

Essex Conservation Commission

September 18, 2001 - Minutes

Present: Edwin Perkins, Chairman, Wallace Bruce, Stephen Gersh, Philip Lake, Judson Lane.

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

The Board met with William Taylor, 166 Eastern Avenue. Stephen Gersh told the Board he had invited William Taylor to meet with them as cutting had been going on near a stream shown on the USGS Map. S. Gersh noted that the Commission could request the field be restored, but if that happens then the purple loosestrife would take over. He said the migration period for salamanders is July and August so there should be no cutting at that time.

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 Paul T. Pennoyer for the construction of a single family dwelling on Grove Street, Assessors Map 10, Lot 31.

Jack Gale represented the applicant. He told the Board both the 200-foot and 100-foot delineation lines were shown on the plan. The house is uphill but within the 200-foot riverfront area. The septic system has been approved by the Board of Health and is outside of both delineation lines. The Board reviewed the plan submitted with the Notice of Intent. Stephen Gersh asked for the proposed erosion control on the west edge to be extended straight to Grove Street and run parallel with the existing road. Ms. Edith Febiger asked if there were any springs that may move when digging begins. Edwin Perkins did not think so, as the area where the construction will be is quite high compared to the water table. Her concern was drainage onto her property. Jack Gale was asked what the percentage was of the construction within the 200-foot area. He indicated approximately fifty percent of the footprint of the dwelling.

With no further questions from the Board or the public, Stephen Gersh moved to close the public hearing for Paul Pennoyer, seconded by Judson Lane, with the Board voting unanimously in favor.

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 Thomas H. Perkins for buffer zone clearing and grading at 66 John Wise Avenue.

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Engineer John Judd represented the applicant. The Board was told the applicant is working from the existing barn, and he would like to provide a storage area with a pervious surface and clear some brush to gain accessibility around the building. He is keeping the trees in the locations as shown on the plan. Edwin Perkins said he made a site visit and felt some rip-rap should be put in place to stop the edge from sloughing down. There should be an apron along the rip-rap of crushed stone to define the limits of work and as a treatment for any sediment. It was noted that the applicant works on boats in the building and would like to store boats outside and have the one he is working on within the building. There is ledge to the rear of the building so the grading will follow the contour of ledge. All brush is 1" to 2" trees and sumac. Stephen Gersh asked how much of the subsurface is going to be disturbed with the brush cutting to the rear. John Judd said they would remove the layer of organic material completely. Stephen Gersh said he would like to see crushed stone placed between a layer of lynnpack and the surface. Wallace Bruce said he was more concerned with the front of the property because of the visual impact. He was told there would be no brush cutting in the front.

With no further questions from the Board or the public, Stephen Gersh moved to close the public hearing for Thomas Perkins, seconded by Wallace Bruce, with the Board voting unanimously in favor.

A Request made by William and Deborah French for the Commission to Determine the Applicability of the Wetlands Protection Act, M.G.L. Chapter 131, Section 40, for a second floor addition to an existing dwelling at 5 Pickering Street was heard at 8:12 p.m.

William French told the Board the proposed project is a second floor addition to their single family dwelling, but they need to put in two sono tubes to support an overhang on the addition. A drainage ditch runs into a pipe to the rear of their property, and is within 100 feet of the project. The excavation for the sono tubes will be hand dug. The Board reviewed the plan.

Stephen Gersh moved to issue a negative Determination to William and Deborah French, 5 Pickering Street, seconded by Wallace Bruce, with the Board voting unanimously in favor.

A Request made by Paul and Catherine Xavier for the Commission to Determine the Applicability of the Wetlands Protection Act, M.G.L.

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Chapter 131, Section 40, for a second floor addition to the existing dwelling at 154R Eastern Avenue was heard at 8:20 p.m.

Catherine Xavier told the Board the proposed project is for a second floor addition to the existing dwelling. An underground stream runs between her property and her neighbor's. It is all ledge in the area and goes through the back of her house into the basement. She noted they may only be able to dig 1.5 feet before hitting ledge. The Board reviewed the plan.

Stephen Gersh moved to issue a negative Determination to Paul and Catherine Xavier, 154R Eastern Avenue, seconded by Wallace Bruce, with the Board voting unanimously in favor.

Attorney Arthur Ross met with the Board to request a Certificate of Compliance for Heidi McKeon for Order of Conditions D.E.P. File Number 21-322 issued to Peter Van Wyck for underground utilities to 8 Turtleback Road. The Board reviewed the Notice of Intent and plan. Stephen Gersh asked if anyone had been in contact with engineer Clay Morin, engineer for the project. The Board requested a letter be sent to them from Clay Morin stating that the project was complete. They also wanted to see designated on a plan an outline of the house, driveway, the location of the utility line, and the lot number for identification.

Karen Bernier, 101 Western Avenue, met with the Board to verify that the plan she will be submitting for her proposed project - an addition to the existing dwelling - is adequate. The Board felt if the 200' and 100' buffer lines are drawn on the plan, it would be sufficient.

A request was made for a Certificate of Compliance by HRM Group for property at 8 Centennial Grove Road for Order of Conditions D.E.P. File Number 21-407.

Edwin Perkins said he had looked at the site and the project has been completed. Stephen Gersh moved to issue a Certificate of Compliance to HRM Group certifying that work regulated by Order of Conditions D.E.P. File Number 21-407 has been satisfactorily completed, seconded by Wallace Bruce, with the Board voting unanimously in favor.

A building permit application was reviewed by the Board for Paul and Cecily Pennoyer, Grove Street, for the construction of a dwelling. Review of the plan showed there were no wetland issues

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and the building permit application was signed.

The Order of Conditions was written for William Mahoney, 20 Coral Hill.

Stephen Gersh moved to approve the prroject for William Mahoney, 20 Coral Hill, as submitted in the Notice of Intent, seconded by Wallace Bruce, with the Board voting unanimously in favor. Special conditions to be added to the boilerplate - 1) The project will be done in conjunction with the installation of Town water. 2) A bio fence will be installed instead of haybales. 3) Wallace Bruce will be the Commission's representative for the project.

The Order of Conditions was written for Cynthia Cameron, 2 Brook Pasture Lane.


Stephen Gersh moved to approve the project for Cynthia Cameron, Executrix for the Estate of Blanche Nelson, 2 Brook Pasture Lane, seconded by Philip Lake, with the Board voting unanimously in favor. Special conditions to be added to the boilerplate - 1) The Order of Conditions is based on the plan of July 10, 2001, revised September 2, 2001. 2) A bio fence will be installed instead of haybales. 3) The large black hickory located in the southeast corner of the property will remain. 4) A 25-foot no-cut zone beginning north of the erosion control barrier and extending in the direction of the flagging shall be applicable. 5) Stephen Gersh will be the Commission's representative for the project.

Stephen Gersh moved to approve the Minutes of May 15, 2001, and June 5, 2001, as read, seconded by Wallace Bruce, with Edwin Perkins, Stephen Gersh, and Wallace Bruce voting in favor; Judson Lane and Philip Lake voted present.

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

Meeting adjourned at 9:40 p.m.

Prepared by:

  
Gillian B. Palumbo  
Administrative Clerk

Attest: