

Essex Conservation Commission

March 2, 2004 - Minutes

Meeting held at Essex Elementary and Middle School

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

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

Jonathan Janes, owner of Western Avenue Mini Storage, together with engineer Clay Morin, met with the Board to discuss the demolition of an existing garage behind the office and the construction of a climate controlled storage shed. Mr. Janes said the storage unit would have a few more sensors, etc. to allow for the use of storage of upscale art work, as there seems to be a market for that. Clay Morin said he had put together calculations for the area and submitted a plan. Mr. Morin indicated the existing building is 1,259 square feet. A strip of pavement would also be removed and gravel put in. He noted the Planning Board gave them the go-ahead, but they need to receive approval from the Board of Health. He said there is a system which collects water and runs it to a detention basin. The original delineation was done in 1992. Donohoe and Parkhurst came out in 1994 or 1995 to check the delineation and found no change. Pavement was required because of the lot coverage. The Board then requested the plan be stamped by the Planning Board prior to being stamped by the Conservation Commission.

A public hearing was held at 7:47 p.m. under the Wetlands Protection Act, M.G.L. Chapter 131, Section 40, on a Notice of Intent filed by Josefa Febiger for the installation of a septic tank, pump chamber and soil absorption system at 83 Forest Avenue.

Daniel Ottenheimer, together with the applicant, met with the Board. Mr. Ottenheimer said he had taken over the project from another septic system designer. The property consists of a 50-acre parcel, but the only area that has suitable soil that is not clay is a considerable distance from the house. Eben Creek runs by the property, as well as a farm pond located on the property that was created by Mr. Febiger's father. The present septic system is in the front yard but is failing, as it did not pass inspection approximately five years ago. Approximately twenty test pits were dug looking for suitable soil. The project is considered a repair of an existing system. As a portion of the system would be constructed within 200-feet of the riverfront area, Commission member Stephen Gersh requested that Mr.

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Ottenheimer provide a riverfront alternatives analysis.

Samuel Hoar moved to continue the public hearing for Josefa Febiger, 83 Forest Avenue, to Tuesday, March 16, 2004, at 7:35 p.m., seconded by Stephen Gersh, with the Board voting unanimously in favor.

A building permit application was submitted for review by Briqid Venti for the construction of a 25x85-foot garage at 1 Apple Street. The Board felt it should be reviewed by the Planning Board prior to the Board making a decision because of the size of the proposed construction.

A building permit application was submitted for review for Stephen Wickers to complete construction of a dwelling at 18 Coral Hill. Stephen Gersh said he would make a site visit before signing off the application to be sure hay bales were in place and an oil tank had been removed as had been requested by the Board some time ago.

A building permit application was submitted for review for James Horrocks, 30 Choate Street, for an addition to the existing dwelling and construction of a 3-car garage. Following the Board's review of the site plan the building permit application was signed.

A building permit application was submitted for review for Sandra Boutchie, 21 Winthrop Street, for the removal of a shed and installation of a new shed on the same footprint. The application was signed.

Kathleen Tilden, George Fuller House, 148 Main Street - Ms. Tilden's bank had called requesting a Certificate of Compliance for Order of Conditions D.E.P. File Number 21-406 . Stephen Gersh outlined the issues with the Board - condition 12e had never been completed. Mr. Gersh checked with D.E.P., who indicated that if the Order of Conditions has expired and the applicant wishes to do the work, then technically another Notice of Intent should be filed, but it would be up to the Commission to grant permission without another filing in order for the work to be completed. The bank will be notified of the above issues.

Chairman Wallace Bruce entertained a motion to hold a roll call vote to move into executive session for the purpose of discussing potential litigation concerning property at 180 Southern Avenue. The motion was moved, seconded and per a vote by Wallace Bruce,

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Shirley Singleton, Stephen Gersh, and Samuel Hoar the Board moved into executive session. Commission member Philip Lake abstained from voting and recused himself from participating in the executive session discussion because of a conflict of interest and left the meeting.

After a roll call vote of the Board, namely Wallace Bruce, Shirley Singleton, Stephen Gersh, and Samuel Hoar, the Board returned to regular session.

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

Meeting adjourned at 9:30 p.m.

Prepared by:



Gillian B. Palumbo
Administrative Clerk

Attest: