

Essex Conservation Commission

February 7, 1995 - Minutes

Present: David Folsom, Chairman, Edith Messersmith, Edwin Perkins, Peter Perrigo, Thomas Prentiss, Arthur Hodges (arrived 8:00 p.m.).

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

A Request made by William Meader to Determine the Applicability of the Wetlands Protection Act, M.G.L. Chapter 131, Section 40, for the regrading in the buffer zone for a septic system repair at 26 Story Street was heard at 7:40 p.m. Engineer Clay Morin represented Meader. He told the Board that the activity in the buffer zone is regrading. The proposed project involves the construction of a 'septic system repair' with leach field and 1,500 gallon septic tank. The septic tank and leach field are outside the 100 foot buffer zone, but the regrading will be done in the buffer. Morin noted that the Board of Health required the following soil notation be placed on the plan for the proposed septic system - "Contractor shall remove all topsoil and subsoil in and 10 feet around the leach area and replace with gravel fill in accordance with Reg. 2.13 of Title 5 to the limits indicated hereon. Fill shall have a maximum in-place percolation rate of one inch drop in two minutes". The Board then reviewed the Request and accompanying plan.

Perkins moved to issue a negative Determination of Applicability to William Meader for the regrading of a septic system repair at 26 Story Street, as shown on the plan titled "Proposed Subsurface Sewage Disposal System" dated January 3, 1995. The motion was seconded by Messersmith with Folsom, Messersmith, Perkins, Perrigo and Prentiss voting in favor.

A public hearing was held at 7:45 p.m. under the Wetlands Protection Act, Chapter 131, Section 40, on a Notice of Intent filed by Trescott DeWitt covering the construction and maintenance of an accessory building, utilities, driveway, tree removal, site grading and landscaping in the buffer zone at Brookside Apartments, 23 Story Street. P. Hunt Durey of Hancock Survey Associates, together with applicant Scott Dewitt, met with the Board.

DeWitt told the Board, "At present there is a garage which I have outgrown. My proposal is to use this existing building as tenant storage, and to construct a new single-story

46' x 70' maintenance building with connecting driveway. I would also like to provide a playground area for the children in the apartment complex. The proposed building would have no septic system, but I would like to run an underground electric line to the building, and a water line for a hose." The area of buffer zone disturbance would be approximately 24,000 square feet. Measures proposed to ensure that construction and maintenance activities will not alter the resource area include a haybale siltation barrier located at the top of grading, driveway cross sloping to one side (directing stormwater to well established turf cover or undisturbed areas) and construction activity guidelines designed to minimize any possible impacts to the resource area. The Board then reviewed the Notice of Intent and accompanying plan.

Perkins moved to close the public hearing for Scott DeWitt, Brookside Apartments, 23 Story Street, seconded by Prentiss, with Folsom, Messersmith, Perkins, Perrigo and Prentiss voting in favor.

A Request to Determine the Applicability of the Wetlands Protection Act, M.G.L. Chapter 131, Section 40, for the repair of a hole in a bulkhead made by Perkins Marine, Inc., 82 Main Street, was heard.

Commission member Edwin Perkins removed himself from the Board to represent Perkins Marine, Inc. Perkins told the Board although he has a Chapter 91 license he felt he should file a Request for Determination of Applicability to let the public know what work is being done. The work involves the repair of the bulkhead which runs parallel to Route 133, and is being done under Chapter 91 license Number 3369. He indicated that the horizontal timbers have broken out. The Board reviewed the Request and accompanying plan.

Prentiss moved to issue a negative Determination of Applicability to Perkins Marine, inc., 82 Main Street, for the repair of a bulkhead. The motion was seconded by Hodges, with the Board voting unanimously in favor.

Folsom submitted the Conservation Commission's report, which is to be placed in the Annual Town Report, for the Board's review.

Perkins moved to accept the report submitted by Chairman David Folsom for the Town's Annual Report. The motion was seconded by Hodges, with the Board voting unanimously in

favor.

A request for Certificates of Compliance was received from Michael Davis for Orders of Conditions File Numbers 21-144 and 21-163.

Perkins moved to issue Certificates of Compliance to Michael Davis for Orders of Conditions D.E.P. File Numbers 21-144 and 21-163, seconded by Prentiss, with the Board voting unanimously in favor.

James Witham and Paul Mugford, representing the Essex Historical Society, met with the Board regarding moving the Evalina Goulart. Witham told the Board they are proposing to move the Goulart to the Story railway, property owned by the Town. Witham indicated that they are having the area surveyed as they feel they probably will have to obtain a Chapter 91 License. Because the railway is still there, it was felt there would be very little work to be done on the Town property. Witham noted that they have had problems with the Department of Environmental Protection because of heavy metals in the soil from paint chips and sanding done in the past, so any soil removal would be a problem. The Board told Witham and Mugford that a Notice of Intent would have to be filed for this work.

The Order of Conditions were written for Scott DeWitt, Brookside Apartments, 23 Story Street.

Perkins moved to approve the project for Scott DeWitt, 23 Story Street, as shown on plan titled "Permit Site Plan of Land in Essex Prepared for Scott DeWitt" dated December 27, 1994, seconded by Messersmith, with Folsom, Messersmith, Perkins, Perrigo, and Prentiss voting in favor; Hodges abstained as he did not attend the hearing.

Messersmith moved to adjourn the meeting, seconded by Hodges, with the Board voting unanimously in favor. Meeting adjourned at 9:15 p.m.

Prepared by:



Gillian B. Palumbo  
Administrative Clerk

Attest:

Essex Conservation Commission

February 7, 1995

A G E N D A

Appointments:

- 7:40 p.m. ... Request for a Determination of  
Applicability - William Meader, 26  
Story Street
- 7:45 p.m. ... Public hearing - Trescott DeWitt,  
Brookside Apartments, 23 Story Street
- 8:00 p.m. ... Request for a Determination of  
Applicability - Perkins Marine, Inc.,  
82 Main Street
- 8:15 p.m. ... Essex Historical Society - moving the  
Evalina Goulart

Business:

- Request for Certificate of Compliance - Michael Davis
- Review correspondence
- Sign Payroll Voucher