

Essex Conservation Commission

April 3, 2001

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

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

The Board signed a payroll voucher for the Administrative Clerk.

Jack Sullivan met with the Board to discuss perc testing on a vacant lot on Scot's Way. He said he dug test holes, but did not find suitable material outside of the 100 foot buffer zone. It was found to be exposed ledge. Health Agent Elaine Wozny said they might have to go into the buffer zone, as the Board of Health requires four deep observation tests. Some testing had been done in 1991, but Title V has changed, and therefore, testing needs to be redone. So far, they have not been able to find the four feet, which is required. J. Sullivan noted that he has to show he has tested in all areas, and has exhausted all options. The Board recommended he file a Request for a Determination of Applicability for testing in the buffer zone.

2 Brook Pasture Lane - S. Gersh said he had received telephone calls from three neighbors about work being done on the property near a perennial stream and vernal pool. He felt a letter should be sent to Eric Mears, the potential purchaser of the property, stating that no work should continue until all permits have been obtained, i.e. Planning Board, Board of Health, and Conservation Commission.

S. Gersh moved to send a letter to Eric Mears that no work be done on the property to include brush cutting, tree removal, and work on any road, seconded by W. Bruce, with the Board voting unanimously in favor.

A public hearing was held at 8:10 p.m. under the Wetlands Protection Act, M.G.L. Chapter 131, Section, on a Notice of Intent filed by Creative Development Associates, LLP, for the construction of a replacement sewage disposal system at 66 Choate Street.

Michael Staiti represented the applicant. He told the Board the lot contains the existing farmhouse, and the existing septic system is a cesspool which does not meet Title V regulations. M. Staiti noted that the only area they could find is as shown on the plan, which is within the 100 foot buffer zone. To the rear

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of the property where the existing cesspool is located, they ran into a ledge problem. The new system will be a five-bedroom system, which has been approved by the Board of Health, as it meets Title V regulations with one variance requested. The system cannot be moved to another area, because the topo drops off and no deep holes can be obtained. The new system is 60 feet from the wetlands. Gilbert Guerin, an abutter, said he had a concern on the aesthetics of this, but felt the Board of Health did their best to accommodate it.

With no further questions from the Board or the public, S. Gersh moved to close the public hearing, seconded by T. Prentiss, with the Board voting unanimously in favor.

A request for a Certificate of Compliance was made by Creative Development Associates, LLP, 66 Choate Street, for work regulated under Order of Conditions D.E.P. File Number 21-397.

S. Gersh moved to issue a Certificate of Compliance to Creative Development Associates, LLP, 66 Choate Street, certifying that work regulated by Order of Conditions D.E.P. File Number 21-397 has been satisfactorily completed, seconded by R. Brophy, with the Board voting unanimously in favor.

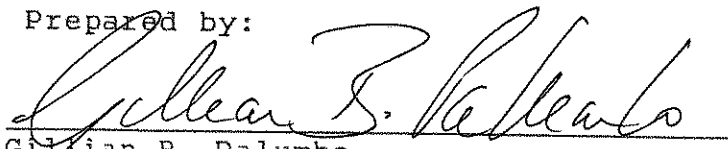
The Order of Conditions was written for Creative Development Associates, LLP, 66 Choate Street, Lot 3.

T. Prentiss moved to approve the project of Creative Development Associates, 66 Choate Street, Lot 3, as submitted in the Notice of Intent, seconded by S. Gersh, with the Board voting unanimously in favor. In addition to the regular boiler plate, the Board also added that a permeable rubber membrane be placed on the east and north sides of the leach field.

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

Meeting adjourned at 8:45 p.m.

Prepared by:


Gillian B. Palumbo
Administrative Clerk

Attest: