

Essex Conservation Commission

October 19, 2004 - Minutes

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

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

Meeting called to order at 7:40 p.m.

A public hearing was held at 7:45 p.m. under the Wetlands Protection Act, M.G.L. Chapter 131, Section 40, on an Abbreviated Notice of Intent filed by Samuel Appleton for the installation of a tight tank at 82R Eastern Avenue.

Mr. Appleton told the Board the proposed project is the installation of a tight tank for his property on Eastern Avenue. The installation has been approved by the Board of Health. He noted there is a retaining wall between the marsh and the installation. Philip Lake questioned whether the Board of Health had concerns with the tank floating. Mr. Appleton indicated the tank would be a concrete tank and that bouyancy calculations were included on the plan. The Board reviewed the calculations.

With no further questions, Stephen Gersh moved to close the public hearing for Samuel Appleton, 82R Eastern Avenue, seconded by Shirley Singleton, 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 Louis Lima for the installation of a septic system at 5 Lufkin Point Road.

Mr. Lima told the Board the proposed project is the installation of a septic system. The system is for Lot A1 shown on the submitted plan, but is located on Lot A2, as that was the only area that would perc. A small portion of the leaching field is in the buffer zone. The Board reviewed the Notice of Intent and plan.

Stephen Gersh moved to continue the public hearing for Louis Lima, 5 Lufkin Point Road, to November 9, 2004, at 7:45 p.m., with the Order of Conditions being released at such time the D.E.P. File Number is issued, seconded by Shirley Singleton, with the Board voting unanimously in favor.

Stephen Gersh moved to approve the installation of a septic system

Page Two
October 19, 2004 - Minutes

at 5 Lufkin Point Road, pending receipt of a D.E.P. File Number for the project, seconded by Shirley Singleton, 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 Rosemarie Parsons for the removal of trees and brush to establish a lawn at 91 Pond Street.

As no D.E.P. File Number has been issued at this time, Stephen Gersh moved to continue the public hearing for Rosemarie Parsons, 91 Pond Street, to November 9, 2004, at 7:35 p.m., seconded by Shirley Singleton, with the Board voting unanimously in favor.

A request for a Certificate of Compliance was made by XLO Realty Trust, for Tara Road.

The Board felt that Condition Numbers 10 and 11 should be placed on the Certificate of Compliance - i.e. 1) a plan should be recorded at the Registry of Deeds showing the no-cut zone and also referenced on the deed and the conservation restriction should be changed to a deed restriction, and 2) signage indicating that a no-cut zone begins at that point.

Stephen Gersh moved to issue a Certificate of Compliance for XLO Realty Trust certifying that work regulated by Order of Conditions D.E.P. File Number 021-0437 has been satisfactorily completed, seconded by Shirley Singleton, with Stephen Gersh, Philip Lake and Shirley Singleton voting in favor; Wallace Bruce abstained.

A request for a Certificate of Compliance was made by Claire Spofford, 1 Tara Road.

Stephen Gersh moved to issue a Certificate of Compliance to Claire Spofford, 1 Tara Road, certifying that work regulated by Order of Conditions D.E.P. File Number 021-0466 has been satisfactorily completed, seconded by Shirley Singleton, with Stephen Gersh, Philip Lake and Shirley Singleton voting in favor; Wallace Bruce abstained.

A building permit application was submitted for Michael Doyle, 35R County Road, for the construction of a garage. Philip Lake will make a site visit to determine if there are any wetland issues.

A request was made by Dorothea Wendell, 1 Middle Road, to move the

Page Three
October 19, 2004 - Minutes


installation of a tight tank by 5'-10' towards the road to prevent cutting roots of a large maple tree. It was found at the original site of the tight tank there were roots of the maple tree which would have to be cut in order to install the tank, and it was felt if this was done it would destroy the tree. The Board reviewed the plan and found no problem with moving the tank as requested.

A plan was submitted for review for Cynthia Coffin, 11E Gregory Island Road, for the installation of a driveway. The Board reviewed the plan and found no wetland issues.

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

Meeting adjourned at 8:55 p.m.

Prepared by:



Gillian B. Palumbo
Administrative Clerk

Attest: