

Essex Conservation Commission

April 25, 2000

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

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

A Request made by Mark McKay for the Conservation Commission to Determine the Applicability of the Wetlands Protection Act, M.G.L. Chapter 131, Section 40, for the construction of a 6'x11' addition to the existing dwelling at 7 Prospect Street was heard at 7:36 p.m.

McKay told the Board a 6'x20' area will be excavated for a foundation, with some of the existing foundation being replaced because of its poor condition. McKay showed the Board photographs of the area to be worked on. He said there is a wet area 55 feet away containing cat o'nine tails and skunk cabbage. The Board reviewed the plan submitted with the Request.

Prentiss moved to issue a negative Determination to Mark McKay, 7 Prospect Street, for the construction of a 6'x11' addition, seconded by Gersh, with the Board voting unanimously in favor.

A building permit application submitted by Lee Nameche-Strong for the construction of a garage at 17 School Street was signed by Chairman Perkins. The wetlands were 240 feet in one direction, and 288 feet in the other direction.

Chairman Perkins relinquished the chair to Commission member Prentiss for the next appointment. Perkins, representing Perkins Marine, Inc., and Pike Marina, said he would like to extend the Order of Conditions D.E.P. File Number 21-224, for the dredging and maintenance of the marinas. Two thousand yards of material which was not dredged by the original contractor still need to be removed. Perkins noted that the Corps of Engineers were in the Town of Essex doing a pre-dredge survey, who told him not to be too optimistic.

Gersh moved to extend the Order of Conditions D.E.P. File Number 21-224, for Perkins Marine, Inc., and Pike Marina, for three years, seconded by Perrigo, with Gersh, Bruce, Brophy, and Perrigo, voting in favor.

The Board felt a letter should be sent to Peter Van Wyck,

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Turtleback Road, requesting the culvert under Low Land Farms be cleaned to prevent flooding on to a neighbor's field.

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 Creative Development Associates, LLP, for the construction of a 16 foot wide common driveway at 66 Choate Street, Assessors Map 16, Lot 12.

Engineer John Judd represented the applicant. Judd told the Board the construction consists of 3000 square feet of alteration for a 16 foot wide driveway with shoulders on each side. Upon review of the plan, Perkins felt there should be a drainpipe from the northeast corner, but was not positive of this. He added although it was much higher in that area, he still felt there was a drainpipe. By the driveway, the drainage appears to be running to the east, but as the pond is not getting any larger he has to assume a pipe is there. Judd noted there is a culvert there. Gersh asked if the trench shown on the plan was an excavated trench. Judd replied he thought it was some kind of drainage area at one time. Brophy wanted to know if there were wetlands across the street. Perkins told him it was almost standing water on the north side of Choate Street. Virginia Clarke, 84 Choate Street, wanted to know the placement of the Sauer house on the property, which was shown to her. Gersh asked how the wetlands were flagged. Judd told him the wetlands were flagged by Michael DeRosa Environmental. Gersh suggested that when the Board have their site visit to the property, that the botanist also be there. Judd noted the flagging was conservative. Perkins then asked whether Judd had done any flow calculations. Judd indicated that the calculations were included in the package to the D.E.P. Arthur Clark, an abutter, asked if salt were used on the driveway, what impact that would have on the degradation of the wetlands. Judd said crushed stone shoulders could be used to lessen any impact. Prentiss asked what was the size of the culvert. Judd said as best as they could identify, it is a 6 inch culvert. Clarke asked what was wrong with keeping the driveway as it now exists. Judd said this is what the applicant wants. Gil Guerin, an abutter, asked how Judd had delineated the drainage of the northeast corner. It was explained to Guerin, who had entered the hearing later, that this area had been discussed at the beginning of the hearing. Photographs submitted by Arthur Clarke were then entered into the hearing and shown to the Board. A site visit was scheduled for Thursday, April 27, 2000, at 5:00 p.m.

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Perrigo moved to continue the public hearing for Creative Development Associates, LLP, to Tuesday, May 16, 2000, at 7:35 p.m., seconded by Prentiss, with the Board voting unanimously in favor.

A letter was received from Attorney John Guerin regarding the change of use and removal from Chapter 61A classification of property of Edwin P. Story et ux, 25 Apple Street. A letter was sent to the Board of Selectmen noting that the Commission always recommends the preservation of open space within the Town of Essex, but given the present financial constraints of the Town, the Board would not recommend indebtedness for this property.

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

Meeting adjourned at 9:00 p.m.

Prepared by:



Gillian B. Palumbo
Administrative Clerk

Attest: