

Essex Conservation Commission

June 5, 2001

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

Meeting called to order at 7:37 p.m.

Larry Woodman, Woodman's Inc., 121 Main Street, met with the Board to discuss the cleaning of a culvert behind the former veterans building. He said the culvert was installed approximately five years ago, and they would like to clean it out and keep it maintained so that it is functional. When the septic system was upgraded, engineers for that project delineated the buffer zone. L. Woodman asked what he can or cannot do to the parking area. He was told to file a Request for a Determination of Applicability for the maintenance of the culvert, but for more extensive work to the parking area a Notice of Intent should be filed.

A continuation of a public hearing was held at 7:45 p.m. under the Wetlands Protection Act, M.G.L. Chapter 131, Section 40, on a Notice of Intent filed by Peter Van Wyck covering the construction of a dwelling, septic system, utilities, and associated grading on Turtleback Road, Assessors Map 9, Parcel 11L.

Greg Hochmuth, Thomas Neve Associates, represented the applicant. G. Hochmuth stated that at a prior meeting John Morin represented the applicant. At that time, the Board had requested the buffer zone be flagged so a site visit could be made. Nothing, he noted, had changed since then. He added that the Board had, at the site visit, talked about bringing riprap all around the rear, but he felt the grass would act as a filter. The Board felt riprap was better and should extend westerly on contour lines 70 and 72 to the boundary line.

With no further questions from the Board or the public, S. Gersh moved to close the public hearing for Peter Van Wyck, seconded by W. Bruce, with the Board voting unanimously in favor.

A continuation of 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 Russell and Deborah Ulrey covering the construction of an addition and septic system upgrade with associated grading at 36 Lakeshore Drive.

A letter was received from Benjamin Osgood, Jr., of New England Engineering Services, Inc., requesting a continuation of the

Page Two  
June 5, 2001 - Minutes

hearing until the next meeting of the Board.

S. Gersh moved to continue the public hearing for Russell and Deborah Ulrey to Tuesday, June 19, 2001, at 7:45 p.m., seconded by W. Bruce, with the Board voting unanimously in favor.

A request made by Michael and Julia Thompson for the Commission to Determine the Applicability of the Wetlands Protection Act, M.G.L. Chapter 131, Section 40, for the installation of an above-ground pool and fence at 1A Brook Pasture Lane was heard at 7:55 p.m.

M. Thompson told the Board they would like to scrape and level the site for the installation of a vinyl coated, galvanized steel above-ground pool and a four feet high chain link fence with latching gate. The Board reviewed the Request and attached plan. W. Bruce questioned whether the pool would be placed on the leaching field, to which M. Thompson replied it would not.

S. Gersh moved to issue a negative Determination to Michael and Julia Thompson, 1A Brook Pasture Lane, for the installation of an above-ground pool and fence, seconded by P. Perrigo, with the Board voting unanimously in favor.

The Order of Conditions was written for Peter Van Wyck, Turtleback Road, Assessors Map 9, Parcel 11L.

T. Prentiss moved to approve the project of Peter Van Wyck, Turtleback Road, Assessors Map 9, Parcel 11L, as submitted in the Notice of Intent, seconded S. Gersh, with the Board voting unanimously in favor.

The following conditions were added to the boilerplate: 1) The riprap should extend westerly between Elevation 70 and 72 to the west property boundary line. 2) To the south of the building and septic system, a minimal amount of fertilizer, herbicides, should be used as defined by the recommendation of the manufacturer.

A public hearing was held at 8:10 p.m. under the Wetlands Protection Act, M.G.L. Chapter 131, Section 40, on a Notice of Intent filed by Lori A. Silva for the renovation of an existing 2-story structure at 23 Gregory Island Road.

Wayne Hart, designer of the renovation, and Lori Silva met with the Board to discuss the project. W. Hart told the Board Mrs. Silva would like to renovate the building by removing the garage and cantilevering out to create more space for the living area.

They would also like to remove the roof, install floor joists, and make the second floor so that it is not attic space. Edwin Perkins asked what the height of the peak was presently, and was told by W. Hart it is was 26 feet. Edwin Perkins then questioned how high the peak would be after construction, and was told the roof would be raised approximately eight feet. Thomas Prentiss asked how many bedrooms there were in the existing building. Lori Silva told him there was one bedroom, and that it will remain one bedroom, as upstairs will become a master suite. Connie Tippens, 22E Gregory Island Road, said she had heard the applicant was extending the building outward. Lori Silva told her there were cantilevering the building out approximately 2 feet 10 inches. but they would not be extending further towards the Lake. It was noted the closest point to the water is 45 feet. Kerry Kaplon, 27E Gregory Island Road, told the Board he lives adjacent to the property and was trying to get an idea of the height of the building. Michael Phelan questioned if the septic system was going to change, and was told it would remain the same - to service a one bedroom dwelling. Wallace Bruce questioned whether any work would be done on the footings. W. Hart told him their plan was to redo the footings and construct a frost wall. Questions were asked regarding the number of bedrooms. Peter Perrigo noted that if someone was allowed to put in two bedrooms, they would not put in one bedroom as a choice.

With no further questions from the Board and the public, Stephen Gersh moved to close the public hearing for Lori Silva, seconded Peter Perrigo, with the Board voting unanimously in favor.

A public hearing was held at 8:35 p.m. under the Wetlands Protection Act, M.G.L. Chapter 131, Section 40, on a Notice of Intent filed by Joan DiFluri covering septic system repair and construction of additions to the existing dwellings at 10 Gregory Island Road.

Gerard McDonald, H.L. Graham Associates, represented the applicant. G. McDonald told the Board the gravel driveway into the property services a three-bedroom house and a one-bedroom guest cottage. The area was flagged by DeRosa Environmental Consulting, Inc. The proposed project is for the upgrade of the septic system, the construction of a deck on the guest cottage, an addition on the main house, and a breezeway connecting the main house to the guest cottage. The existing cesspool will be removed and a new system constructed, but with no increase in flow. Both the Department of Environmental Protection and the Board of Health

Page Four

June 5, 2001 - Minutes

have approved the septic system. W. Bruce asked what kind of footing or foundation will be used for the construction of the additions. G. McDonald said they would like to put in a foundation, or at the very least, a frost wall.

With no further questions from the Board or the public, Peter Perrigo moved to close the public hearing for Joan DiFluri, seconded by Stephen Gersh, with the Board voting unanimously in favor.

A public hearing was held at 8:40 p.m. under the Wetlands Protection Act, M.G.L. Chapter 131, Section 40, on a Notice of Intent filed by Thomas and Joseph Pallazola for the construction of a driveway, parking area, and storage building at 142 Eastern Avenue.

Attorney Thomas Beatrice represented the applicants. Also present for the applicants was engineer Edward Eisenhaure. Attorney Beatrice told the Board Thomas and Joseph Pallazola are proposing to purchase the property at 142 Eastern Avenue, with the building near Eastern Avenue to be used as a retail store. They also have a petition before the Planning Board, who are awaiting the decision of the Conservation Commission. Edward Eisenhaure told the Board the proposed building shown on the plan will be used for storage of equipment. The proposed parking area is sufficient for forty spaces. They are proposing to mitigate run-off with a crushed stone strip to allow water to filter out gradually to a swale. They are also proposing an access drive to the rear of the property which will not be a hard surface. Edward Eisenhaure noted the siltation fence is in place at the moment. He feels the parking area will not change the amount of run-off, because there is bedrock in the area presently. Edwin Perkins told Edward Eisenhaure he would like to have a gas trap placed in the parking area. E. Eisenhaure said he would look to see if a small gas trap could be placed there. Tudi Bartlett, an abutter, told E. Eisenhaure that fill is in the area and not ledge. E. Eisenhaure told her there is some noticeable bedrock, but there also could be fill. It was noted that engineer John Judd did the wetland delineation, and also did the septic system design. Tudi Barlett said she would like more study done to see the flow of the run-off. The Pallazolans were questioned as to the extent of tree removal to the rear of the property. Joseph Pallazola said, "We will be stripping a lot of trees off the property - there will be some in the ground, but others will be containerized. The road is to provide access to the rear. The intention is to grow plants to

Page Five

June 5, 2001 - Minutes

the rear of the property, and the access road will be used to bring stock in and stock out. We will be putting in substantial plantings." The Pallazolas were then questioned as to the type of fertilizer they would be using. Joseph Pallazola said, "We will be using organic fertilizer. Once the plants are in, it will only be organic. We will not be using fertilizers/herbicides." The Pallazolas were then asked if they would be storing gravel, mulch, etc., and what their plans are for either side of the road. Joseph Pallazola said there would be no stockpiling of material on either side of the road. Lysa Leland, an abutter, requested the vegetation near the pond be left undisturbed. Edward Eisenhaure told her the vegetation would not be disturbed; they would keep what is already there. The Board then said they would like to have a delineation as to where materials are going to be stockpiled. Stephen Gersh said he has no idea as to what they want to do from the plan as submitted. He would like to know where the mulch, etc. is going to be stored. He noted that a site visit will be made to the property, and he would like to have the requested information shown on the plan for the site visit, so the Board can have a picture as to what is happening. S. Gersh also felt that engineer John Judd should recheck his wetland delineation. The issue of a floor drain within the proposed storage building was mentioned. Edwin Perkins noted that in the Order of Conditions it can be stated no floor drains will be permitted. Thomas Prentiss asked if the applicants have an area where they park their vehicles. He was told the vehicles will be parked inside of the proposed building.

A site visit is scheduled for Thursday, June 14, 2001, at 4:30 p.m.

Peter Perrigo moved to continue the public hearing for Thomas and Joseph Pallazola to June 19, 2001, at 7:45 p.m., seconded by Thomas Prentiss, with the Board voting unanimously in favor.

A public hearing was held at 9:20 p.m. under the Wetlands Protection Act, M.G.L. Chapter 131, Section 40, on a Notice of Intent filed by Henrietta Meyer for the demolition of two existing buildings and reconstruction of a single family dwelling at 80R Eastern Avenue.

Peter Meyer and Jack Gale represented the applicant. Peter Meyer told the Board the existing dwelling as shown on the plan will remain. Where 'existing foundation' is noted on the plan, the building will be removed, but the foundation will be kept. One

Page Six  
June 5, 2001 - Minutes

portion of the existing dwelling will be completely removed, as shown on the plan of the project. Peter Meyer noted that the footprint of the house is a little less than before, and the proposed addition is ultimately moving further away from the river. He added that they will not be disturbing anything that has not originally been disturbed.

With no further questions from the Board of the public, Stephen Gersh moved to close the public hearing for Henrietta Meyer, 80R Eastern Avenue, seconded by Wallace Bruce, with the Board voting unanimously in favor.


The Order of Conditions was written for Henrietta Meyer, 80R Eastern Avenue.

Thomas Prentiss moved to approve the project of Henrietta Meyer, 80R Eastern Avenue, as submitted in the Notice of Intent, seconded by Wallace Bruce, with the Board voting unanimously in favor. In addition to the boiler plate, the Board added the following to the Special Conditions: A bio fence be placed 40 feet from the edge of work.

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

Meeting adjourned at 10:00 p.m.

Prepared by:

  
\_\_\_\_\_  
Gillian B. Palumbo  
Administrative Clerk

Attest:

Essex Conservation Commission

May 15, 2001

A G E N D A

Apointments:

- 7:30 p.m. ... Tom Mayo - informal discussion on addition to 1st Congregational Church, Main Street
- 7:35 p.m. ... Julia Thompson, 1A Brook Pasture Lane installation of an above-ground swimming pool
- 7:40 p.m. ... Continuation of a public hearing - Peter Van Wyck - construction of dwelling, septic system, utilities and associated grading on Lot 24, Turtleback Road
- 7:45 p.m. ... Continuation of a public hearing - Russell and Deborah Ulrey - construction of addition and septic system upgrade with associated grading at 36 Lakeshore Drive
- 8:00 p.m. ... Clay Morin
- 8:15 p.m. ... Jamie Richardson - informal discussion on replacement of existing barn on Island Rd
- 8:20 p.m. ... Kathleen Tilden, George Fuller House, 148 Main Street

Business:

Letter from Building Inspector to Kathleen Tilden, George Fuller House, 148 Main Street

Memo from Town Administrator re: personnel records

Board of Health Enforcement Order - 11 Southern Avenue

Submittal of N.O.I. - Thomas Pallazola, 142 Eastern Avenue

Approval of Minutes - November 7, 2000, January 2, 2001, January 16, 2001, and February 20, 2001

Next meeting - June 5, 2001