

Essex Conservation Commission

August 17, 1999

Present: Edwin Perkins, Chairman, Robert Brophy, Wallace Bruce, Peter Perrigo, Stephen Gersh.

Meeting called to order at 7:30 p.m.

A Request made by Christopher J. Ingalls for the Commission to Determine the Applicability of the Wetlands Protection Act, M.G.L. Chapter 131, Section 40, for the construction of a 12'x20' deck for a shed at 26 Eastern Avenue was heard at 7:35 p.m.

Ingalls told the Board that he wishes to remove an existing shed and place a new shed closer to the driveway. Six footings, 10 inches wide by 48 inches deep, will be required to support the structure. A posthole digger will be used. The Board reviewed the plan.

With no further questions by the Board and the public, Perkins entertained a motion to issue a negative Determination to Christopher Ingalls, 26 Eastern Avenue, the motion was moved by Perrigo, seconded by Gersh, with the Board voting unanimously in favor.

A Request made by Daniel and Lisa LaForge for the Commission to Determine the Applicability of the Wetlands Protection Act, M.G.L. Chapter 131, Section 40, for the construction of a deck and patio at 46 Lakeshore Drive was heard at 7:40 p.m.

LaForge told the Board that his proposed project is to construct a deck over an existing flat roof and a screened patio over an existing cinder-block patio foundation. No foundation work will be required. The Board questioned whether the foundation would be adequate for the additions. LaForge said the Building Inspector had inspected it and said it was adequate for his projects.

With no further questions, Perrigo moved to issue a negative Determination to Daniel and Lisa LaForge, 46 Lakeshore Drive, seconded by Bruce, with the Board voting unanimously in favor.

A public hearing was held at 7:45 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 construction of steps from the top of banking to ground level at 3 Moses Lane. Jill Periton told the Board that the house at 3 Moses Lane has

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now been constructed and they would like to have access from the lot down to Chebacco Lake. She was asked how the steps would be constructed. Periton said the best way would be straight down and was told by the contractor they could set in a simple staircase without any cutting of the banking. She indicated that Tom Prentiss would be doing the construction. Perrigo said he felt that Prentiss would make sure there would be as little disturbance as possible. Periton was then asked if the steps would protrude into the high water level. She said they would not. Brophy said he felt he would like to see some information on how the steps would be supported and how erosion control under the steps would be undertaken. The Board felt the hearing should be continued in order to obtain the requested information.

Brophy moved to continue the public hearing for James and Jill Periton, seconded by Perrigo, with the Board voting unanimously in favor.

A Request made by PMC Realty Trust for the Commission to Determine the Applicability of the Wetlands Protection Act, M.G.L. Chapter 131, Section 40, for an addition to an existing building at 239 Western Avenue was heard at 8:05 p.m.

Robert Lynch, of Atlantic Engineering and Survey, represented PMC Realty Trust. Lynch told the Board that the proposed project is an addition to an existing maintenance building which will extend ten square feet into the buffer zone. Due to the parking reconfiguration and the new addition layout, it will result in a net decrease of 118 square feet of impervious surface. 639 square feet of new paving will be added to the north end of the proposed project, while 757 square feet of paving will be removed along the east side of the proposed building. Since this proposal is decreasing the impervious area and the area already has adequate BMP's and stormwater management structures in place, no new drainage alteration is proposed. The Board reviewed the Request and plan.

Brophy moved to issue a negative Determination to PMC Realty Trust for an addition to an existing building at 239 Western Avenue, seconded by Bruce, with the Board voting unanimously in favor.

A building permit application was submitted for the construction of building on Lot 1, 2 Scot's Way. The building has been reduced in size from the original submittal. The Board reviewed

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the amended plan. The application was signed.

Sharon Defty met with the Board to discuss the construction of a walkway over the marsh on Island Road. Defty was told that the area is an ACEC area and depending on the elevations, the project may require a Chapter 91 License. Perkins felt Defty should contact an engineer who is familiar with the Chapter 91 process for an opinion. It would require the filing of the long form Notice of Intent, and plans drawn to show the construction, type of walkway, elevations, how the walkway would be supported and how the marsh would be protected.

A building permit application for Ruth Repucci, Liberty Road, was submitted for review and sign off. Repucci had received an Order of Conditions for the project from the Commission. The application was signed.

A request was made by the "Field of Dreams" committee to review a pamphlet for organic material to be used on the baseball field. Crabgrass is overtaking the entire field, and the Committee felt this product would make the grass stronger. Perkins said that in the original agreement with the "Field of Dreams" Committee, no chemicals were going to be used. It was suggested that they call the Environmental Protection Agency to ask if they knew of this product.

The Board reviewed a conservation restriction for the Trustees of Reservations on property owned by William Shurcliffe.

Gersh moved to approve the Conservation Restriction given to the Trustees of Reservations by William Shurcliffe, seconded by Perrigo, with the Board voting unanimously in favor.

The Board reviewed a plan of Carl Coose, 74 Wood Drive. Utility trenches had been dug within 100 feet of Chebacco Lake without a Notice of Intent being filed. A letter will be sent to Coose instructing him to immediately install a siltation fence, and to abstain from any further work until a Notice of Intent is filed with the Commission. A Cease and Desist Order will also be issued.

The Board discussed the removal of loam by Paul Desmond from property on Evans Way, Assessors Map 36, Lot 79B. Trees and loam had been removed from an area 60 feet wide by 100 feet long, triangular in shape, within the buffer zone. The Board felt that

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an Enforcement Order should be issued for the replacement of the loam and trees.

The Board reviewed the correspondence.

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

Meeting adjourned at 9:30 p.m.

Prepared by:



Gillian B. Palumbo
Administrative Clerk

Attest: