

Essex Conservation Commission

April 15, 2003 - Minutes

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

Meeting called to order at 7:43 p.m.

A public hearing was held under the Wetlands Protection Act, M.G.L. Chapter 131, Section 40, on a Notice of Intent filed by Innovative Properties, Inc. for the construction of a single family dwelling, driveway, and septic system at Lot 1, Shea's Court, Assessors Map 8, Lot 10B.

Kenneth Knowles and Michael Juliano of Meridian Associates, Inc. represented the applicant. Mr. Knowles told the Board the project on Lot 1, Shea's Court is a buffer zone project. The footprint of the house will be 30-feet by 64-feet, but the applicant would like to have the potential for constructing a 12-foot deep sunroom onto the rear of the house, or to place it according to the desire of the buyer. A total of 12,000 square feet of buffer zone is involved on the project. The septic design was drawn by Atlantic Engineering and has been approved by the Board of Health. The lot was perced approximately five years ago, and then re-perced last year. Mr. Knowles indicated they had recieved a letter of approval from the Board of Health. He also noted they had sent the Notice of Intent to the Natural Heritage and Endangered Species Program for review, but had not, at this time, heard back from them. Stephen Gersh told him the Board would need to receive a reply from them prior to making a decision.

Stephen Gersh moved to continue the public hearing for Innovative Properties to Tuesday, May 6, 2003, at 8:05 p.m., seconded by Samuel Hoar, with the Board voting unanimously in favor.

A continuation of a request made by the Manchester-Essex Conservation Trust for the Commission to Determine the Applicability of the Wetlands Protection Act, M.G.L. Chapter 131, Section 40, for maintenance of a section of the Old Road to Manchester was heard at 8:00 p.m.

Helen Bethell, representing the Manchester-Essex Conservation Trust, requested the discussion on the Request be continued until May 6, 2003, in order for a site visit to be made.

Stephen Gersh moved to grant the applicant's request to continue

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the discussion on maintenance of the Old Road to Manchester to Tuesday, May 6, 2003, at 7:55 p.m. seconded by Samuel Hoar, with the Board voting unanimously in favor.

A Request made by Kathrin Rueda and Curt Siebert for the Commission to Determine the Applicability of the Wetlands Protection Act, M.G.L. Chapter 131, Section 40, for the replacement of the existing foundation and addition of a 2nd floor to the existing garage at 12 Coral Hill was heard at 8:02 p.m.

Curt Siebert told the Board they would like to remove the soil beneath the dwelling in order to rebuild a crumbling foundation and to convert the existing crawl space into a closed-in basement for storage and utilities. They would also like to add a second floor to the existing garage. There will be no change in footprint for both projects. The Board then reviewed the plan submitted with the Request.

With no further questions from the Board or the public, Stephen Gersh moved to issue a negative Determination to Kathrin Rueda and Curt Siebert, 12 Coral Hill, seconded by Robert Brophy, with the Board voting unanimously in favor.

A public hearing was held at 8:07 p.m. under the Wetlands Protection Act, M.G.L. Chapter 131, Section 40, on a Notice of Intent filed by Corey Jackson for the demolition and reconstruction of a single-family dwelling at 17 Addison Street.

Richard Clarke and the applicant met with the Board. Mr. Clarke told the Board the proposal is to downsize the existing house and pavement and construct a modular house. The amount of imperivous area will be reduced by 3,636 square feet, and a subsurface leach pit for rooftop run-off will also be added. An abutter, Mr. Chapman, would like to have the property line staked out, which they will do. Mr. Clarke noted that the Board of Health is allowing them to use the existing cesspool until the sewer line is installed. Mr. Jackson said he also wished to remove the debris areas to clean up the site. Shirley Singleton asked whether the debris was old oil tanks, etc. Mr. Jackson indicated it was not. The existing driveway, which has become overgrown, will be cleaned up and grass planted. The Board reviewed the plan submitted with the Notice of Intent.

Stephen Gersh moved to close the public hearing for Corey Jackson, 17 Addison Street, seconded by Samuel Hoar, with the Board voting

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unanimously in favor.

A continuation of a public hearing was held at 8:18 p.m. under the Wetlands Protection Act, M.G.L. chapter 131, Section 40, on a Notice of Intent filed by the Town of Essex Department of Public Works to replace a culvert under Island Road, Assessors Map 22, Parcels 12 and 13A.

A letter was received from the Department of Public Works requesting a continuance of the public hearing until May 6, 2003, as the final plans for the culvert were not yet complete.

Robert Brophy moved to continue the public hearing for the Department of Public Works to Tuesday, May 6, 2003, at 8:15 p.m., seconded by Samuel Hoar, with the Board voting unanimously in favor.

James Donovan, 29 Lufkin Point Road, met with the Board to submit a building permit application for their review. Mr. Donovan would like to remove the roof of the house and reconstruct it. There will be no change in the footprint. The building permit application was signed.

Clay Morin, Morin Engineering, met with the Board to submit a plan showing the house siting on a lot that had been subdivided from a parcel of land on Apple Street owned by Edwin and Gloria Story. The purchaser of the lot, Claire Spofford, had the house designed by Allsop Design. Mr. Morin told the Board the roadway, Tara Road, had not yet been staked with monuments, as was requested in the Order of Conditions. He said the roadway is a right-of-way that must be kept open. He indicated there were two options for placement of the septic system, option 1 that would be completely outside of the buffer zone, and option 2, that would be outside of the fifty-foot buffer, but not outside of the 100-foot buffer. The Board said they would like to meet with Ms. Spofford's attorney as they found the conservation restriction description on the deed differed from that in the Order of Conditions.

A building permit application was submitted for review by James and Norrie Stavros, 80 Pond Street, for the construction of a farmer's porch to the front of the house. The Board reviewed the plan and the building permit application was signed by Commission member Stephen Gersh as Chairman Wallace Bruce had a conflict of interest.

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A building permit application was submitted for review by Joseph and Robyn LaFata, 4 Goodwin Court, for the demolition of the existing garage and reconstruction of a 2-car garage and family room to the rear of the garage. Chairman Wallace Bruce had visited the site and stated there were no wetlands issues. The building permit application was signed.

A building permit application was submitted for review for the Essex Fortune Palace, 99 Main Street, for the construction of two additions. An Order of Conditions has been issued for the project - the building permit application, therefore, was signed.

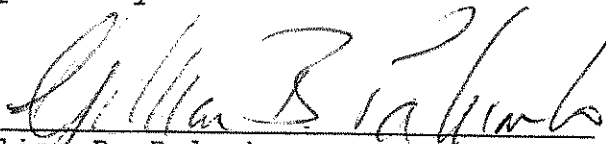
A building permit application was submitted for review by David and Debra Ray, 10 Coral Hill, for the installation of a fence. The building permit application was signed.

Robert Brophy moved to approve the project of Corey Jackson, 17 Addison Street, as submitted in the Notice of Intent, seconded by Stephen Gersh, with the Board voting unanimously in favor. Robert Brophy will be the Commission's representative for the project.

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

Meeting adjourned at 9:30 p.m.

Prepared by:



Gillian B. Palumbo
Administrative Clerk

Attest: