

Essex Conservation Commission

October 16, 2001 - Minutes

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

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

A public hearing was held at 7:39 p.m. under the Wetlands Protection Act, M.G.L. Chapter 131, Section 40, on a Notice of Intent filed by Dana B. and Elizabeth Story for the construction of an addition to an existing work shed at 30 LeBaron Road.

Brad Story told the Board he first thought of putting on a temporary addition and felt he did not need a permit for it. When he realized what he was going to put in, he realized it was enough to require permits. The existing tool/workshop is 16'x16', and the addition will be 18'x30'. Brad Story was asked how much of the addition is up. He told the Board the basic shell is there. Holes were dug by hand for sono tubes for the footings. Beth Story said they welcome people to look at the site, and she feels they will find no material went into the marsh. S. Gersh asked if an engineer had done the site work. Beth Story said it was not necessary, as it was evident by direct observation; it is work within the buffer zone, but not in the marsh. S. Gersh said he would like to make a site visit. A site visit was scheduled for Saturday, October 20, 2001, at 8:00 a.m.

S. Gersh moved to continue the hearing for Dana and Elizabeth Story to the site on Saturday, October 20, 2001, at 8:00 a.m., seconded by W. Bruce, with the Board voting unanimously in favor.

A Request made by Peter Van Wyck for the Conservation Commission to Determine the Applicability of the Wetlands Protection Act, M.G.L. Chapter 131, Section 40, for the installation of a foundation drain and regrading at Lot 34, Turtleback Road, was heard at 7:48 p.m.

Board member P. Lake removed himself from any discussion because of a possible conflict. The applicant, or a representative, did not meet with the Board, for a discussion of the Request. The Board compared the plan submitted with the Request to that submitted to the Planning Board to ensure that Lot 34 had the same configuration. The Board had questions regarding the plan, as follows: Had the applicant considered moving the outflow of the perimeter drain for the foundation work to the west out of the buffer zone; how does the applicant wish to handle the discharge

Page Two

October 16, 2001 - Minutes

from the foundation drains; the Board wanted to see some dimensions on the plan; a proposal should be submitted for the retention of the outflow so that it does not discharge directly into the buffer zone; the Board wanted to see the buffer zone line from pond five.

S. Gerish moved to continue the Request for Determination of Applicability for Peter Van Wyck for Lot 34, Turtleback Road, based on insufficient information, to November 6, 2001, at 7:55 p.m., seconded by W. Bruce, with R. Brophy, W. Bruce, S. Gerish, and J. Lane voting in favor; P. Lake abstained.

A Request made by the Essex Package Store for the Commission to Determine the Applicability of the Wetlands Protection Act, M.G.L. Chapter 131, Section 40, for the construction of additional footings to the existing building at 91 Main Street was heard at 8:05 p.m.

Greg Mahoney of the Essex Package Store told the Board he would like to put in a total of nine extra footings to support the weight of the floor of the store as it is beginning to sag. Existing supports are driven wood pilings with pile caps. Greg Mahoney said the new pilings would be put on dirt. The existing foundation is concrete, so whatever is done will be self-contained.

S. Gerish moved to issue a negative Determination to the Essex Package Store, 91 Main Street, seconded by W. Bruce, with the Board voting unanimously in favor.

A public hearing was held at 8:13 p.m. under the Wetlands Protection Act, M.G.L. Chapter 131, Section 40, on a Notice of Intent filed by Charles R. Coose, Jr. for the construction of a fence and grading at 95 Western Avenue.

Beverly Coose told the Board that they would like to fill and grade an area approximately 30'x40' to the rear of the property, and erect fencing around the yard. The amount of fill required will be sufficient to fill up small holes so the area can be mowed. The slope will not change. The Board reviewed the Abbreviated Notice of Intent and plan.

W. Bruce moved to close the public hearing for Charles R. Coose, Jr., 95 Western Avenue, seconded by S. Gerish, with the Board voting unanimously in favor.

Page Three
October 16, 2001 - Minutes

S. Gersh moved to approve the proposed project for Charles R. Coose, Jr., 95 Western Avenue, as submitted in the Abbreviated Notice of Intent, seconded by W. Bruce, with the Board voting unanimously in favor. Chairman Perkins will be the Commission's representative for the project.

Chairman Edwin Perkins said he and Al Creighton, a Trustee of the Manchester-Essex Conservation Trust, went to Andrews Street to look at a site that the Conservation Trust would like to make into a small parking area. The only wetland area that E. Perkins said he observed was a small pond which was between 140 feet and 160 feet from the parking area. Permission to create the parking area was granted.

Thomas Perkins, 66 John Wise Avenue, met with the Board for a discussion on an amendment to the plan for his proposed project - Commission member Jud Lane removed himself from any discussion as he is an abutter.

S. Gersh showed a video to the Board entitled "The Great Marsh".

S. Gersh moved to approve the proposed project for Thomas Perkins, 66 John Wise Avenue, seconded by W. Bruce, with R. Brophy, W. Bruce, S. Gersh, and P. Lake voting in favor; J. Lane abstained.

The Order of Conditions was written for Karen Bernier, 101 Western Avenue.

W. Bruce moved to approve the project of Karen Bernier, 101 Western Avenue, as submitted in the Notice of Intent, seconded by Stephen Gersh, with the Board voting unanimously in favor. A bio fence was required to be placed along the edge of the stream between the construction and the stream. Chairman Perkins will be the Commission's representative for the project.

The Order of Conditions was written for James O'Brien, 22 Coral Hill.

W. Bruce moved to approve the project of James O'Brien, 22 Coral Hill, to allow the installation of a tight tank, and the upgrade of the septic system at such time when the water line is installed, seconded by S. Gersh, with the Board voting unanimously in favor.

A special condition was to allow the installation of a 2000 gallon tight tank in place of the 1500 gallon septic tank during the

Page Four
October 16, 2001 - Minutes

interim, with the septic system upgrade being contingent upon the installation of the water line.

J. Lane moved to adjourn the meeting, seconded by W. Bruce, with the Board voting unanimously in favor.

Meeting adjourned at 9:55 p.m.

Prepared by:

A handwritten signature in cursive script, appearing to read "Gillian B. Palumbo", written over a horizontal line.

Gillian B. Palumbo
Administrative Clerk

Attest: