands By-law, which was approved at that Town's Annual Town Meeting this year, was submitted to the Board. Brown said he felt that 1) the Rockport by-law covers a lot of areas which he feels should be protected, and 2) at the time of filing with the Commission another fee should be added for the use of a consultant. Prentiss said that the Board already requires a consultant or botanist be used when it is deemed necessary. Brown said he likes the definitions in the Rockport by-law and, finally, he likes the burden of proof - as a homeowner or developer, it is up to them to show that there will be no violations. Perkins said he felt that 80% is in our present by-law, so felt a few changes could be made to the existing one. He feels the present by-law is fairly good. It was felt the Board should review the existing wetlands by-law to see what could be added or amended to improve it. Perkins felt it would be much easier for an amended by-law to pass at the Town Meeting than one that has been newly created.

The Order of Conditions was written for the Town of Essex Department of Public Works for a culvert on Conomo Point Road.

Prentiss moved to approve the culvert on Conomo Point Road for the Town of Essex Department of Public Works as submitted in the Notice of Intent, seconded by Messersmith, with Perkins, Messersmith, and Prentiss voting in favor; Perrigo voted present. The Board felt the following should be added to the Special Conditions: 1) Staked haybales and silt fence on both sides of the construction, and 2) to block the salt water flow during construction to prevent any siltation into the marsh and ditch.

Holden Gas, Scot's Way - Chuck Holden of Holden Gas met with the Board at their March 16, 1999, meeting to discuss what he said

Page Three June 1, 1999 - Minutes

was the storage of empty tanks on his property on Scot's Way. This appears to differ from the request that he made to the Board of Selectmen for an amendment to his license. The Board felt a letter should be sent to him requesting an explanation as to exactly what he wishes to do.


Perrigo moved to approve the Minutes of the Meeting of April 27, 1999, as read, seconded by Messersmith, with the Board voting unanimously in favor.

The Board reviewed the correspondence.

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

Meeting adjourned at 9:10 p.m.

Prepared by:



Gillian B. Palumbo
Administrative Clerk

Attest: