

Essex Conservation Commission

March 5, 1996 - Minutes

Present: David Folsom, Chairman, Arthur Hodges (7:50 p.m.),
Edwin Perkins, Peter Perrigo, Thomas Prentiss,
George Stavros.

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

Sebastian and Barbara Aparo, 11 Red Gate Road, met with the Board to submit a Request for a Determination of Applicability for the installation of an artesian well. The existing well is on the edge of Chebacco Lake. Folsom asked how the well drilling company was proposing to do the work. Aparo indicated that unless the drilling company could construct a platform, they could not get close enough to the existing well to do the work. The new well will be dug further from the edge of the Lake. Folsom then requested that a written explanation of how the work is to be done be submitted to the Board prior to the Request being heard. The Request was scheduled to be heard at the March 19, 1996, meeting at 7:45 p.m.

A Request made by Scott Patrowicz for the Commission to Determine the Applicability of the Wetlands Protection Act, M.G.L. Chapter 131, Section 40, for the clearing of brush at 1 Riverview Road was heard at 7:45 p.m.

Commission member Edwin Perkins removed himself from the Board for this discussion because of a conflict of interest. Joseph Walker, owner of the property, was present. Patrowicz told the Board the owner intends to clear brush within the 100 foot buffer zone. No work is to be performed within the resource area. The limit of the work line is defined by a gravel road, Dodge Street Extension, which separates the area to be cleared from the resource area. The brush needed to be cleared in order for them to do some soil testing. At this point, Walker wanted it noted that the property is in his wife's name, Margot Anderson. Patrowicz also noted that the asphalt driveway which runs alongside the dwelling will also be removed and disposed of off-site. The demolition of the deck, shed, and reinstallation of the septic system will come under a Notice of Intent. Some of the brush work will be done by hand and some by backhoe. Prentiss - "Usually when we have something like this, with the road acting as a barrier between work in the buffer zone and the resource area, the road is paved. This road isn't, and I don't feel

there is enough protection. I feel haybales should be placed along the edge of the road to prevent any siltation."

Prentiss moved to issue a negative Determination of Applicability, providing some siltation protection be placed alongside the edge of the roadway known as Dodge Street Extension, seconded by Perrigo, with Folsom, Perrigo, Prentiss and Stavros voting in favor; Perkins abstained; Hodges arrived during discussion of the Request and abstained from voting.

The Board discussed the request made by Paul Rullo for an extension to his Order of Conditions, D.E.P. File Number 21-234, covering work at Lot 6, Lowe Hill Road.

Perkins moved to grant Paul Rullo a three-year extension to his Order of Conditions D.E.P. File Number 21-234 for work at Lot 6, Lowe Hill Road, seconded by Perrigo, with the Board voting unanimously in favor.

A submittal of a Notice of Intent was made for William Bancroft and Alice Murphy for the construction of a single family dwelling, detached garage, utilities, and associated site grading at 189R John Wise Avenue. The Board reviewed the submittal and accompanying plan. As the dwelling is in the buffer zone, they felt that drainage from roof, garage and driveway run-off should be shown more effectively. Arrows were shown on the plan indicating overland surface water flow but the Board felt they were a little vague. The Board also felt a cross-section or elevation of the driveway should be shown. A public hearing will be scheduled for March 19, 1996, at 7:50 p.m.

A submittal of a Notice of Intent was made by Derek Brown, representing the Essex Water Quality Task Force, covering the removal of approximately 2000 square feet of purple loosestrife from a shallow freshwater pond in the vicinity of Harlow and Lufkin Streets, property of Jessica Warren. Hodges abstained from any discussion because of a conflict of interest. Brown told the Board the pond is choked up with purple loosestrife, which he would like to remove and replace with wetland vegetation to see if it will stop the loosestrife from returning. Brown said he is doing this project through the Water Quality Task Force and Eight Bays. Brown said he will eliminate the loosestrife by pulling it out by hand. The project must be done in April. Folsom noted that the Board of Selectmen had an issue with the project being a Water Quality Task Force funded project, with

one of the concerns being that Brown was being paid from the Water Quality Task Force. Brown indicated that he was not being paid for his work on this project.

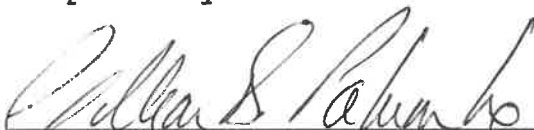
James Richardson, together with Charles Wyman of The Trustees of Reservations, met with the Board to discuss the conservation restriction that Richardson proposes to give to The Trustees of Reservations on property he owns on Island Road. Most of the property is saltmarsh, but a small portion is upland field with a single family home and outbuildings. The restriction will include the house lot, but will have a restriction on it for no further development. It will, though, include the reserved right to maintain the house lot. Wyman said the restriction has been sent to the State for review. They also wanted to see if the Commission would approve it. Wyman then submitted a draft copy of the restriction for the Commission to review. Prentiss then asked Wyman, "Now that The Trustees are gaining more and more marshland, will they be maintaining the drainage ditches?" Wyman told the Board that that is a controversial subject at present with The Trustees, so he could not answer it at this time. Richardson said that as long as he is an owner, he is interested in discussing maintenance of the ditches.

Roger Hardy, 3 Riverview Hill (not on the agenda), asked if he could speak with the Board regarding the sale of his property to Peter Clark/Aaron Strong and the upgrading of the septic system. Clark told the Board that the edge of the septic is 82 feet from the wall, with the wall defining the area between the wetlands and upland. Clark/Strong were told to return to the Board when they had more definitive plans as to what they were proposing to do with the septic and structure.

The Board reviewed the correspondence.

Hodges moved to adjourn the meeting, seconded by Perrigo, with the Board voting unanimously in favor. Meeting adjourned at 9:20 p.m.

Prepared by:



Gillian B. Palumbo
Administrative Clerk

Attest:

Essex Conservation Commission

March 5, 1996

A G E N D A

Appointments:

- 7:30 p.m. ... Submittal of Request for Determination of Applicability - Barbara Aparo, 11 Red Gate Road
- 7:35 p.m. ... Request for a Determination of Applicability - 1 Riverview Hill - Scott Patrowicz
- 7:45 p.m. ... Request for Extension to Order of Conditions 21-234, Paul Rullo, Lowe Hill Road
- 7:50 p.m. ... Submittal of Notice of Intent - Alice Murphy/William Bancroft - 189R John Wise Avenue
- 7:55 p.m. ... Submittal of Notice of Intent - Derek Brown - Warren pond, Harlow Street
- 8:00 p.m. ... James Richardson - discussion on land for conservation

Business:

- Review correspondence
- Sign Bills Payable Voucher
- Next meeting - March 19, 1996