

Essex Conservation Commission

April 7, 1992 - Minutes

Present: Canan Hewson, Chairman, David Folsom, Alan McCoy,
Sheldon Pennoyer, Edwin Perkins, Thomas Prentiss.

Meeting called to order at 8:00 p.m.

A continuation of a public hearing was held at 8:01 p.m. under the Massachusetts Wetlands Protection Act, M.G.L. Chapter 131, Section 40, on a Notice of Intent filed by Gloucester Bank and Trust covering the construction of a portion of a residential structure, driveway and regrading within the buffer zone on property at the corner of Western Avenue and Essex Park Road.

Engineer Clay Morin represented Gloucester Bank and Trust. Morin told the Board they have had discussions with wetlands consultants and have two working on site. They have flagged in the wetlands and the edge of the wetland may not be the same as they thought it was. They would like to request a continuation until they receive a report from the botanist. Then they will talk to him about the siting of the dwelling. Morin noted that the blue flagging is at least 20 feet in from the structure, and if that is the case, then the buffer zone will be changing. There are also other considerations the Commission wanted to bring up. Also if the buffer zone is 20 feet further in, then the septic system will have to move. Pennoyer said, "We talked about changing the buffer zone flagging at the site visit. I feel we must see some grading plans to be able to make any kind of determination on this." Hewson said, "I feel we should look at old Orders of Conditions to see why it was turned down. I do not see any difference with this than the old plan. I don't see why you are resubmitting the same plan with no changes." Morin stated, "The last denial and appeal dealt with the mean high water line. The D.E.P. felt that was the only consideration." Hewson said this would change the carrying capacity of the lot. Morin said the only impermeable area was the roof. McCoy - "And the driveway." Morin said that would be of gravel and lyncpac. Perkins said he was not sure that was the best way to deal with it. Frederick Fawcett, Apple Street, - "I don't recall we addressed this the last time, but what is the width of the State's right-of-way - 55 feet? Where does that come on the property?" Morin - "The pavement is off the property by 10 feet. From the wetlands aspect, we do have to deal with the new report." It was noted the perc test was done according to Title 5. The water table and rate/minutes was established. Fawcett noted there were a number of reasons for concern - the Alewife

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Brook is an anadromous/catadromous fish run, the soil map designates severe wetness and the Flood Zone map.

With no further questions at this time, Perkins moved to continue the public hearing for Gloucester Bank and Trust to May 12, 1992, at 8:00 p.m., seconded by Folsom, with the Board voting unanimously in favor.

Morin then questioned the Board relative to the clearance of brush from the ball field behind the Filtration Plant. He noted all activity is outside of the buffer zone. Morin then showed the Board a plan of the project 175 feet from the wetland. He added that when the project is expanded then they will come back to the Board. The Selectmen wanted them to meet with the Board to address this. It was stated that no fertilizer will be permitted. Morin noted that the Essex Athletic Association is in charge of the project.

A public hearing was held at 8:45 p.m. under the Wetlands Protection Act, M.G.L. Chapter 131, Section 40, on a Notice of Intent filed by Lansing Banks covering the construction of a 40'x80' retail building with concrete slab foundation within the buffer zone at 143 Eastern Avenue.

Engineer Clay Morin represented Banks. Morin told the Board the location is the former Greely property, Chebacco Seafood. The main dwelling is in front, with a seafood shucking business in the rear. The septic system had been upgraded in the 1980's. There are two sand-filled traps from the shucking operation, which went into the leaching pit. The proposed project Banks wants to do is to remove the structure to the rear of the house, allow for entrance and access of vehicles coming in, and put up a 40'x80' clapboard type structure to house his millwork, molding, doors, windows, etc. Morin was asked if Banks planned to do this work on the property, as it was understood he was going to have his products delivered. Pennoyer said he thought it was a really large building, and wondered how the Board was going to deal with 92 to 82. Morin said they would put in a reinforced foundation. Pennoyer asked, "How would you control the storage. We may be told doors and windows will be there, but what else could there be?" Rose Dunajski told the Board that Mrs. Katie Adams, an abutter, was not notified. Banks told the Board, "I have right now 1,100 square feet. It is a garage and a small showroom, but I want to get a bigger showroom and storage area. I want to have a driveway that trucks can come in

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and get out easier. I am looking for some feedback regarding the size of the building. I have 1,100 square feet now and want to expand to 3,200 square feet. I have not determined the size as yet." Frederick Fawcett - "So it could be 2 and 1/2 stories." It was noted that the plan had not been developed for the structure. Perkins said his concern is the size of the building, the type of foundation, and how much impact there would be on the wetlands. L. Banks said the slab foundation would be held by a retaining wall. Pennoyer said, "With a retaining wall, you are going to have a tremendous wall. The work line will be pulled way out. I'm also concerned about, not just your operation, but future operations." Perkins indicated that before he would give any approval for this project, he would want to see what is going in there, and whether the banking can support it without it being pushed into the brook. Hewson asked if the 100-year flood zone was shown on the plan. Morin said it was not. The Board said they wanted to see foundation plans, and floor loads. Perkins said felt a change of use restriction should also be put in. Michael Kopanon said Banks indicated it would be millwork, but there would also be cleaning solutions, etc. Banks told him he dealt with wood products, and any millwork on site would be very little. Rose Dunajski - "I have a problem with the trucks coming in. A big enough operation to have a fork lift means gasoline." Frances Dunn - "I'm wondering if you are going for a Home Occupation or a commercial change of use." Banks - "I'm not sure what that means. I plan on living in the house and using this as a retail business." Katie Adams - "I would like to know if another driveway will be put in. It is completely in the wetlands." Banks - "The driveway is basically there." The Board felt, at this time, that the hearing should be continued.

Perkins moved to continue the public hearing for Lansing Banks to May 12, 1992, at 8:45 p.m., seconded by Pennoyer, with the Board voting unanimously in favor.

Bethany Gentleman met with the Board for a building permit application review for the construction of an addition to the existing dwelling on Gregory Island Road. The addition will be 8'x16' in size. The Board felt an Abbreviated Notice of Intent should be filed for the project.

Nancy Roberts met with the Board for a building permit application review for construction of a dwelling at 38 Spring Street. Engineer Clay Morin told the Board that Bruce Julian of

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the D.P.W. suggested when Soginese Creek puts in the road that a culvert be placed in front of the lot. There is a wet area but Morin felt it was just drainage from the road. The Commission signed the building permit application.

Thomas Weinberg, R156 Eastern Avenue - Perkins told the Board he had received a telephone call stating that Weinberg was clearing small trees near the brook. Weinberg indicated that one of the trees was dead and a neighbor was concerned the dead limbs would fall on his boat, so he was removing it. Weinberg said he felt he was making the area look better because he was cleaning out the brook and making the brook run. The Board felt Weinberg should file a Request for a Determination of Applicability for the work.

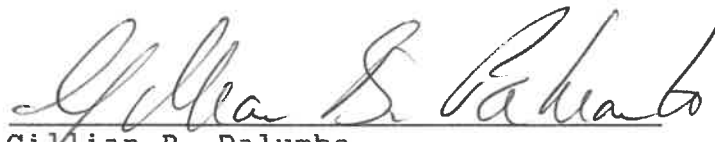
The Board wanted a letter sent to the D.P.W. suggesting they place some rip-rap on the banking by Alewife Brook to stabilize it.

Perkins moved to accept the Minutes of March 17, 1992, as read, seconded by Prentiss, with Perkins, Prentiss, Folsom, and Pennoyer voting in favor; Hewson and McCoy voted present.

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

Meeting adjourned at 10:30 p.m.

Prepared by:



Gillian B. Palumbo
Administrative Clerk

Essex Conservation Commission

April 7, 1992

A G E N D A

Appointments:

- 8:00 p.m. ... Continuation of public hearing -
Gloucester Bank and Trust - corner
of Western Avenue and Essex Park
Road
- 8:45 p.m. ... Public Hearing for Lansing Banks,
Eastern Avenue
- 9:00 p.m. ... Nancy Roberts - building permit
review, Spring Street
- 9:15 p.m. ... Tom Weinberg, R156 Eastern Avenue -
clearing brush

Business:

- Sign payroll voucher
- Sign bills payable voucher