

Essex Conservation Commission

February 20, 2001 - Minutes

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

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

A Request made by Camp Menorah for the Commission to Determine the Applicability of the Wetlands Protection Act, M.G.L. Chapter 131, Section 40, for the construction of a shed at 19 Wood Drive was heard at 7:35 p.m.

Stephen Simmons, representing Camp Menorah, told the Board the shed is to be used for the storage of kayaks. The shed, 12 feet by 20 feet in size, will be set on concrete blocks; there will be no footings. There will be no water or sewer hookup, and no gasoline or any hazardous materials will be stored within the shed. The Board reviewed the Request.

S. Gersh moved to issue a negative Determination to Camp Menorah, 19 Wood Drive, for the construction of a shed, seconded by R. Brophy, with the Board voting unanimously in favor.

Dennis Nunes, 16 Harry Homans Drive, met with the Board for an informal discussion regarding proposed work on his property. D. Nunes told the Board he would like to remove three tree stumps and construct a fieldstone wall. The area is mowed lawn. He also would like to be able to clean out the brook, but if that is not permissible, then he would like to construct a berm across the rear of the property. P. Perrigo suggested the Board make a site visit to the property to see the proximity of the projects to the resource area. A site visit will be made on Friday, February 23, 2001, at 4 p.m.

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 Sandy Patrican covering the construction of a gravel driveway at 105 Belcher Street.

E. Perkins told the applicant the Board had made a site visit to the property and had a concern about one area of the driveway, pointed out on the site plan, where they felt run-off would sheet down and wash out the driveway. E. Perkins suggested that a drain or swale be installed. The question arose as to whether the driveway should be paved. S. Patrican said if he did not have to pave the driveway, he would prefer not to, but if the

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Commission required it, he would. E. Perkins felt he would only have to pave in the one area noted.

With no further questions from the Board or public, S. Gersh moved to close the public hearing for S. Patrican, seconded by P. Perrigo, 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 Susanna L. McLaughlin, Trustee, of 50 Lake Shore Drive Trust, covering a septic system upgrade and raising of the existing dwelling by 4 feet at 40 Lake Shore Drive.

Julie Parrino, of Hancock Environmental Consultants, represented S. McLaughlin. J. Parrino told the Board that due to site constraints an alternative system, a D.E.P. approved alternative system, was proposed. This will require removal of several trees. The house will also be raised and the foundation built up. A letter was received from the Natural Heritage and Endangered Species Program stating that the proposed work is not in the actual Wildlife Habitat area. The system has not, as yet, been approved by the Board of Health. W. Bruce asked J. Parrino if the system was a remedial or provisional one. Parrino did not have this information. She noted the proposed system will be located to the south of the existing dwelling, and will be constructed at a higher elevation than the existing system due to the groundwater elevation. The existing dwelling will be raised approximately four feet to accommodate the elevated system. The existing dwelling is presently lower than the houses on either side, so when raised will not look out of place. The existing foundation is cement blocks, and additional blocks will be used to raise the elevation of the dwelling. E. Perkins asked S. McLaughlin if the Building Inspector approved the use of cement blocks for the additional height of the foundation. S. McLaughlin said she had discussed this with the Building Inspector, who did not have a problem with this. Parrino said approximately 5,200 square feet of buffer zone will be affected by the proposed activity, but noted that the project is not anticipated to further impact the buffer zone, as all work will be conducted within previously disturbed areas.

With no further questions from the Board or the public, S. Gersh moved to close the public hearing for Susanna McLaughlin, seconded by P. Perrigo with the Board voting unanimously in favor. P. Perrigo felt approval should be obtained from the

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Board of Health to ensure no changes have been made to the submitted site plan.

Although Camp Menorah was issued a negative Determination of Applicability, the Board felt it should be noted on the Determination that there will be no storage of gasoline, paint, solvents, chemicals, and lawn care products within the storage shed.

The Order of Conditions was written for Sandy Patrican, 105 Belcher Street.

W. Bruce moved to approve the construction of a driveway for Sandy Patrican, 105 Belcher Street, as submitted in the Notice of Intent, seconded by R. Brophy, with the Board voting unanimously in favor. In addition to the Special Conditions boilerplate, the Board wanted to add that measures must be taken to prevent washout of the driveway into the wetlands.

The Board reviewed a submittal of a Notice of Intent for Kevin Flaherty, 61 Harlow Street, for the installation of a tight tank. The public hearing will be held on Tuesday, March 6, 2001, at 7:35 p.m.

S. Gersh noted an article will be placed on the warrant for the Annual Town Meeting for the conveyance of Town of Essex Tax Title properties to the Manchester-Essex Conservation Trust. R. Brophy wondered why it was going to the Manchester-Essex Conservation Trust instead of the Essex Conservation Commission. It was noted that the the lots are surrounded by property owned by the Manchester-Essex Conservation Trust. R. Brophy indicated he did not agree with the lots going to a private organization.

A memorandum was received from the Board of Health regarding Zagorski Gunitite Pool Company at 12 Scot's Way. The memo indicated that evidence of recent work within the 100-foot buffer zone had been observed. Chairman Perkins said he went to the site and requested haybales be put in place. Stumps had been removed, and Zagorski Gunitite Pool Company is now in the process of stabilizing the banking.

Creative Development Associates, LLP, 66 Choate Street - a Second Amendment to the Common Driveway Agreement and Reservation of Easement was reviewed by the Board. The Second Amendment contained wording requested by the Commission.

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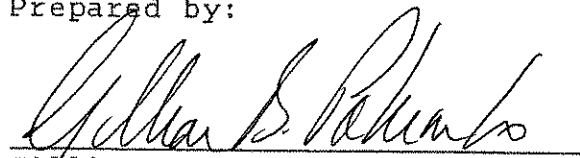
A copy of a letter sent to Bruce Julian, D.P.W. Superintendent, from Rich O'Donnell, 48 Belcher Street, regarding safety issues and run-off from the driveway to Belcher Street was reviewed. The letter noted that construction will commence in April or May 2001.

A letter was received from the Division of Fisheries and Wildlife regarding the beaver dam on property owned by Paul and Barrie Levine, 51 Pond Street. It was noted that the Levines may breach a section of the beaver dam and maintain that breach for the length of the permit - slow removal of a section three feet wide along the length of the beaver dam and twelve inches from the top of that section to be conducted in a controlled manner to minimize downstream flooding and rapid wetland drainage. Other conditions are the immediate issue of a non-lethal abatement plan in the form of ongoing technical advice and supporting literature to the primary permittee.

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

Meeting adjourned at 8:45 p.m.

Prepared by:



Gillian B. Palumbo
Administrative Clerk

Attest: