

Essex Conservation Commission

September 12, 2000 - Minutes

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

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

A continuation of a public hearing was held at 7:40 p.m. under the Wetlands Protection Act, M.G.L. Chapter 131, Section 40, on a Notice of Intent filed by Nancy E. DeVille and John A. Davis covering the reconstruction of an existing single family residence at 18 Coral Hill.

Robert Griffin, of Griffin Engineering Group, LLC., and John Michaud, Savoie Architecture, represented N. DeVille and J. Davis. R. Griffin told the Board that the public hearing first opened on May 16, 2000, with a site visit taking place on May 18, 2000. At that time, the Board did not want to consider the proposed project until it had been approved by the Planning Board. As a result of meetings with the Planning Board, a revised plan was being submitted, which was approved by the Planning Board. R. Griffin noted that they have not received comment from the Division of Wildlife and Fisheries, and the comment time has now expired, so they obviously felt there was no problem. E. Perkins asked if the plan had gone to the Board of Appeals. Commission member G. Stavros, who is also a Planning Board member, said it did not have to, as the applicant was making it no more nonconforming than the existing nonconforming use. P. Perrigo questioned the elevation of the upper deck as the proposed house had been moved northeast to the right and towards the road. R. Griffin said the existing deck was at Elevation 44.8 as opposed to Elevation 45.5 for the proposed deck. P. Perrigo then asked if the overall height of the building had changed. J. Michaud - "Yes, it has. The height has been reduced from the last plan you had. The height of the building is about seven feet below the allowable height of 35 feet. The height at the peak is 29 feet 2 inches." R. Brophy asked if the structure was within the right-of-way. J. Michaud told him it was to the right of the right-of-way. J. Michaud noted that 10 inch sonotubes will be used for the deck. S. Gersh asked if the holes would be hand dug. J. Michaud said they would probably use a machine with an auger, if that was acceptable. R. Brophy said that he would like to see the holes hand dug. E. Perkins asked how much foundation work would be done under the new structure. J. Michaud said they would build a new foundation as it would be

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more economical that way. Linda Carnevale, 16 Coral Hill, said, "I still have one issue, as to what is pervious and impervious, and what is pre-existing. A decision by the Board of Appeals said no further work could be done without permits." G. Stavros said L. Carnevale brought up this issue to the Planning Board, and was told it was a pre-existing non-conforming use. J. Michaud said they did not use decks as lot coverage, but only used what was foundation. E. Perkins said that what is now proposed was certainly less detrimental than what was previously submitted.

With no further questions from the Board or the public, G. Stavros moved to close the public hearing for Nancy DeVillie and John Davis, seconded by R. Brophy, with the Board voting unanimously in favor.

Selectman David Folsom and Kelly Whalen of Dames and Moore met with the Board to discuss the sewer project. E. Perkins told them that they had not discussed it as a Board, but would like to see Dames and Moore produce a blanket Notice of Intent for the entire Town, and then each member of the Commission be a representative within an area, and work with a Clerk of the Works. D. Folsom said they were dealing with 850 homes, but they were not all within the resource area. S. Gersh said he would like the Board to have the names and addresses so they can go out and view the sites. K. Whalen said, "The construction is phased so that the first half of the year the sewer line will go from the Gloucester line to Eben Creek. This contract also includes the five pump stations, two of which are within the area - behind the Red Barrel Pub, and 94 Eastern Avenue, the old Burnham property. Other pump stations are located at the Richdale store, Main Street, behind the Town Hall near the concession stand, and number five is at the Home Center on Western Avenue/Pond Street. The first year and a half we will be dealing with this contract. The pump station at the Red Barrel Pub is within the buffer zone - the wetlands are in Gloucester, number 2 pump station will definitely be within 100 feet of wetlands, number 3 - none of the facilities will be in the buffer zone, but work will be within 100 feet, number 4 will not impact the wetlands, but it will be within a 100-year storm area, and number 5 will have no impact. We hope to begin the project in the Spring of 2001, and the work will be for one and a half years. Construction for Contracts 3 and 4 will begin around the summer of 2002. We hope to start hooking up to actual homes by spring of 2002. Contract Number 3 runs from Eben Creek to the Main Street bridge, including Milk

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Street, Grove Street, etc. This will begin the summer of 2002. At the same time Contract Number 4 will go from the Essex River to the Hamilton line. I have asked the engineers to give me quick memos as to where they see the wetlands impacts will be. The sewer line at the bridge crossing will be above the river. It will be over or under the culverts for other stream beds. For granting connection to the sewer line, it will be from the center of the road to the peoples' property. We see the grinder pumps as part of the installation and not as part of the peoples' property. I feel, based on the engineer's reports, there will not be any direct wetlands impact. The biggest impact will be at Richdale." S. Gersh - "Is this all being coordinated, or is it going to be stretched out?" K. Whalen - "I don't know what the timeframe will be." S. Gersh asked if there would be any tracking of this. K. Whalen told him the Department of Public Works would be keeping track. D. Folsom said, "I would like each contractor to prepare their own Notice of Intent for their area, and then we come up with a generic Notice of Intent for the whole area. Then it would be up to the D.P.W. to notify the Conservation Commission. We will have to get some kind of a permit from the D.P.W. for the hook-up, who in turn will notify the Conservation Commission." E. Perkins - "As long as the D.P.W. notifies the Board, then we can have a representative check. We should also have some maintenance plan in the Order of Conditions in case the pipe has to be dug up." K. Whalen said they can do three separate contracts instead of just the one. It was noted that submittal of the Notices of Intent may be within the next three weeks and that there should be one meeting scheduled for each contract.

A continuation of a Request made by Anthony Taliadoros for the Commission to Determine the Applicability of the Wetlands Protection Act, M.G.L. Chapter 131, Section 40, for the construction of a 35'x60' barn at 35 John Wise Avenue was heard at 8:30 p.m.

A site visit was made to the property. S. Gersh said the resource area should be clearly defined on the plan and be flagged on site. W. Bruce said he would not feel favorably towards this project unless a requirement was made to flag the resource area.

S. Gersh moved to issue a negative Determination to Anthony Taliadoros for the construction of a 35'x60' barn at 35 John Wise Avenue, with the requirement that the area of wetlands in

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question be flagged by an engineer or botanist within a maximum time period of four months, seconded by P. Perrigo, with the Board voting unanimously in favor.

Michael Salmon met with the Board for an informal discussion of the installation of a septic system on property owned by Benjamin Winskowicz, Centennial Grove Road. Salmon noted that the leaching area is 60 feet from bordering vegetated wetlands. E. Perkins felt an Abbreviated Notice of Intent should be filed, and the accompanying plan should show how the rubber membrane for the septic system will be supported.

A building permit application was submitted for review for Catherine Palmer, 5 DeSoto Road, for the construction of an addition to the existing dwelling. As there were no wetlands issues, Chairman Perkins signed the application.

A building permit application was submitted for review for Edward and Jan Jeffries, 96 Southern Avenue, for the construction of a single family dwelling. As there were no wetlands issues with the siting of the dwelling, Chairman Perkins signed the application.

The Open Space Committee would like to have a representative from the Conservation Commission on the Committee. Commission member W. Bruce volunteered to be the representative.

P. Perrigo moved to have Commission member W. Bruce be the Conservation Commission's representative to the Open Space Committee, seconded by G. Stavros, with R. Brophy, P. Perrigo, T. Prentiss, and G. Stavros voting in favor; S. Gersh and W. Bruce abstained.

The Order of Conditions was written for Nancy DeVille and John Davis, 18 Coral Hill.

S. Gersh moved to approve the project of Nancy DeVille and John Davis for the reconstruction of the existing dwelling at 18 Coral Hill, seconded by G. Stavros, with the Board voting unanimously in favor.

Special conditions in addition to the boilerplate are: 1) If the right-of-way is to be utilized during construction, then a bio fence must be installed on both side of the right-of-way, and 2) No fertilizers, pesticides, herbicides, or fungicides will be

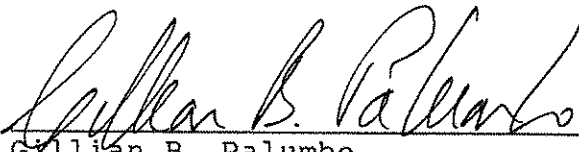
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used on any portion of the property.

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

Meeting adjourned at 9:35 p.m.

Prepared by:



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Gillian B. Palumbo  
Administrative Clerk

Attest: