

Essex Conservation Commission

October 7, 2003 - Minutes

Present: Wallace Bruce, Chariman, Robert Brophy, Philip Caponigro, Stephen Gersh, Philip Lake.

Note: The Minutes were taken by Chairman Wallace Bruce.

Meeting called to order at 7:35 p.m.

A continuation of a public hearing was held 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.

Rich Albano, Hancock Associates, represented the applicant. He told the Board that a letter had been received from the Natural Heritage and Endangered Species Program stating that the project would have a negative effect on the wildlife area. He has received a Title V variance from the D.E.P. as the expiration date for comments had passed. He noted he had not received a D.E.P. File number, as yet, for the project.

A motion was made, seconded, and voted unanimously to continue the public hearing for Kathrin Rueda, 12 Coral Hill, to Tuesday, October 21, 2003, at 7:40 p.m.

A continuation of a public hearing was held 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.

Rich Albano, Hancock Associates, represented the applicant. He told the Board a letter had been received from the Natural Heritage and Endangered Species Program stating that the project would have a negative effect on the wildlife area. He noted that a D.E.P. File number had not been issued, as yet, for the project.

A motion was made, seconded, and unanimously voted to continue the public hearing for Robert Stover, 50 Lakeshore Drive, to Tuesday, October 21, 2003, at 7:45 p.m.

A public hearing was held at 8:05 p.m. under the Wetlands Protection Act, M.G.L. Chapter 131, Section 40, on a Notice of Intent filed by Nick Pappas for the demolition and reconstruction

of a dwelling at 18 Lufkin Point Road.

The Board reviewed the plans submitted with the Notice of Intent. The hearing was opened to the public for their comments. A question arose as to the impervious area of the lot. Abutter John DiBlasi said he found the project substantially large and not in keeping with the lot. A photograph was submitted showing flooding to the existing house. He was concerned with the added deck, which would add to blocking the water and flooding. Donald Burnham, Lufkin Point Lane, said he is concerned about the large amount of square foot area. Other concerns were the impervious area, minimum lot size, a single lot pre 1996, grandfather provision. He felt it needs analysis.

As no D.E.P. file number had been issued for the project, a motion was made, seconded, and unanimously voted to continue the public hearing for Nick Pappas, 18 Lufkin Point Road, to Tuesday, October 21, 2003, at 7:50 p.m.

Dave Lash and Susanna McLaughlin of the Chebacco Lake Association met with the Board to discuss Chebacco Lake. Also present were Skip Lyle and David Wilkins (beaver experts). Dave Lash said he has researched the beaver issue and will be expediting a Notice of Intent. Concerns were a) alewives, and b) lake level 18"-20" higher than normal which could result in 1) septic system flooding, 2) wells flooding, and 3) basements flooding. The Health Agent, as yet, has not declared it a health problem. A general discussion followed on the beaver issues, alewives, flooding, breaching problems, private property where the beaver dam is located. The Lake Association wishes to breach the dam only as a temporary measure to control the present lake flooding.

A request for an extension to Order of Conditions D.E.P. File Number 021-0430 was made by Thomas Perkins, 66 John Wise Avenue. Review of the Order of Conditions indicated there was another year left prior to the expiration date. Stephen Gersh will call Mr. Perkins to find out why the request was made before the three year time frame.

A request for a Certificate of Compliance was made by Samuel Appleton, 82R Eastern Avenue. Robert Brophy will make a site visit to the property prior to its issuance.

Stephen Gersh moved to adjourn the meeting at 9:25 p.m., seconded by Robert Brophy, with the Board voting unanimously in favor.