

Essex Conservation Commission

August 10, 2004 - Minutes

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

Meeting held at T.O.H.P. Burnham Public Library

Meeting called to order at 7:30 p.m.

A public hearing was held at 7:35 p.m. under the Wetlands Protection Act, M.G.L. Chapter 131, Section 40, on a Notice of Intent filed by Scott's Auto Clinic for the construction of a commercial building at 6 Scot's Way.

William Manuell, representing Scott Savory, the applicant, told the Board the proposal is to add a second building at Scot's Way. The proposed building will be constructed of steel on a slab on grade. Two infiltration trenches will be dug on either side of the proposed building to mitigate run-off from the area. Mr. Manuell indicated haybales will be placed around the work area which will mitigate any siltation that occurs in the area. He added that the construction of this second building does not increase the intensity of work on site - it actually decreases it, as work that is outside will now be contained inside. Parking is sloped to the westerly corner which has an existing drain. The Board reviewed the Notice of Intent and plan.

With no further questions from the Board or the public, Stephen Gersh moved to close the public hearing for Scott's Auto Clinic, 6 Scot's Way, seconded by Philip Caponigro, with the Board voting unanimously in favor.

Order of Conditions - Charles and Allan Dalton, 158R Western Avenue.

Robert Brophy moved to approve the proposed project of Charles and Allan Dalton, 158R Western Avenue, seconded by Philip Caponigro, with the Board voting unanimously in favor.

A building permit application was submitted for review for Thomas and Lucinda Foley, 43 Pond Street, for the construction of a 12'x22' addition. Philip Caponigro will check for wetland issues.

A request for Certificates of Compliance were made for Perkins Realty Trust, 7 Essex Park Road, for Orders of Conditions D.E.P.

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File Numbers 21-251 and 21-274.

Stephen Gersh moved to issue Certificates of Compliance for Perkins Realty Trust, 7 Essex Park Road, certifying that work regulated under Order of Conditions D.E.P. File Number 21-274 has been satisfactorily completed, and work regulated by Order of Conditions D.E.P. File Number 21-251 never commenced, and the Order of Conditions has lapsed and is therefore no longer valid, seconded by Philip Caponigro, with the Board voting unanimously in favor.

A continuation of 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 Heidi and Brian McKeon, for the construction of a single-story secondary building at 8 Turtleback Road.

The Board made a site visit to the property and it was noted that the area where the construction is to take place is all cleared open space. A D.E.P. File Number has also been received for the proposed project.

Stephan Gersh moved to close the public hearing for Heidi and Brian McKeon, 8 Turtleback road, seconded by Philip Caponigro, with the Board voting unanimously in favor.

Stephan Gersh moved to approve the proposed project for Heidi and Brian McKeon, 8 Turtleback Road, as submitted in the Notice of Intent, seconded Philip Caponigro, with the Board voting unanimously in favor.

Stephan Gersh moved to approve the proposed project of Scott's Auto Clinic, 6 Scot's Way, as submitted in the Notice of Intent, seconded Philip Caponigro, with the Board voting unanimously in favor.

A request for a Certificate of Compliance was submitted for Chester Konopka, 24 Story Street.

Stephan Gersh moved to issue a Certificate of Compliance to Chester Konopka, 24 Story Street, certifying that the work regulated by Order of Conditions D.E.P. File Number 21-297 has been satisfactorily completed, seconded Philip Caponigro, with the Board voting unanimously in favor.

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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 Innovative Properties for the construction of a single-family dwelling at 6 Shea Court.

Robert Lynch of Atlantic Engineering represented the applicant. Mr. Lynch gave a review of the project which had been presented at the Board's meeting held on July 13, 2004. Mr. Lynch also noted that they had received notification from the Natural and Endangered Species Program stating that the project would not affect the designated wildlife habitat around Chebacco Lake. A D.E.P. File Number was also issued.

Stephan Gersh moved to close the public hearing for Innovative Properties for the construction of a single-family dwelling at 6 Shea Court, seconded by Philip Caponigro, with the Board voting unanimously in favor.

Stephan Gersh moved to approve the proposed project of Innovative Properties for the construction of a single family dwelling at 6 Shea Court as submitted in the Notice of Intent, seconded by Philip Caponigro, with the Board voting unanimously in favor.

A continuation of a public hearing was held at 8:17 p.m. under the Wetlands Protection Act, M.G.L. Chapter 131, Section 40, on a Notice of Intent filed by Susan Dillon for a septic system upgrade at 92 Pond Street.

The hearing was continued from the meeting of July 13, 2004, as no D.E.P. File Number had been issued at that time. A D.E.P. File Number has now been issued for the project.

Stephan Gersh moved to close the public hearing for Susan Dillon, 92, Pond Street, seconded Philip Caponigro, with the Board voting unanimously in favor.

Stephan Gersh moved to approve the proposed project - a septic system upgrade - for Susan Dillon, 92 Pond Street, as submitted in the Notice of Intent, seconded by Philip Caponigro, with the Board voting unanimously in favor.

A continuation of 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 Rolf Madsen for a septic system upgrade at 89 Pond Street.

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The hearing was continued from the meeting of July 13, 2004, as no D.E.P. File Number had been issued at that time. A D.E.P. File Number has now been issued for the project.

Stephan Gersh moved to close the public hearing for Rolf Madsen, 89 Pond Street, seconded by Philip Caponigro, with the Board voting unanimously in favor.

Stephan Gersh moved to approve the proposed project - a septic system upgrade - for Rolf Madsen, 89 Pond Street, as submitted in the Notice of Intent, seconded by Philip Caponigro, with the Board voting unanimously in favor.

A letter was submitted to the Board from Myles Cambridge for the construction of a single-family dwelling on Lot 35, Turtleback Road. Mr. Cambridge requested the house location be moved to the south ten feet to prevent the removal of a large Beech tree located too close to the corner of the garage on the north side of the house. The letter noted that this relocation will not encroach on any setback requirements pertaining to the lot line, wetlands, drainage and grading easement or the septic design as originally designed and approved. He added that the distance from the wetlands and drainage and grading easement will be slightly increased.

Stephan Gersh moved to allow the shift of the house as requested by Myles Cambridge on Lot 35, Turtleback Road, pending approval of the Board of Health, seconded by Philip Caponigro, with the Board voting unanimously in favor.

A continuation of a public hearing was held at 8:25 p.m. under the Wetlands Protection Act, M.G.L. Chapter 131, Section 40, on a Notice of Intent filed by Alberta Shanks for the construction of a single-family dwelling and driveway at 184R Western Avenue.

The hearing was continued from the meeting of July 13, 2004, in order to make a site visit to the property.

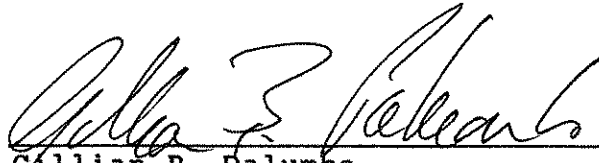
With no further questions from the Board or the public, Stephan Gersh moved to close the public hearing for Alberta Shanks, 184R Western Avenue, seconded by Robert Brophy, with the Board voting unanimously in favor.

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Robert Brophy 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:

A handwritten signature in cursive script, appearing to read "Gillian B. Palumbo", written over a horizontal line.

Gillian B. Palumbo
Administrative Clerk

Attest: