

Essex Conservation Commission

February 2, 1993

Present: Edwin Perkins, Chairman; David Folsom; Arthur Hodges; Alan McCoy; Peter Perrigo; Thomas Prentiss.

Meeting called to order at 8:04 p.m.

A Request for a Determination of Applicability was held at 8:05 p.m., applicant Ronald and Robin Pydynkowski, covering construction of a 32' x 36' garage at 8 Forest Street. Kathleen J. Myer, P.E., representing the Pydynkowskis, submitted a report which discussed the existing drainage conditions on the property. Myer said, "We looked at the local mapping and the site and had a feeling that the particular flow areas were so small they were not applicable to the Wetlands Protection Act, and therefore should not be designated on the plan." Myer then reviewed the submitted report with the Board, which identified four inland resource areas, i.e. Bank, Bordering Vegetated Wetlands, Land Under Water Bodies and Waterways, and Land Subject to Flooding, and how they applied to the site. Her report concluded that "...upon review of the site and the two drainage conditions that require assessment for purposes of review by the Essex Conservation Commission, the regulations defined by 310 CMR 10.00 are not applicable. The local drainage is not well defined due to poorly draining subsurface conditions and level topography on-site that does not provide a sufficient gradient for intermittent standing water to flow off-site." McCoy said that at the last meeting the Board was looking at a wet meadow. Myer said, "This is not applicable in this instance under 310 CMR 10.00. If someone said that there was drainage in another area from this project, they would have to show cause. It has to be connected hydraulically to have significance. The grades are so minimal here that it cannot decide which way to flow; the grades are minimal, so the flow is minimal." Myers said in her opinion because of its intermittent nature it is not a concern of the Wetlands Protection Act. McCoy asked, "Did you cover isolated wetlands subject to flooding?" Myer said, "The criteria for that is an area which at least once a year confines standing water to a volume of at least 1/4 acre-feet and to an average depth of at least six inches. This doesn't satisfy the volume criteria."

Folsom then moved to issue a negative Determination to Ronald and Robin Pydynkowski, for a garage at 8 Forest Avenue. The

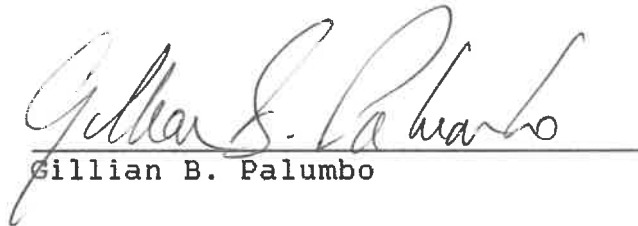
motion was seconded by Hodges, with the Board voting unanimously in favor.

The Minutes of the meeting of January 5, 1993, were read. Hodges moved to accept the Minutes of January 5, 1993, as read, with an amendment that Board member David Folsom was present at the meeting. The motion was seconded by Perrigo, with the Board voting unanimously in favor.

Hodges moved to adjourn, seconded by Prentiss, with the Board voting unanimously in favor.

Meeting adjourned at 8:50 p.m.

Prepared by:


Gillian B. Palumbo

Attest:

Essex Conservation Commission

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A G E N D A

Appointments:

8:00 p.m. ... Ronald and Robin Pydynkowski, 8 Forest
Avenue - Request for a Determination
of Applicability

Business:

Review correspondence

Sign Bills Payable voucher