

Essex Conservation Commission

September 9, 2003 - Minutes

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

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

A request made by Bear Realty Trust LLC for the Commission to Determine the Applicability of the Wetlands Protection Act, M.G.L. Chapter 131, Section 40, for a 50-foot by 60-foot addition to the parking area at 1 John Wise Avenue was heard at 7:35 p.m.

Paul McCormick represented the applicant. He told the Board the building at 1 John Wise Avenue has changed use from a commercial/residential property to a commercial one. The applicant would like to have an holistic center there, to include reiki, acupuncture, massage, pyschological counselling, etc. Presently, the parking area holds eight cars; with the staff parking there it leaves one parking spot for clients. They would like to expand the parking area 50-feet by 60-feet in size, east of the existing area. The expansion surface would be lyncpac, with courser crushed stone as a base. Mr. McCormick said he spoke to contractor Joseph Ginn, who felt there might be wetlands in the vicinity. Stephen Gersh said he made a site visit and found no wetlands issues within the project site.

Stephen Gersh moved to issue a negative Determination to Bear Realty Trust LLC, 1 John Wise Avenue, 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, on a Notice of Intent filed by Kathrin Rueda for a septic system repair at 12 Coral Hill.

Richard Albano of Hancock Associates represented the applicant. He told the Board due to the size of the site and the existing structures, the only feasible location for the system is within 50-feet of the bank of Chebacco Lake, which has been defined by a wall. The proposed project is the repair of an existing system. It will be an alternative system as a standard system could not be used, as setbacks of the property line, wells, etc. would have to be met. Mr. Albano said he did not think there would be any difficulty getting approval from the Department of Environmental Protection. The alternative system is a cingulaire system and includes an aerator as part of the system. Haybales and a silt

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fence will be installed for erosion control. Approval from the Natural Heritage and Endangered Species Program had not been received at this time.

Stephen Gersh moved to continue the public hearing for Kathrin Rueda, 12 Coral Hill, to September 23, 2003, at 7:35 p.m., seconded by Robert Brophy, with the Board voting unanimously in favor.

A public hearing was held at 7:55 p.m. under the Wetlands Protection Act, M.G.L. Chapter 131, Section 40, on a Notice of Intent filed by Robert Stover for a septic system upgrade and demolition and reconstruction of a dwelling at 50 Lakeshore Drive.

Richard Albano of Hancock Associates represented the applicant. He told the Board the proposed project consists of the repair of the septic system, currently in failure. The proposed leaching field will be outside of the 50-foot area. The proposed system is a cingulaire alternative system. The proposed project also include the demolition of the existing dwelling and reconstruction of a larger 2-bedroom dwelling with a deck. The septic work includes a forcemain, tank and leaching field. The leaching field is within the buffer zone but meets Title V requirements. The siltation barrier consists of haybales and filter fabric. Approval of the project from the Natural Heritage and Endangered Species Program had not been received at this time.

Stephen Gersh moved to continue the public hearing for Robert Stover, 50 Lakeshore Drive, to September 23, 2003, at 7:45 p.m., seconded by Robert Brophy, with the Board voting unanimously in favor.

Louis Maniates, 9 Landing Road, met with the Board to discuss his concerns regarding the construction of the dwelling and location of the driveway at 5 Landing Road. He noted that the railroad bed had been dug up. He also felt the silt barrier had been moved and that run-off would drain into the wetlands. A site visit will be made to the property on Saturday, September 13, 2003, at 8:30 p.m.

A continuation of a public hearing was held at 8:10 p.m. under the Wetlands Protection Act, M.G.L. Chapter 131, Section 40, on a Notice of Intent filed by Northland Property Development for construction of stormwater discharge and site preparation at 4 Ice House Lane.

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Christopher Gajeski of Apple Associates represented the applicant. The hearing was continued from the August 12, 2003, meeting because no D.E.P. File Number had been issued at that time. A number has since been issued. Stephen Gersh moved to close the public hearing for Northland Property Development, 4 Ice House Lane, seconded by Samuel Hoar, with the Board voting unanimously in favor.

A public hearing was held at 8:20 p.m. under the Wetlands Protection Act, M.G.L. Chapter 131, Section 40, on a Notice of Intent filed by Northland Property Development for the construction of a septic system and single family dwelling at 3 Arielle Lane (Lot 4), a.k.a. 4 Ice House Lane.

Christopher Gajeski, Apple Associates, represented the applicant. He told the Board the closest point between the single family dwelling and the bordering vegetated wetlands is 90-feet - a corner of the house is just within the buffer zone. The closest point between the bordering vegetated wetlands and the septic system is 72-feet. There will be a variable width 20-foot no cut zone. 36-inch stone markers will be installed to mark the boundary. The siltation barrier will consist of staked haybales and filter fabric. Mr. Gajeski noted that at present it is a mowed lawn. An as-built plan will be submitted prior to a request for a Certificate of Compliance.

As no D.E.P. File Number had been issued at this time, Stephen Gersh moved to continue the public hearing for Northland Property Development, 3 Arielle Lane, to September 23, 2003, at 7:50 p.m., seconded by Samuel Hoar, with the Board voting unanimously in favor.

A public hearing was held at 8:35 p.m. under the Wetlands Protection Act, M.G.L. Chapter 131, Section 40, on a Notice of Intent filed by Northland Property Development for the construction of a septic system at 1 Arielle Lane (Lot 2), a.k.a. 4 Ice House Lane.

Christopher Gajeski, Apple Associates, represented the applicant. He told the Board the Notice of Intent is for the construction of a septic system 82-feet from the bordering vegetated wetlands at its closest point. The single family dwelling is outside of the buffer zone. The sedimentation control barrier will be the same as for Lot 4. Mr. Gajeski indicated that the limit of work associated with the proposed septic system is within the limit of

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work set forth for the proposed site grading, as proposed on a previously submitted Notice of Intent for site grading and construction of a storm water discharge system. A no-cut zone was not proposed for this lot because of the easement.

As no D.E.P. File Number was issued for the project at this time, Stephen Gersh moved to continue the public hearing for Northland Property Development, 1 Arielle Lane, seconded by Samuel Hoar, with the Board voting unanimously in favor.

A continuation of a public hearing was held at 8:40 p.m. under the Wetlands Protection Act, M.G.L. Chapter 131, Section 40, on a Notice of Intent filed by Peter Van Wyck for the construction of portions of leaching facilities and associated grading (lot 35), construction of a single family dwelling, utilities, and grading (Lot 38), construction of a single family dwelling, septic tank, driveway, utilities, and grading Lot 39, Turtleback Road.

A letter was received from Mr. Van Wyck requesting a continuation of the public hearing to October 21, 2003, in order to allow for a site plan review by the Board of Health.

Stephen Gersh moved to continue the public hearing for Peter Van Wyck, Turtleback Road, to October 21, 2003, at 8:00 p.m., seconded by Samuel Hoar, with Robert Brophy, Stephen Gersh, Samuel Hoar, and Shirley Singleton voting in favor; Philip Lake abstained.

A building permit application was submitted by James and Chris Georgeolakus, 34 Belcher Street, for the construction of a carriage house and swimming pool. The Board reviewed the site plan and found no wetland issues. The application was signed.

The Board reviewed the subdivision plan of Joan Bucklin, 36 Story Street. The Planning Board will be notified that the Commission could not make any comments because of inadequate information on the plan, specifically the location of the house, septic system, including the leaching field and reserve area and drainage of the road.

A building permit application was submitted for Angus Means, 30 Belcher Street, for the demolition and reconstruction of a shed. The Board reviewed the plan and found no wetland issues. The application was signed.

A building permit application was submitted for Roger and Kate

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Bilsbury, 126 Eastern Avenue, for the construction of an 8-foot, 8-inch by 14-foot addition to the existing dwelling. Review of the plan indicated no wetland issues. The application was signed.

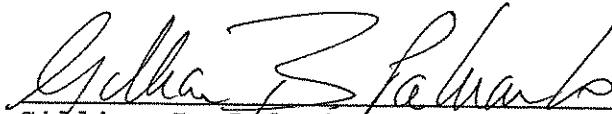
A building permit application was submitted for Cynthia Coffin, 11E Gregory Island Road, for an addition to the existing dwelling. The Board reviewed the site plan and found the proposed project to be outside of the 100-foot buffer zone. The application was signed.

Stephen Gersh told the Board he is meeting with Town Administrator Brendhan Zubricki, Senator Bruce Tarr and Representative Tony Verga to discuss the high water level of Chebacco Lake.

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

Meeting adjourned at 9:15 p.m.

Prepared by:



Gillian B. Palumbo
Administrative Clerk

Attest: