

Essex Conservation Commission

March 2, 1993

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

Meeting called to order at 8:05 p.m.

A public hearing was held at 8:06 under the Massachusetts Wetlands Protection Act, M.G.L. Chapter 131, Section 40, on a Notice of Intent filed by Sharon Means covering construction of a driveway to access three residential lots on Belcher Street. Robert Klopotoski, Survey Associates, represented Means. Klopotoski said, " I am submitting a revised plan following suggestions made by the Conservation Commission during the site visit. We have extended the stone swales the entire length of the driveway. There may be an attempt to extend the water line down Belcher Street. At this time we do not know if it will include wetland or buffer zone areas, but if it does, we will submit another Notice of Intent. We did want to include the utilities under the driveway, but that would pre-suppose the water line would be extended. If the property owners do decide they want to use town water instead of wells, then I will either submit a new Notice of Intent or an amended one. Other than those changes the plan is the same plan. You had asked for calculations at the site visit showing an estimate of the run-off, so I am submitting those to you tonight." Klopotoski then reviewed the calculations with the Board. He added, "There will be no immediate increase in the run-off due to the construction. The net effect of making the trenches wider is there will be no additional run-off from the driveways."

The Board then reviewed the Notice of Intent and accompanying plan. There were no comments from the public.

McCoy moved to close the public hearing. The motion was seconded by Folsom, with the Board voting unanimously in favor.

A public hearing was held at 8:31 p.m. under the Massachusetts Wetlands Protection Act, M.G.L. Chapter 131, Section 40, on a Notice of Intent filed by Peter Van Wyck covering removal of brush, ploughing, fertilising and reseedling Low Land Farms, off Apple Street.

Peter Van Wyck said, "Low Land Farms area has been flagged as of December. The surveyor drew the plan in January, so the flagging is up-to-date. This is shown on the plan with hatch marks. What I would like to do is to take out the brush, plough it and put down seed cover. I am asking to go into the buffer zone up to the flagged area. One hundred feet out I will be doing some grading, but that does not fall under the Conservation Commission jurisdiction. On one page of the Final Judgement it states I am in compliance with the restoration of the plan; on a second document it states that the area near Hildonen is not under Chapter 131 jurisdiction." Prentiss asked Van Wyck if he would be trimming bushes and how he would do it. Van Wyck - "No, I'm doing a little more than that. I want to plough and harrow it." Prentiss - "Will you be cutting down cedar trees?" Van Wyck - "No, I'm just concerned with the brush." Frederick Fawcett - "Mr. Van Wyck states that this work is done in compliance with the court order." Perkins - "That's what he has said." Fawcett - "Is it, in fact, true?" Perkins - "Our Town Counsel has said we have to accept his submittal of a Notice of Intent and hold a public hearing." Fawcett - "Who flagged the area?" Van Wyck - "Carr Research did it." Fawcett - "This area (near Hildonen) he states is no longer a wetland. It does connect to an intermittent stream and so you should check to see if it is still permitted under Chapter 131. Any ploughing within the buffer zone should not be allowed. I don't think it is a wise thing or a necessary thing. I think it is just trying to reshape the land by Mr. Van Wyck. I strongly urge you not to allow ploughing." Elizabeth Frye - "On ploughing - I've never seen a farmer's plough down there. What I've seen is a bucket hoe which is pushing earth from one place to another. Ploughing is turning over the earth." Perkins - "We were told the state agencies would make those decisions. In the Order of Conditions we will state how we wish him to do it, if we approve it, and the state will also have something to say about it."

The Board felt they needed to make a site visit to the property to review the flagged area. This was scheduled for Saturday, March 13, 1993, at 9 a.m.

Prentiss moved to continue the public hearing to Tuesday, March 16, 1993, at 8:00 p.m. The motion was seconded by Perrigo, with the Board voting unanimously in favor.

The Board voted unanimously to approve the project of Sharon Means, for construction of a common driveway to three


residential lots on Belcher Street. The Order of Conditions was written.

The Board reviewed the correspondence. A letter was received from Jack Gale/Peter B. Meyer, Builders, requesting a Certificate of Compliance for the installation of an underground powerline for Louis McMillen, Eastern Avenue, in 1987, D.E.P. File Number 21-124. A site visit had been made to view the project and therefore the Board voted unanimously in favor of issuing a Certificate of Compliance.

McCoy moved to adjourned the meeting, seconded by Perrigo, with the Board voting unanimously in favor.

Meeting adjourned at 9:30 p.m.

Prepared by:

  
Gillian B. Palumbo

Attest:

Essex Conservation Commission

March 2, 1993

A G E N D A

Appointments:

8:00 p.m. ... Public hearing - Sharon Means,  
Belcher Street

8:30 p.m. ... Public hearing - Peter Van Wyck,  
Low Land Farms

Business:

Review correspondence

Review budget