

Essex Conservation Commission

March 21, 1995 - Minutes

Present: David Folsom, Chairman, Edith Messersmith, Edwin Perkins, Peter Perrigo, Thomas Prentiss.

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

Peter Wilson, representing Emerson Company, met with the Board for a building permit application review for maintenance of the dock and walkway on Cross Island. Wilson said they have applied for a Chapter 91 License. Wilson was asked where it stood at the present time. Wilson replied, "It has been submitted, that's all I know, last summer or fall." Wilson then submitted photographs showing what exists. The walkway is approximately 37 feet long and 5 feet wide.

Perkins moved to allow Peter Wilson to replace the Cross Island walkway as soon as the Commission is in receipt of drawings for the Chapter 91 License application. The motion was seconded by Prentiss, with the Board voting unanimously in favor.

A public hearing was held at 7:45 p.m. under the Massachusetts Wetlands Protection Act, M.G.L. Chapter 131, Section 40, on a Notice of Intent filed by Essex Landing, Inc., dba Essex River House Motel covering the repair of the existing septic system in the buffer zone at 132 Main Street.

Ellen Winkler, attorney with Serafini, Serafini, and Darling, Peter Giabbai, engineer for Ja-By Engineering, Inc., Marilyn Dorman and Dennis Culverwell, represented Essex Landing, Inc. Giabbai told the Board, "The existing septic system is located under the paved parking area. The new one will also be under the parking lot. Existing at the moment is a 2-3 compartment tank in front of the house, linked to a tank in front of motel units 7 and 8 and then to another tank in front of units 8 and 9. All went to one leaching area, which now is not leaching well. The problem was how to put in a new system and meet the present codes. It basically left us with a tight tank system. The proposal is for an 11,000 gallon tank to be installed within the buffer zone for the bank of the Essex River." Giabbai was then asked how frequently it would need to be pumped. Giabbai said, "It's hard to say. The motel is putting in all water-saver fixtures to help reduce flows. It depends on how much people

use. This was designed to the new Title V codes. The holding tank is equipped with floats in the tank for monitoring the level. The alarm system will provide an audio and visual indication when the liquid level is at 3/5 tank capacity, which is required by code, and we have put in an alarm for 4/5 and 5/5 tank capacity. There will be monthly readings as required by the Board of Health." Perkins - "What have you designed to hold the tank in the ground?" Giabbai - "It's a Rotondo and Sons tank - very heavy concrete in three pieces. What holds it in the ground - we will have a collar around the bottom and a 3" shelf around it for weight." Perkins - "Did they take soil tests to see if the soil is suitable to hold it up?" Giabbai - "We haven't as yet. That is one of the first things we want to do as soon as we get approval." Prentiss - "What is the size of the excavation?" Giabbai - "We really don't have a size. They are going to have to use shoring in there. From outside to outside we are looking at 9' high. We need to make sure the tank is water tight. We are using the same as on manholes - rubber gaskets." Perkins - "What holds the tank together?" Giabbai - "The tank comes in three sections - two sides and a middle. The company has some mechanism to fit it together." Hodges questioned whether there was a performance bond on the tank. Giabbai said he did not have that information. Prentiss asked when he planned to have this done. Giabbai told him as soon as they receive the approval from the Board. Perkins - "The only concern I have is that there is a substantial slab and pilings to hold the tank down." Giabbai - "That's why we went to a Rotondo tank."

A letter was then read into the meeting from Howard's Antiques stating they had no objection to and supported the project. Perkins moved to close the public hearing for the Essex River House Motel, 132 Main Street. The motion was seconded by Prentiss, with the Board voting unanimously in favor.

A Request for a Determination of Applicability made by Daniel LaForge for the addition of a second story to an existing structure at 40 Lakeshore Drive was heard at 8:10 p.m.

LaForge told the Board his proposal is to add a second floor to the existing dwelling. He said that it was not a complete second floor and that it will be stepped back 16 feet. He also noted that the footprint of the dwelling would not change. Prentiss - "What was the capacity of the septic system before?" LaForge - "I don't know. When we were purchasing it, the system failed and the seller had to

replace it." Perkins questioned whether the foundation and walls would support the second floor. LaForge told him that he had had a contractor and Building Inspector Richard Carter come and inspect it.

Perkins moved to issue a negative Determination to Daniel LaForge for the construction of a second floor to an existing structure at 40 Lakeshore Drive. The motion was seconded by Messersmith, with the Board voting unanimously in favor.

A Request for a Determination of Applicability made by the Essex Shipbuilders Athletic Association for the placement of a waterline from existing wells at Centennial Grove Road was heard at 8:20 p.m.

John Schimoler and Craig Doyle representing the Shipbuilders Athletic Association told the Board that the proposal is to install a water line from two existing wells. Schimoler said, "We have talked to the Water Department and they had no problem with the project. The wells are just test wells and the water will just be used for the sprinklers." Prentiss questioned how many trees would have to be removed for the project. He was told none.

Perkins moved to issue a negative Determination to the Essex Shipbuilders Athletic Association for the installation of a water line from existing wells at Centennial Grove Road. The motion was seconded by Prentiss, with the Board voting unanimously in favor.

William Blackwood met with the Board to discuss the construction of a barn on property owned by Bruce Dean on Walnut Park. He said the only use of the barn would be dry storage. There would be no plumbing and no septic system going in. Prentiss asked if he had seen the area in spring. Blackwood said he had, and that he had also seen it when the D.P.W. culvert backed up. Prentiss said his concern was if the building was there, would it stop the flow or force it to go into another pattern. Blackwood was then asked if that was the lot that had the depression. He noted that it actually was a foundation for a structure. Folsom told Blackwood that he could file a Request for a Determination of Applicability, but that, ultimately, the Commission felt he should file an Abbreviated Notice of Intent. Blackwood - "Does the fact that there is no water there twelve months of the year have any effect?" Perkins - "No, there is wetland vegetation."

Tom Churches, Jr. met with the Board to discuss the possibility of his purchasing 174 Western Avenue, property of Leonard Pike, and opening a landscaping supply business there. Churches stated he would have grass seed and fertilizer, but would not have any chemical weed control. He would like to install concrete bins and then pave the area. Prentiss asked about floor drains in the building. Churches said there was one 4" drain. He added that the loam that he stocked would be covered at night so if there was rain it would not silt anywhere. He was asked to file a Request for a Determination of Applicability.

Ray Cahoon met with the Board to discuss his purchase of Lot 7, Patriots Landing. A plan had come before the Board when the property was initially subdivided, for a 5-bedroom duplex. The present plan that Cahoon presented was for a single family home. The Board reviewed the plans and felt Cahoon should file an Abbreviated Notice of Intent. Prentiss felt it would be better if the garage shown on the plan was angled further away from the resource area.

Richard Saltzberg met with the Board for a building permit application review for the reconstruction of the foundation at Christian Molly Antiques, 165 Main Street. He said they needed to jack up the building and rebuild the foundation. They would be excavating with a small backhoe. The Board felt he should file a Request for a Determination of Applicability.

Hodges reviewed the Watershed Protection District by-law regarding what kind of business would be allowed at 174 Western Avenue.

The Order of Conditions for Charles Filias, 138 Main Street, were written. Perkins noted that Filias had supplied the dimension as requested by the Board at the last meeting. Hodges moved to approve the project, as submitted, of Charles Filias for the dredging of sediments and reconfiguration of a floating pier at 138 Main Street. The motion was seconded by Perrigo, with Hodges, Messersmith, Perrigo and Prentiss voting in favor; Folsom and Perkins abstained.

The Board reviewed a request for a Certificate of Compliance from the Board of Selectmen, representing the Town of Essex, for an Order of Conditions D.E.P. File #21-133, issued to the Conomo Point Association for maintenance of a pier. Perkins moved to issue a Certificate of Compliance to the Town of Essex for the Conomo Point Association Order of Conditions,

D.E.P. File #21-133. The motion was seconded by Perrigo,
with the Board voting unanimously in favor.

The Board reviewed the correspondence.

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

Meeting adjourned at 9:50 p.m.

Prepared by:



Gillian B. Palumbo
Administrative Clerk

Attest:

Essex Conservation Commission

March 21, 1995

A G E N D A

Appointments:

- 7:30 p.m. ... Peter Wilson - Road maintenance, Cross Island
- 7:45 p.m. ... Public hearing - Essex Landing, Inc., dba Essex River House Motel, 132 Main Street
- 8:00 p.m. ... Request for a Determination of Applicability - Daniel LaForge, 40 Lakeshore Drive
- 8:10 p.m. ... Request for a Determination of Applicability - Essex Shipbuilders Athletic Assoc., Centennial Grove Rd.
- 8:15 p.m. ... William Blackwood - Barn, Walnut Park
- 8:30 p.m. ... Tom Churches, T.C. Enterprises - Pike property, Western Avenue
- 8:35 p.m. ... Ray Cahoon, Patriots Landing
- 8:45 p.m. ... Richard Saltzberg - Building Permit Application, 1 Southern Avenue

Business:

Review correspondence

Write Order of Conditions for Charles Filias, 128 Main Street

Request for a Certificate of Compliance - Board of Selectmen, D.E.P. File #21-133

Selectmen require a letter for their Chapter 91 license