

Essex Conservation Commission

May 23, 1995 - Minutes

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

Meeting called to order at 7:50 p.m.

A public hearing was held at 7:51 p.m. under the Wetlands Protection Act, M.G.L. Chapter 131, Section 40, on a Notice of Intent filed by Peter Van Wyck covering the placement of stones on a pond bank on Lot #6, Turtleback Road. The applicant was not present at the hearing.

Betsy Fawcett, Apple Street, submitted for the record an Order of Conditions D.E.P. File Number 21-4, dated April 1975, issued on the property, which stated how the bank should be stabilized. Fawcett asked, "Does it meet the threshold for a full Notice of Intent. There is a threshold for a certain size for it to be a full Notice of Intent. Will there be an increase in run-off into the pond with the cutting of the brush?" Fawcett also suggested that there will be seeding and grading with an increase in fertilizers.

The Board then reviewed the Notice of Intent and accompanying plan.

Perkins moved to close the public hearing, seconded Perrigo, with the Board voting unanimously in favor.

A public hearing was held at 8:00 p.m. under the Wetlands Protection Act, M.G.L. Chapter 131, Section 40, on a Notice of Intent filed by Ray Cahoon covering the construction of a single family dwelling with appurtenances on Lot 7A, Patriots Lane.

Cahoon stated that the proposed project is a single family dwelling within the buffer zone. He noted that the septic system will be seven feet above grade. Folsom said he spoke to William Hickey, an abutter, earlier in the week, who submitted a letter with photographs to be read into the meeting. Hickey indicated that he is opposed to further development of the area because of the disturbance of the fragile eco-system and the increased infiltration of pollutants to the stream and ground water. Betsy Fawcett asked if this area was within the Watershed Protection area? Folsom replied that it was. Fawcett then asked if the FEMA

boundary has been delineated? Folsom said it had. Scott DeWitt, Lakeview Road, asked if the wetlands had been flagged and if the Commission had seen the flagging. Cahoon said the wetlands had been flagged two to three weeks ago. DeWitt then told the Board that he put in a septic system five years ago and now the Town is telling him that it is no good. He does not want to see the taxpayers of Essex aggravated any more than they are already by the Department of Environmental Protection. Abutter Jeff Garinger requested an explanation of the buffer zone. Folsom explained to him what it meant. The Board then reviewed the Notice of Intent and accompanying plan.

Perkins moved to close the public hearing, seconded by Messersmith, with the Board voting unanimously in favor.

James Lewiecki met with the Board for an informal discussion of a proposed project, a three-bedroom addition and driveway, at 35 Belcher Street. Lewiecki was told he must file a Notice of Intent for the work.

At this time Peter Van Wyck arrived at the meeting. Folsom asked him regarding the source of water to the pond. Van Wyck stated it came from 1) Tattersall's property, 2) between Elizabeth Frye's property, 3) from another pond 1/4 mile from subject pond flowing until mid-June, 4) comes parallel with Campbell's property - very minimal. Fawcett raised a point of order, that there should be no further discussions with Peter Van Wyck. Folsom then indicated to Van Wyck that the Board has to research whether the Abbreviated Notice of Intent is the correct filing, or whether it should be a full Notice of Intent.

The Order of Conditions for Joseph Zaffiro for the maintenance of an existing wooden pier and pilings in the coastal marsh at 25 Lufkin Point Lane was written.

Perkins moved to approve the project of Joseph Zaffiro for the maintenance of an existing wooden pier and pilings at 25 Lufkin Point Lane, with the understanding that no work will commence until the Letter of Agreement, with Joseph Whelton giving an easement to Joseph Zaffiro, is filed with the Conservation Commission. The motion was seconded by Perrigo, with the Board voting unanimously in favor.

The Order of Conditions for Apple Street Realty Trust for the construction of a single family dwelling with appurtenances on Apple Street was written.

Perkins moved to approve the project of Apple Street Realty Trust for the construction of a single family dwelling with appurtenances on Assessors Map 10, Lot 2A, seconded by Messersmith, with the Board voting unanimously in favor.

The Order of Conditions for Peter Van Wyck for the placement of stones along a pond bank on Lot #6, Turtleback Road, was written.

Perrigo moved to approve the project of Peter Van Wyck for the placement of stones along a pond bank on the basis that the project involves less than 1000 square feet and will not have a big impact on the wetland areas, seconded by Perkins, with the Board voting unanimously in favor.

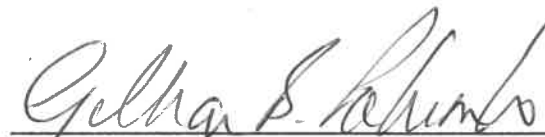
Perkins submitted a Letter of Request for an extension of Order of Conditions D.E.P. File Number 21-224 for the dredging of the Marinas in the Essex channel. The Request will be acted upon at the June 6, 1996, meeting.

The Board reviewed a submittal of a Request for a Determination of Applicability for Lawrence Shephard, 140 Eastern Avenue. The Request will be heard at the June 6, 1995, meeting.

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

Meeting adjourned at 9:40 p.m.

Prepared by:



Gillian B. Palumbo
Administrative Clerk

Attest:

Essex Conservation Commission

May 23, 1995

A G E N D A

Appointments:

- 7:45 p.m. ... Public hearing - Peter Van Wyck,
Turtleback Road
- 8:00 p.m. ... Public hearing - Ray Cahoon, Lot 7A,
Patriots Lane

Business:

Write Order of Conditions for:

- 1) Joseph Zaffiro, 26 Lufkin Point Lane
- 2) Apple Street Realty Trust, Apple Street
- 3) Peter Van Wyck, Turtleback Road
- 4) Ray Cahoon, Patriots Lane

Review correspondence

Review submittal of Request for Determination of
Applicability - Lawrence Sheppard, 140 Eastern Avenue

Discuss meeting nights for summer

Sign Bills Payable Voucher/Payroll Voucher