

Essex Conservation Commission

October 3, 2000 - Minutes

Present: Edwin Perkins, Chairman, Wallace Bruce, Stephen Gersh, Peter Perrigo, George Stavros.

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

The Commission was requested by R.J. Lyman to Determine the Applicability of the Wetlands Protection Act, M.G.L. Chapter 131, Section 40, for the installation of a fence at 1 Apple Street.

R.J. Lyman told the Board the proposed project is the installation and maintenance of a picket fence on the front and side yards of his property. The total length of the fence is approximately 100 feet. R.J. Lyman submitted old photographs to the Board which showed the existence of the fence. R.J. Lyman also indicated that he may want to work on the barn on his property. He would not change the footprint, but change the exterior, and also place more gravel in the driveway. He felt it could come under a Request for Determination of Applicability.

P. Perrigo moved to issue a negative Determination to R.J. Lyman, 1 Apple Street, for the installation of a picket fence, seconded by S. Gersh, with the Board voting unanimously in favor.

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 Loyd Waites covering the construction of a 26'x43' addition and deck at 2 Moses Lane.

The Board reviewed the Notice of Intent. L. Waites told them he would like to construct a 26 feet by 43 feet addition for a garage and office, a 15 feet by 44 feet deck along the rear of the house, and stairs down to Chebacco Lake. He noted that when the house was originally built he told the architect to site it ten feet away from the buffer zone, but the builder constructed it five feet away. The garage will be on a slab foundation and the deck will have footings. No trees will have to be cut. L. Waites was asked how he would stabilize the stairs down the banking. He said his next door neighbor, the Peritons, put in stairs, but he is proposing something less elaborate. He added there is a twelve foot flat area at the base of the stairs. E. Perkins said he felt there was insufficient information to make a decision on the proposed project. He said he would like to know how thick the slab foundation is, how many pilings will be used for the deck, and would like to see a side profile of the

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proposed project. He would also like to see how the applicant will stake the steps to the banking.

P. Perrigo moved to continue the public hearing for Loyd Waites, 2 Moses Lane, to Tuesday, October 17, 2000, at 8:15 p.m., seconded by G. Stavros, 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 Kathleen Ann Tilden for the construction of a 629 square foot building at 148 Main Street.

Jeff Allsop represented the applicant. J. Allsop said they had cleared up the concerns with the Planning Board. He submitted photographs which depicted the existing conditions. He noted the buffer zone comes through the building and he has installed a silt fence, as indicated on the plan, from the parking lot to the side of the building. The ground level of the building has not changed from what existed. A dumpster has been placed on the gable end and all materials are delivered through the driveway. Nancy Gallant, 152 Main Street - "I am concerned the applicant has asked to put a second house on the same property. We thought when the building permit application came out, it was for a handicapped accessible unit." J. Allsop told her there will only be one unit with a shop. N. Gallant wondered why the building needed to be so high, and indicated that the Conservation Commission was the only Board she had heard from regarding this matter. G. Stavros, also a member of the Planning Board, explained to her how the permitting process worked, and indicated that the Planning Board decided that what was going to be built was not substantially different than what was originally there. Richard -----, 147 Main Street, said the building was "pretty big" and wondered how they received the permit to build something so tall.

With no further questions from the Board and the public, G. Stavros moved to close the public hearing for Kathleen Ann Tilden, 148 Main Street, seconded by S. Gersh, with the Board voting unanimously in favor.

A public hearing was held at 8:20 p.m. under the Wetlands Protection Act, M.G.L. Chapter 131, Section 40, on a Notice of Intent filed by Benjamin Winskowicz for the installation of a septic leaching area at 8 Centennial Grove Road.

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Daniel Johnson represented the applicant. He told the Board the applicant has a large piece of land which he has subdivided. They did numerous soil tests and in order to keep the septic system away from the abutting property, they were 60 feet from the buffer zone. D. Johnson was asked if they were dropping 6 feet in about 60 feet. He said it was a 3:1 slope which meets Title V regulations. They will use a rubber roofing membrane as a protection against breakout. The Board reviewed the Notice of Intent and plan.

S. Gersh moved to close the public hearing for Benjamin Winskowicz, 8 Centennial Grove Road, seconded by W. Bruce, with the Board voting unanimously in favor.

Matthew McCarthy met with the Board for a building permit application review for Lot 5, 66 Choate Street. M. McCarthy said they have an agreed mortgage, but need to have a sign off by the Board on the building permit application. E. Perkins told him the road has become an issue on Lot 4, and felt some document should be submitted for Lot 4 with an explanation as to how the road will be maintained. M. McCarthy said that in the purchase and sales agreement Lot 5 would have to have the lot line adjusted. It was indicated that Scott Steeves plans on adjusting the lot line to avoid the pond on Lot 4. At this time, the building permit application sign off was tabled until a road maintenance agreement was submitted.

A request for a Certificate of Compliance was submitted for Jill E. Martin, 24 Lufkin Point Road.

P. Perrigo moved to issue a Certificate of Compliance to Jill E. Martin, 24 Lufkin Point Road, certifying that the work regulated by Order of Conditions D.E.P. File Number 21-386 has been satisfactorily completed, seconded by G. Stavros, with the Board voting unanimously in favor.

A request for a Certificate of Compliance was submitted for Jerome Crepeau, 51 Lufkin Point Road.

P. Perrigo moved to issue a Certificate of Compliance to Jerome Crepeau, 51 Lufkin Point Road, certifying that the work regulated by Order of Conditions D.E.P. File Number 21-289 has been satisfactorily completed, seconded by S. Gersh, with the Board voting unanimously in favor.

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A request for a Certificate of Compliance was submitted for Louis Lima, 51 Lufkin Point Road.

P. Perrigo moved to issue a Certificate of Compliance to Louis Lima, 51 Lufkin Point Road, certifying that the work regulated by Order of Conditions D.E.P. File Number 21-301 has been satisfactorily completed, seconded by S. Gersh, with the Board voting unanimously in favor.

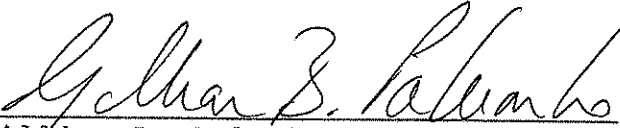
A request for a Certificate of Compliance was submitted by PMC Realty Trust for Lot 1, Scot's Way.

G. Stavros moved to issue a Certificate of Compliance to PMC Realty Trust for Lot 1, Scot's Way, certifying that the work regulated by Order of Conditions D.E.P. File Number 21- has been satisfactorily completed, seconded by P. Perrigo, with the Board voting unanimously in favor.

S. Gersh moved to adjourn the meeting,s seconded by P. Perrigo, with the Board voting unanimously in favor.

Meeting adjourned at 9:05 p.m.

Prepared by:


Gillian B. Palumbo
Administrative Clerk

Attest: