

Essex Conservation Commission

September 21, 2004 - Minutes

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

Present: Wallace Bruce, Chairman, Philip Caponigro, Stephan Gersh, Philip Lake, Shirley Singleton.

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

A request made by Virginia and Ernest Steadman for the Commission to Determine the Applicability of the Wetlands Protection Act, M.G.L. Chapter 131, Section 40, for the installation of a tight tank at 41 Wood Drive was heard at 7:35 p.m.

Mrs. Steadman told the Board that at present they have a cess pool which needs to be upgraded. The tight tank will be placed further away from Chebacco Lake than the existing system. The Board reviewed the Request for Determination and plan.

Stephen Gersh moved to issue a negative Determination of Applicability to Virginia and Ernest Steadman for the installation of a tight tank at 41 Wood Drive, seconded by Philip Caponigro, with the Board voting unanimously in favor.

A building permit application was submitted for review by Kevin Donaldson, 3 Deer Hill Farm Road, for the installation of a 20'x40' in-ground pool. Philip Lake made a site visit to the property and found there were no wetland issues. The building permit application was signed.

A building permit application was submitted for review by the Essex Shipbuilding Museum, 66 Main Street, for the repair/replacement of entry stairs and the addition of a handicap ramp. The building permit application was signed.

A building permit application was submitted for review by Peter Winslow, 161 Southern Avenue, for the demolition and replacement of a 14'x28' storage shed on the existing foundation. The building permit application was signed.

A continuation of a public hearing was held at 7:53 p.m. under the Wetlands Protection Act, M.G.L. Chapter 131, Section 40, on a Notice of Intent filed by Mark Gallagher for the construction of a 20-foot driveway at 147 Eastern Avenue.

A letter was submitted from John Judd, Gateway Consultants, Inc.,

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representing Mark Gallagher, requesting a continuation of the public hearing to the Board's next meeting to be held on Tuesday, October 5, 2004. The Board reviewed the Notification of Wetlands Protection File Number form issued by the D.E.P. in which they requested the following information: "Provide data sheets for wetland delineation. Driveway must be minimum width permittable by Town. Wetland crossing should be made using a span or bridge if possible; retaining wall rather than side slopes should be used to reduce fill. Additional details for the wetland replication area, including proposed grades, depth to groundwater, planting plan and monitoring plan, should be provided. Wetland replication area should be larger than the fill area to allow for a margin of error due to failure..."

Stephen Gersh moved to continue the public hearing for Mark Gallagher to Tuesday, October 5, 2004, at 7:55 p.m., seconded by Philip Caponigro, with the Board voting unanimously in favor.

Ronald Gauthier, 5 Coral Hill, met with the Board for an informal discussion on the reconstruction of a retaining wall 15-feet from Chebacco Lake. Mr. Gauthier showed the Board photographs of the wall he would like to have constructed. He is also proposing to construct a storage area for his power equipment. As the location of the storage shed was over 100-feet from the Lake, the Board told him no filing would be necessary. Mr. Gauthier told the Board he will dismantle as much as he can of the existing wall by hand, as he cannot get a backhoe into the area. The new wall will be 1-foot in front of the existing wall going towards the Lake. The wall will be 61-feet long, 6-feet high, making a total of 360 square feet. Mr. Gauthier was advised to file an Abbreviated Notice of Intent.

A memorandum was received from John Coughlin, Gateway Realty Trust, offering a gift of land to the Town. The lot is located on the shore of Chebacco Lake. Chairman Bruce said he will make a site visit to the property.

A continuation of a public hearing was held at 8:30 p.m. under the Wetlands Protection Act, M.G.L. Chapter 131, Section 40, for an Abbreviated Notice of Resource Area Delineation filed by Peter Van Wyck for Low Land Farm, off Apple Street, Assessors Map 9, Parcel 12.

A letter was submitted by Chris Gajeski, Apple Associates, representing the applicant, requesting a continuation of the

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public hearing to the Board's next meeting to be held on October 5, 2004.

Stephen Gersh moved to continue the public hearing for Peter Van Wyck, Low Land Farm, off Apple Street, to Tuesday, October 5, 2004, at 8:10 p.m., seconded by Philip Caponigro, with the Board voting unanimously in favor.

A discussion followed on the cancellation of the site visit to Low Land Farm scheduled for September 18, 2004, at 9:00 a.m.

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

Meeting adjourned at 8:45 p.m.

Prepared by:



Gillian B. Palumbo
Administrative Clerk

Attest: