

Essex Conservation Commission

November 6, 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 continuation of 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 7:36 p.m.

The applicant submitted revised plans showing the changes requested by the Board at their meeting on October 16, 2001. The Board compared the revised plan to the original plan. P. Van Wyck then answered questions posed by the Board at their previous meeting. He felt the Board was losing sight of the quantity of water involved and noted that he did not expect too much flow. E. Perkins said if there is no flow then the engineer should do calculations for the 100-year storm. If he feels there is not enough flow for a retention area, then he should provide calculations for that.

In order for the above information to be obtained and submitted to the Board, they requested an extension to the Request until November 20, 2001, at 7:35 p.m., which P. Van Wyck agreed to.

A Request made by the First Congregational Church of Essex for the Commission to Determine the Applicability of the Wetlands Protection Act, M.G.L. Chapter 131, Section 40, for placement of rip-rap within the buffer zone at 39 Main Street was heard at 7:45 p.m.

Raymond Randall, a member of the Board of Trustees for the First Congregational Church, represented the church. He told the Board the Request was filed for the placement of approximately 2'x5' of rip-rap within the buffer zone. The actual disruption to the buffer zone will be 10 to 12 feet. R. Randall said there was a change in the run-off from the new addition and in order to deal with the additional run-off and to prevent a backflow into the basement the rip-rap was extended into the buffer zone. Two dry wells will pick up run-off from the roof drains. It was noted that soils in the area are permeable.

After review of the Request, S.Gersh moved to issue a negative

Page Two
November 6, 2001 - Minutes

Determination to the First Congregational Church of Essex, seconded by W. Bruce, with the Board voting unanimously in favor.

The Board signed the Order of Conditions for Thomas Perkins, 66 John Wise Avenue.

A Request made by Karen Bernier for the Conservation Commission to Determine the Applicability of the Wetlands Protection Act, M.G.L. Chapter 131, Section 40, for the repaving of an existing driveway at 101 Western Avenue was heard at 8:00 p.m.

The Request was filed to repave over an existing paved driveway within the buffer zone. E. Perkins told the Board that a bio fence has been installed for the proposed addition, for which an Order of Conditions was issued, and it should remain in place during the repaving.

S. Gersh moved to issue a negative Determination to Karen Bernier, 101 Western Avenue, seconded by Philip Lake, with the Board voting unanimously in favor.

A Request made by Joshua Taylor for the Conservation Commission to Determine the Applicability of the Wetlands Protection Act, M.G.L. Chapter 131, Section 40, for soil testing at 67 Apple Street was heard at 8:05 p.m.

The applicant told the Board he has a failing wastewater system, a cess pool, and would like to perform soil testing in order to upgrade the existing system. He said he purchased the property approximately two months ago. The bordering vegetated wetland was flagged by Bill Manuell of Wetlands and Land Management, Inc., and is located completely on an adjacent lot owned by the Essex County Greenbelt Association. There is a stone wall around the property, and only one corner of the property will be in the buffer zone. Although the intent is to observe and test the soils as far from the bordering vegetated wetland as is possible, it is also possible they may end up within the 100-foot buffer zone.

W. Bruce moved to issue a negative Determination to Joshua Taylor, 67 Apple Street, seconded by P. Lake, with the Board voting unanimously in favor.

David Santomenna, Project Manager, at the Essex County Greenbelt Association, 82 Eastern Avenue, met with the Board to present two draft Conservation Restrictions, for the Board's endorsement of

Page Three
November 6, 2001 - Minutes

the restrictions prior to their submittal to the Board of Selectmen for approval. The first restriction is for property owned by Dorothy Lunken, 64 Eastern Avenue. The intent is to donate this restriction to the Essex County Greenbelt, thereby permanently limiting development of the 17-acre parcel to the existing single family dwelling on the property. There is an unrestricted area along the driveway, and also a reserved right for a septic system. The property also has a Chapter 91 License for the dock.

S. Gersh moved to approve the Conservation Restriction for property of Dorothy Lunken, 64 Eastern Avenue, seconded by W. Bruce, with the Board voting unanimously in favor.

The second Conservation Restriction is for a 12-acre parcel of property owned by Thomas Ellsworth, Belcher Street, which abuts property that was restricted by T. Ellsworth last year, and brings the total contiguous area under restriction to over 17 acres.

S. Gersh moved to approve the Conservation Restriction for property of Thomas Ellsworth, Belcher Street, seconded by W. Bruce, with the Board voting unanimously in favor.

The Board signed the Municipal Certification for both properties.

Jeffrey Azadian, 97 Western Avenue, met with the Board to informally discuss the addition of a second floor to a portion of his house. As an intermittent stream borders one side of his property and the Alewife Brook is across the street, the Board felt he should file a Request for a Determination of Applicability, even though he will not be changing the footprint of the dwelling.

Engineer Clay Morin, representing Shirley Burnham, met with the Board to discuss soil testing on a lot owned by S. Burnham located on Landing Road. Soil testing will be within 100-feet of the buffer zone. C. Morin was asked to stake the resource area so that the Board could make a site visit. He will file a Request for a Determination of Applicability for the soil testing.

A request for a Certificate of Compliance was made by John Heath for property at 83 Western Avenue, for the installation of a tight tank.

S. Gersh moved to issue a Certificate of Compliance to John Heath,

Page Four
November 6, 2001 - Minutes

83 Western Avenue, certifying that the work regulated by Order of Conditions D.E.P. File Number 21-371 has been satisfactorily completed, seconded by P. Lake, with the Board voting unanimously in favor.

A request for a Certificate of Compliance was made by Creative Development Associates, for property at 66 Choate Street, Assessors Map 16, Parcel 12, for a septic system upgrade.

S. Gersh moved to issue a Certificate of Compliance to Creative Development Associates, 66 Choate Street, Assessors Map 16, Parcel 12, certifying that the work regulated by Order of Conditions D.E.P. File Number 21-416 has been satisfactorily completed, seconded by W. Bruce, with the Board voting unanimously in favor.

A request for a Certificate of Compliance was made by James Ansara, 3 Andrews Street, for the construction of a single family dwelling.

S. Gersh moved to issue a Certificate of Compliance to James Ansara, 3 Andrews Street, certifying that the work regulated by Order of Conditions D.E.P. File Number 21-399 has been satisfactorily completed, seconded by P. Lake, with the Board voting unanimously in favor.

A request for a Certificate of Compliance was made by Margot Anderson, 1 Riverview Hill, for the construction of a septic system.

S. Gersh moved to issue a Certificate of Compliance to Margot Anderson, 1 Riverview Hill, certifying that the work regulated by Order of Conditions D.E.P. File Number 21-279 has been satisfactorily completed, seconded by W. Bruce, with the Board voting unanimously in favor.

A request was made by Brad and Elizabeth Story to continue their public hearing to November 20, 2001, as they were unable to attend at this time.

S. Gersh moved to continue the public hearing for Brad and Elizabeth Story, for an addition to a workshop at 30 LeBaron Road, to Tuesday, November 20, 2001, at 8:05 p.m.

The Bills Payable Voucher was signed.

Page Five
November 6, 2001 - Minutes

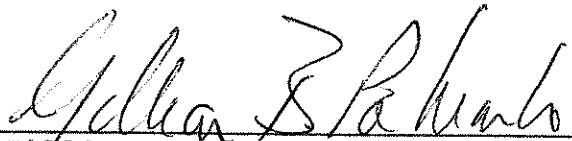
R. Brophy moved to approve the Minutes of the Meetings of June 19, July 10, August 7, September 4, September 18, and October 2, 2001, as read, seconded by S. Gersh, with the Board voting unanimously in favor.

S. Gersh submitted a new format for Orders of Conditions - Special Conditions - for review by the Board.

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

Meeting adjourned at 9:15 p.m.

Prepared by:



Gillian B. Palumbo
Administrative Clerk

Attest: