

Essex Conservation Commission

January 7, 2003 - Minutes

Present: Wallace Bruce, Chairman, Robert Brophy, Philip Caponigro, Stephen Gersh, Samuel Hoar, Philip Lake, Shirley Singleton.

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

A request made by Robert L. Stover for the Commission to Determine the Applicability of the Wetlands Protection Act, M.G.L. Chapter 131, Section 40, for soil testing at 50 Lakeshore Drive was heard at 7:38 p.m.

John Dick of Hancock Environmental Consultants represented the applicant. John Dick told the Board the site is a 1/4-acre lot on Lakeshore Drive that has an existing dwelling and dock. At present they do not know where the septic system is, so soil testing is necessary for an upgrade. Mr. Dick stated that they would start at the furthest area from Chebacco Lake with the testing, and the RDA is a request to allow them to do that testing. He also noted that the location of the water line was given to them by the owner, and should therefore be considered approximate. The 100-year flood is at elevation 52 or 53. The Board reviewed the Request and plan.

With no further questions, Stephen Gersh moved to issue a negative Determination to Robert Stover, 50 Lakeshore Drive, for soil testing, seconded by Samuel Hoar, with the Board voting unanimously in favor.

A public hearing was held at 7:45 p.m. under the Wetlands Protection Act, M.G.L. Chapter 131, Section 40, to amend the Order of Conditions D.E.P. File Number 21-408 issued to the Town of Essex for the relocation of Pumping Station Number 1.

Daniel Nitzsche, of Baystate Environmental Consultants, represented the Town of Essex. He told the Board Pump Station Number 1, originally approved by Gloucester Conservation Commission, was located to the rear of 171 Eastern Avenue - The Red Barrel Pub. It has now been decided to move the pump station into Essex between two buffer zones, at the northeastern corner of the Eastern Avenue and Harlow Street intersection. There will be a small area of grading, with approximately 500-square feet of buffer zone impact. Mr. Nitzsche stated that this relocation would constitute far less wetlands impact than the original siting, and would, therefore, like to request the Commission

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allow the Town of Essex to amend the Order of Conditions rather than filing a new Notice of Intent. The Board then reviewed the new plan.


Stephen Gersh moved to amend the Order of Conditions D.E.P. File Number 21-408 issued to the Town of Essex for the installation of pumping stations, to include the siting of Pump Station Number 1 at the intersection of Eastern Avenue and Harlow Street, seconded by Robert Brophy, with the Board voting unanimously in favor.

Peter Van Wyck met with the Board for a discussion on his plans for Low Land Farm. Mr. Van Wyck said he thought this was a good opportunity to let the Board know what his intent was for the site. He then showed the Board a drawing of what he would like to do. Mr. Van Wyck then said he wanted to keep everything on the left side open except for a single-family style house. On the other side, he would like to put in housing for couples over 55 years old. There would be a total of nineteen units - eight two-family duplexes, three single family units, and eight other units. He stated that he has purposely done it this way, because it is the Essex way of doing it. The parcel of land has a total of 78-acres, with 30-acres of saltwater wetlands and 6-acres of freshwater wetlands. He added he would like to dedicate some of this land to conservation. Mr. Van Wyck noted that one area has enough room for a communal septic system, and although there will probably be other septic systems, he would like to limit it. He said the road plan has been approved by the Planning Board. He indicated he would like to do a cluster concept, but he has a lot of hurdles to go through. He said he was going to the Appeals Board next week. Philip Lake said he went to the Attorney General's office, where he found the property has a long history subject to litigation.

Samuel Hoar moved to adjourn the meeting, seconded by Philip Caponigro, with the Board voting unanimously in favor.

Meeting adjourned at 9:00 p.m.

Prepared by:



Gillian B. Palumbo
Administrative Clerk

Attest: