

Essex Conservation Commission

March 21, 2000 - Minutes

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

Meeting called to order at 7:34 p.m.

A Request made by August and Henrietta Meyer for the Commission to Determine the Applicability of the Wetlands Protection Act, M.G.L. Chapter 131, Section 40, for the construction of an 8'x37' deck to the existing dwelling at 80 Rear Eastern Avenue was heard at 7:35 p.m.

Peter Meyer represented the applicant. Meyer told the Board that 8'x8' of the deck will be screened in, and the remainder of the porch will be open. Four sono tubes will be used to support the deck construction. The deck is 50 feet from the edge of the marsh, and 115 feet from the river bank. Meyer said the area slopes more steeply 30 feet from the building and then becomes a more gradual slope.

Gersh moved to issue a negative Determination to August and Henrietta Meyer, 80 Rear Eastern Avenue, for the construction of an 8'x37' deck, seconded by Brophy, with the Board voting unanimously in favor.

A public hearing was held at 7:40 p.m. under the Wetlands Protection Act, M.G.L. Chapter 131, Section 40, on an Abbreviated Notice of Intent filed by James and LynnAnne Hagar for the grading and reseeding of a lawn area and resurfacing of the driveway at 2 Dodge Street.

LynnAnne Hagar told the Board that on her property, to the right of the driveway, they would like to scrape of the surface and level the area. The area is fairly level but they would like to fill in existing pits and holes. The area will then be maintained as a lawn area with native grasses. There is an area of trees bordering the wetland area from the area to be worked on, which is slightly raised, creating a natural berm. They will not be touching that area. The Hagars would also like to regravell existing driveway with 3/4" stone, and to rebuild a wall which runs alongside the driveway. The Board reviewed the Notice of Intent and accompanying site plan.

Brophy moved to close the public hearing for James and LynnAnne Hagar, 2 Dodge Street, seconded by Gersh, with the Board voting

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unanimously in favor.

The Order of Conditions was written for James and LynnAnne Hagar, 2 Dodge Street.

Brophy moved to approve the project of James and LynnAnne Hagar, seconded by Bruce, with the Board voting unanimously in favor. The Board felt the boilerplate Special Conditions would be sufficient, with an additional condition that no fertilizers are to be used on the lawn area.

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 Douglas Camp for the construction of a retaining wall for a driveway at 138 Western Avenue.

Camp told the Board he would like to complete a retaining wall for the driveway. He submitted photographs of the area to the Board. He added that he would also like to put in a cement slab in the area of the driveway to the left of the garage to stockpile bark mulch. The Board said an amendment to the Notice of Intent may be necessary. Camp said he would grade the area so that it would not drain towards the wetland area. Camp said he would also like to clean up all the brush that was dumped in the buffer zone and on the banking by the previous owner. The Board felt he could do that providing it was all done by hand, and not with machinery. Perkins noted that the Town has an ongoing Order of Conditions for maintenance of the Alewife Brook.

Brophy moved to close the public hearing for Douglas Camp, 138 Western Avenue, seconded by Gersh, with the Board voting unanimously in favor.

The Order of Conditions was written for Douglas Camp, 138 Western Avenue.

Gersh moved to approve to project of Douglas Camp, 138 Western Avenue, seconded by Brophy, with the Board voting unanimously in favor. The Board felt the boilerplate would be sufficient for this project.

Sheldon Pennoyer, together with James Ansara, met with the Board at 8:10 p.m. for an informal discussion regarding property on Apple Street and Andrews Street. The property consists of 26 acres of land. Pennoyer told the Board he is excited that James

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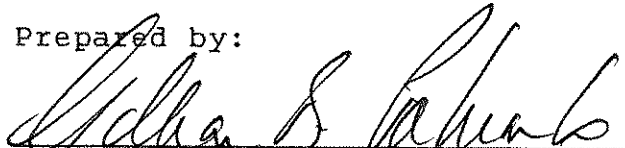
Ansara bought the property, rather than have it developed. He noted that there is an existing cart path which runs along a stream. He asked the Board to have a site visit with him prior to the submittal of the Notice of Intent, so the Board will know a little about the property. The land abuts that of Mac Bell and the Essex Greenbelt. Pennoyer then showed the Board a plan of the land and proposed roadway. He added that the cart path already exists, so he felt it was the best way through the property. Bruce asked if the property was accessible from Apple Street. Pennoyer said it was. Perkins suggested that the roadway be no narrower than 12 feet. The site visit will be held on Sunday, March 26, 2000, at 9:00 a.m.

66 Choate Street - It was noted that a Notice of Intent has, to date, not been submitted for the driveway, following the issuance of a positive Determination for the project. Abutter Gilbert Guerin is trying to find out more about the drainage pattern of the property.

A letter was received from the Natural Heritage and Endangered Species Program, an agency of the Division of Fisheries and Wildlife, regarding the certification of a vernal pool on Town property off Harlow Street. Brophy stated that he has a problem with an individual certifying a vernal pool without coming to the Commission first. It was felt a letter should be sent to the Natural Heritage requesting that prior to certifying a vernal pool within the Town of Essex, they inform the Commission of the location and property owner and include them in the process of the certification. The Board also felt a letter should be sent to the Division of Fisheries and Wildlife noting that this certification was not brought to the Commission's attention during the certification process, and that doubts exist as to its validity as a vernal pool, as it has long been established as a cranberry bog. The Board also requested an in-field validation of the vernal pool.

Gersh moved to adjourn the meeting seconded by Bruce, with the Board voting unanimously in favor. Meeting adjourned at 9:00 p.m.

Prepared by:



Gillian B. Palumbo, Admin. Clerk

Attest: