

Essex Conservation Commission

January 4, 2005 - Minutes

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

Present: Wallace Bruce, Chairman, Robert Brophy, Elisabeth Frye,  
Stephen Gersh, Philip Lake, Shirley Singleton.

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

Arthur Hodges met with the Board to request permission to continue mowing a field on Warren Way, off Apple Street, which has been ongoing for 75-100 years. Mr. Hodges submitted to the Board copies of the Conservation Restriction placed on the property. Allowable under the Conservation Restriction is "the cultivation and harvesting of crops, flowers and hay within the existing fields; the planting of trees and shrubs and the mowing of grass..." Mr. Hodges noted there are a total of three fields, but only one of them is in question; the others are outside of the buffer zone. Mr. Hodges showed photographs taken the weekend prior to this meeting. He stated that Essex County Greenbelt, who holds the Conservation Restriction, has no problem with the mowing. The Commission indicated they had no issues with Mr. Hodges request. Mr. Hodges said he would like to receive a letter from the Commission based on paragraph 2A, page three, of the Conservation Restriction, allowing mowing of the area shown as A1 on the Conservation Restriction Baseline Photo Key. The Board was agreeable to this.

A public hearing was held at 7:49 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 property off Essex Park Road, Assessors Map 9, Parcels 5, 5A, 8, and 9.

Chairman Wallace Bruce and Elisabeth Frye recused themselves as they are abutters to the property. Shirley Singleton became Acting Chairman for the hearing. Chris Gajeski, Apple Associates, represented Peter Van Wyck. Mr. Gajeski told the Board wetland flags have been installed every 30-feet. Ponds in the area qualify under the Act as they are more than 10,000 square feet in size. The Alewife Brook also flows through the area. Also noted on the plan is the area high water line. Mr. Gajeski stated the property consists of 17,000 square feet of bordering vegetated wetlands. Dennis DiGregorio, Pond Street, questioned where the mean high water line was. When questioned how he was going to access the property, Mr. Van Wyck said he was anticipating access

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from Essex Park Road. The total area of the property is 50.4 acres. James Duda, Western Avenue, questioned an area on the plan which he felt was a wetland area but was not designated as such. Shirley Singleton told him the Commission would make a note to check that particular area when they do a site walk, or when the Commission's wetland scientist reviews the area. Mr. Van Wyck noted that the Commission will have to hire a wetland scientist to verify the flagging, and requested that Michael DeRosa, DeRosa Environmental, not be considered. The Board will submit copies of the plans showing the flagging to three wetland scientists and request a quote from them for the site review.

Robert Brophy moved to continue the public hearing for Peter Van Wyck for property off Essex Park Road to Tuesday, January 18, 2005, at 7:35 p.m., seconded Stephen Gersh, with the Board voting unanimously in favor.

At this time, Wallace Bruce resumed the chair.

A public hearing was held at 8:15 p.m. under the Wetlands Protection Act, M.G.L. Chapter 131, Section 40, on a Notice of Intent filed by Stanley Collinson for a septic system upgrade at 89 Choate Street.

Andy --, Mill River Consulting, represented the applicant. He told the Board the proposed project is for an upgrade of the present septic system. He noted that where the septic system is sited is in full compliance with Title V. The Board reviewed the Notice of Intent and plan.

As no D.E.P. File Number had been issued at this time, Robert Brophy moved to continue the hearing for Stanley Collinson, 89 Choate Street, to Tuesday, January 18, 2005, at 7:55 p.m., seconded Shirley Singleton, with the Board voting unanimously in favor.

Mr. Collinson indicated he was passing papers on 89 Choate Street the following week, and asked the Board if a letter could be sent to him from the Commission stating that the Order of Conditions will be issued subject to receipt of the D.E.P. File Number; the Board agreed to do this.

Skip Crocker of Crocker's Boatyard, Manchester, together with his father, met with the Board at 8:29 p.m. to discuss the agreement to purchase Meadow Ridge Farm, 105 Southern Avenue, for the storage

of boats. Mr. Crocker told the Board the intent is to store boats inside the existing arena and outside of the buildings. He added he hopes to rent out the house that is part of the property. The number of boats he would store would be in the range of 70-100, with that number being a high estimate. They would move boats up to 30-feet in length themselves; anything bigger would be done by an outside company. Mr. Crocker felt 30-40 boats could be stored inside. He stated there would be no transfer of fuel or diesel fuel, and no maintenance done on the boats. In the fall they would be bringing boats over - three per day over a two-month period, and then in April, May, and the early part of June, they would remove the boats. Mr. Crocker indicated he had spoken with Police Chief David Harrell regarding egress of the area with the boats; there would be no customer traffic. Stephen Gersh told him as the rear of the property is tidal, a clear definition of usage would be necessary under the alternatives analysis for the Rivers Act, which would ask that other sites be examined for the least impact. Stephen Gersh noted that the Commission can only address issues under the Wetlands Protection Act - issues such as traffic are Planning Board and police jurisdiction. Robert Brophy asked what could be more detrimental to the wetlands than what was there, namely, a horse farm. It was recommended that the Crockers hire a wetland consultant to delineate the wetlands.

A continuation of a public hearing was held at 8:45 p.m. under the Wetlands Protection Act, M.G.L. Chapter 131, Section 40, on a Notice of Intent filed by Ronald and Donna Gauthier for the replacement of a retaining wall at 14 Coral Hill.

It was noted that a D.E.P. File Number had been issued for the proposed project, and a letter received from the Natural Heritage and Endangered Wildlife Program stating that the project would not impact the wildlife area around Chebacco Lake.

Stephen Gersh moved to close the public hearing for Ronald and Donna Gauthier, 14 Coral Hill, seconded by Robert Brophy, with the Board voting unanimously in favor.

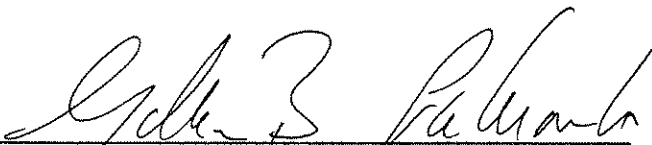
Stephen Gersh moved to approve the replacement of a retaining wall at 14 Coral Hill, property of Ronald and Donna Gauthier, seconded by Robert Brophy, with the Board voting unanimously in favor.

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

Meeting adjourned at 9:10 p.m.

Prepared by:

  
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Gillian B. Palumbo  
Administrative Clerk

Attest: