

Essex Conservation Commission

April 2, 2002 - Minutes

Present: Edwin Perkins, Chairman, Robert Brophy, Philip Caponigro, Philip Lake, Judson Lane.

Meeting called to order at 7:34 p.m.

A continuation of a request made by Lori Silva 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 500 gallon underground LP tank at 23 Gregory Island Road was heard at 7:35 p.m.

The applicant provided the Board with a letter from the Essex Fire Department stating their approval of the installation of the LP tank, as was requested at the meeting of March 19, 2002.

R. Brophy moved to issue a negative Determination to Lori Silva, 23 Gregory Island Road, for the installation of a 500-gallon underground LP tank, seconded by J. Lane, with the Board voting unanimously in favor.

A revision to the Order of Conditions for 2 Brook Pasture Lane was requested by the Commission's representative for the project, Stephen Gersh, as follows: "During the pre-construction site visit by Stephen Gersh on March 27, 2002, with the builder for the property at 2 Brook Pasture Lane, the following was noted: The mid-line stack placed by the engineer for the driveway approximately located south of WFA3 would extend the north edge of the driveway within several feet of a Black Walnut, within the no-cut zone. It was agreed during earlier site visits that this tree would be protected. The excavation of the driveway and the installation of the grass swale would disturb the root structure of this tree and likely destroy it. It was agreed to by the builder that the mid-line stack presently located on the site would serve as the north edge of the driveway, with the width of the driveway extending south from this stake. A revised as-built drawing to show this change should be submitted to the Commission".

R. Brophy moved to amend the Order of Conditions for 2 Brook Pasture Lane, as above, seconded by J. Lane, with R. Brophy, P. Lake, J. Lane and E. Perkins voting in favor; P. Caponigro voted present.

Page Two
April 2, 2002 - Minutes

An amendment to the Order of Conditions issued to Thomas Perkins, 66 John Wise Avenue, was requested as follows: "At the request of the applicant and based on a site visit on March 27, 2002, by Stephen Gersh, the Commission's representative for the project, the applicant may remove a Norway maple and privet, both invasive exotic species, and replace them with a blue spruce and river birch, both native species. The location for the removal and replacement is south of wetland flag WF-2. The applicant is further given permission to stabilize the embankment and plant native ground cover and shrubs between the end of the pavement and the siltation fence. No work except the removal of man-made objects and debris shall occur beyond the siltation fence."

R. Brophy moved to allow the amendment to the Order of Conditions for Thomas Perkins, 66 John Wise Avenue, as noted above, seconded by P. Caponigro, with R. Brophy, P. Caponigro, P. Lake, and E. Perkins voting in favor; J. Lane voted present.

A request was made for the issuance of a Certificate of Compliance by Attorney John Guerin on behalf of Priscilla Doucette, 22 Eastern Avenue.

R. Brophy moved to issue a Certificate of Compliance to Priscilla Doucette, 22 Eastern Avenue, certifying that work regulated by Order of Conditions D.E.P. File Number 21-329 never commenced, and that the Order of Conditions has lapsed and is therefore no longer valid, seconded by J. Lane, with the Board voting unanimously in favor.

Russell Ulrey, 36 Lakeshore Drive, met with the Board to request an amendment to his Order of Conditions D.E.P. File Number 21-417 for the construction of stairs to the deck area. The Board had questioned the accuracy of his plan at the meeting of March 19, 2002, and had requested Mr. Ulrey submit an as-built plan. He submitted the as-built which was reviewed by the Board.

R. Brophy moved to approve an amendment to the Order of Conditions D.E.P. File Number 21-417 issued to Russell Ulrey, 36 Lakeshore Drive, as shown on the plan from New England Engineering Services, Inc. Richard C. Tangard, PE, Joint Venture, dated February 12, 2001, revised March 26, 2002,


Page Three
April 2, 2002 - Minutes

seconded by P. Caponigro, with the Board voting unanimously in favor.

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

Meeting adjourned at 8:10 p.m.

Prepared by:



Gillian B. Palumbo
Administrative Clerk

Attest: