

Essex Conservation Commission

April 23, 1996 - Minutes

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

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

James Genest met with the Board for a building permit application review for an addition to the dwelling of Tony and Julie Periton, 59 Wood Drive. The Board reviewed the application and found there would be no violation of the Wetlands Protection Act. Chairman Folsom signed the application.

The Commission was requested by Kerry and Patricia Kaplon to Determine the Applicability of the Wetlands Protection Act, M.G.L. Chapter 131, Section 40, for the removal and reconstruction of a 14' x 7' slab foundation at 27 Lakeshore Drive.

Ken Mitchell, contractor for the project, told the Board that the existing 14' x 7.4' slab foundation will be removed and a new 16.4' x 7.4' slab footing will be poured. Digging will be done by a small backhoe which will enter the rear yard via the left side of the existing house. To prevent any possible soil erosion while digging, a silt fence and haybales will be placed between the construction site and the Lake. The debris will be hauled away. The Board reviewed the Request and accompanying plan. Perkins felt there would be no impact to the Lake from this project.

Perkins moved to issue a negative Determination to Kerry and Patricia Kaplan for the removal and reconstruction of a 16.4' x 7.4' foundation at 27 Lake Shore Drive, seconded Prentiss, with the Board voting unanimously in favor.

A public hearing was held at 7:50 p.m. under the Massachusetts Wetlands Protection Act, M.G.L. Chapter 131, Section 40, on a Notice of Intent filed by John and Constance Hsai covering the repair and maintenance of an existing wooden pier and pilings at 36R Robbins Island Road.

Constance Hsai, David Calder, and Richard and Carol Carter were present at the hearing. Calder said they would like to replace the wharf and pier, which was taken out this year by the ice, and replace in kind. They have a contractor, North

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Shore Marine, who is fixing damage to a pier at Hog Island, and would like him to do their repair work. Perkins asked if the pier had a Chapter 91 license. Calder told him they were in the process of applying for the amnesty license. He added, "We decided to go with rebuilding the existing pier instead of moving it as we had originally planned. We would have to have gone for the full Chapter 91 license prior to any construction if we had moved it. None of the construction equipment will be on shore - it will all be floating. The original pier was built in 1932." Hsai told the Board that the area where the pier is located has been a separate piece of property from the rest of Robbins Island, which is Town-owned, since 1881. The Board reviewed the Notice of Intent and accompanying plan.

Perkins moved to close the public hearing for John and Constance Hsai for the repair and maintenance of an existing wooden pier at 36R Robbins Island Road, seconded by Perrigo, with the Board voting unanimously in favor.

A building permit application submitted by Manuel Ameral for the construction of a single family dwelling at 3 Pine Ridge Road was reviewed. All work will be outside of the 100 foot buffer zone, even though a siltation barrier was shown on the plan.

Perkins moved to issue a building permit application to Manuel Ameral for construction of a single family dwelling at 3 Pine Ridge Road, with work commencing after the siltation barrier is in place, seconded by Prentiss, with the Board voting unanimously in favor. Chairman Folsom signed the application.

A public hearing was held under the Massachusetts Wetlands Protection Act, M.G.L. Chapter 131, Section 40, on a Notice of Intent filed by Shirley Burnham covering construction of a dwelling and regrading in the buffer zone at Landing Road, Assessors Map 33, Lot 16.

Engineer Clay Morin represented Burnham. Morin told the Board that Paul Sommer, of Sommer Environmental, flagged the buffer zone. The railway tracks are the edge of the buffer zone, with the distance from the structure to the edge of the bordering vegetative wetland being 39 feet. The proposed project is a five-bedroom dwelling. Louis Maniates, an

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abutter, told the Board that there are three natural underground springs in the area. Morin noted that it could be the springs that are creating the wetland. Maniates then questioned the size of the dwelling. Morin told him the size of the structure will be 65' x 30', with a potential to make it a two-family. The septic system has the capacity for five bedrooms. The Board then reviewed the Notice of Intent and accompanying plan.

Perkins moved to close the public hearing for Shirley Burnham, Landing Road, seconded by Perrigo, with the Board voting unanimously in favor.

A Request was made by Ronald Hemeon for the Commission to Determine the Applicability of the Massachusetts Wetlands Protection Act, M.G.L. Chapter 131, Section 40, covering the blasting of ledge at 23 Rocky Hill Road. Hemeon told the Board that behind his dwelling is a fire pond and between the pond and house is an outcropping of ledge. He would like to blast the ledge. The Board reviewed the Request and plan.

Perkins moved to issue a negative Determination of Applicability to Ronald Hemeon, 23 Rocky Hill Road, for the blasting of ledge, seconded by Perrigo, with the Board voting unanimously in favor.

A request was made by John Kotch for a Certificate of Compliance for work regulated by Order of Conditions D.E.P. File Number 21-236. The project covered the installation of a water line to access three residential lots. Kotch submitted a water main test report showing the inspection by the Water Department.

Perkins moved to issue a Certificate of Compliance to John Kotch, 54 Belcher Street, for work regulated by Order of Conditions D.E.P. File Number 21-236, seconded Messersmith, with the Board voting unanimously in favor.

John Kotch submitted a letter requesting the Commission to grant an extension to Order of Conditions D.E.P. File Number 21-232 for the construction of a driveway to access three residential lots on Belcher Street. Kotch explained that another house was constructed in the area and they had waited for its completion before finalizing work on the swales.

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Perkins moved to issue an extension of two years to the Order of Conditions D.E.P. File Number 21-232, seconded by Prentiss, with the Board voting unanimously in favor.

Melanie Selig, 26 Lufkin Point Road, met with the Board for an informal discussion on a proposed project to raise the roof of the dwelling to create a second floor. She indicated that there would be no change in the footprint, but noted that the foundation needs repair. The Board felt she should file an Abbreviated Notice of Intent for the work.

A letter was received from Peter Van Wyck requesting he be allowed to use a Fordson tractor and a Woods 106 rotary blade mower to cut brush and grass in the buffer area at Low land Farms.

Perkins moved to allow Peter Van Wyck to use a tractor with rotary mower, during dry conditions only, at Low Land Farms, for work governed by Order of Conditions D.E.P. File Number 21-238, seconded by Perrigo, with the Board voting unanimously in favor.

The Minutes of the meetings of March 5 and March 19, 1996, were submitted for approval. Perkins moved to approve the Minutes of March 5 and March 19, 1996, as read, seconded by Perrigo, with the Board voting unanimously in favor.

The Order of Conditions was written for John and Constance Hsai, 36R Robbins Island Road.

Perkins moved to approve the project of John and Constance Hsai, 36R Robbins Island Road, for the repair and maintenance of a wooden pier, seconded by Prentiss, with the Board voting unanimously in favor.

The Order of Conditions was written for Shirley Burnham, Landing Road.

Perrigo moved to approve with conditions the project of Shirley Burnham, Landing Road, to construct a residential dwelling in the buffer zone, with regrading, seconded by Messersmith, with the Board voting unanimously in favor.

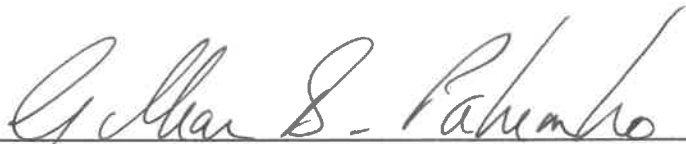
The Board reviewed the correspondence.

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Messersmith moved to adjourn the meeting, seconded by Perkins, 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

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A G E N D A

Appointments:

- 7:30 p.m. ... Building permit application review -
Manual Amaral, 3 Pine Ridge Road
- 7:35 p.m. ... Request for a Determination of
Applicability - Kerry and Patricia
Kaplon, 27 Lake Shore Road
- 7:45 p.m. ... Public hearing - John Hsia, 36
Robbins Island Road
- 7:55 p.m. ... Public hearing - Shirley Burnham,
Landing Road
- 8:00 p.m. ... Request for a Determination of
Applicability - Ronald Hemeon, 23
Rocky Hill Road
- 8:10 p.m. ... John Kotch - Request for a Certificate
of Compliance D.E.P. #21-236
- Discussion of Order of Conditions
D.E.P. File #21-232

Business:

Review correspondence
Action on Peter Van Wyck's letter
Sign Bills Payable Voucher
Next meeting - May 7, 1996