

Essex Conservation Commission

July 9, 1996 - Minutes

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

Meeting called to order at 7:42 p.m.

A public hearing was held at 7:45 p.m. under the Wetlands Protection Act, M.G.L. Chapter 131, Section 40, to consider a modification to the Order of Conditions issued to Apple Street Realty Trust, c/o Sherman D. Jones, covering the construction of a single family dwelling with appurtenances on Apple Street, Assessors Map 10, Parcel 2A.

Charles Hay, who applied for the amendment, told the Board the proposed revision to the site plan does not change the location originally proposed and approved by the Commission for the well and septic system. Changes have been limited to a modified driveway layout and exact building configuration and location from the original design, reducing the total impervious surface. The actual built structures have been reduced in size and pulled out of the buffer zone. Betsy Fawcett, Apple Street, asked, upon review of the amended plan, what the nature of the accessory building would be and whether it would be made fit for human habitation. Hay told her it would not be habitable, and would be for storage. Mary Mears, an abutter, said her concern was the easement to the creek and her review of the plan indicated it has not been interfered with. With that, Mears said, she had no problem with the modification. Fawcett voiced a concern about traffic because of the double blind curve. She also felt a site inspection should have been done by the Commission. Perkins told her that some of the Commission members have made a site visit to the property. Fawcett then asked if fertilizer would be used in the garden which could then run into the marsh. Hay told her no, they would not use fertilizer, as they did not want to do anything that would be detrimental to the area.

Perkins then moved to close the public hearing for the modification to the Order of Conditions of Apple Street Realty Trust, seconded by Perrigo, with the Board voting unanimously in favor.

Richard Means, 7 County Road, submitted a building permit application for the construction of a 42' x 60' pole barn on his property on County Road. Means told the Board the barn

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would be placed on the edge of the driveway, 120 feet from the pond.

Perkins moved to approve the building permit application of Richard Means for the construction of a 42' x 60' pole barn at 7 County Road, seconded by Messersmith, with the Board voting unanimously in favor. The application was signed by Chairman Folsom.

A Request made by Patrowicz Land Engineering for the Commission to Determine the Applicability of the Wetlands Protection Act, M.G.L. Chapter 131, Section 40, for the cleaning of an existing drainage swale and installation of a new drain line at 63 Eastern Avenue was continued at 8:10 p.m.

Scott Patrowicz, representing PMC Realty Trust, John Coughlin Trustee, told the Board the proposal is to clean an existing drainage swale and install a new drain line. The new pipe will connect an existing drainage swale to an existing culvert which crosses Route 133. The culvert will be cleaned and repaired as required. They reviewed the existing drainage calculations on the property, but felt they could not use them because they were too confusing. The plan from Atlantic Engineering was used. There is a 12 inch drain which goes to a junction manhole, which is buried by asphalt. The State is aware of this and knows it has to be unclogged. They were about to blow it out when the State realized there was a more serious problem - that the State needs to replace the outfall. There are three options - 1) they could install a series of pipes connecting to a manhole, which will in turn go to a catch basin. The area will be filled in slightly so that grass can grow. This will depend on the capacity of the existing drain; 2) they can keep it to the same elevation as it is now, scoop out the debris, and fill it to the same elevation as it is now, or 3) at the same elevation, put in 12 inches of crushed stone - would have the same storage capacity as at present. One way or the other it would be regulated by the existing drainage basin. Perkins said none of this will be done unless the State fixes their part of it. Patrowicz indicated that the State said they would. Folsom said his only concern was that it was built as a retention basin instead of a detention basin. There was further discussion between Patrowicz and the Board regarding the existing problem and its correction.

Perkins moved to issue a negative Determination to Patrowicz

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Land Engineering for the cleaning of an existing drainage swale and the installation of a new drain line at 63 Eastern Avenue, seconded Messersmith, with the Board voting unanimously in favor.

The Board reviewed a revised grading plan submitted by Edward Marchetti for property at 20 Ralston Drive. Perkins said if the area was originally grass and is being made grass again, he would not have a problem with it. If it is going to be grass over rocks, then he would have a problem. Perkins and Perrigo said they would make a site visit to the property.

The Board reviewed a submittal of a Notice of Intent by Jerome Crepeau, 51 Lufkin Point Road, for the upgrade of a septic system. Folsom said he would like to see as additional information a letter from the Department of Environmental Protection stating their approval of the septic system location at less than 50 feet from the high water mark. The public hearing was scheduled for August 13, 1996.

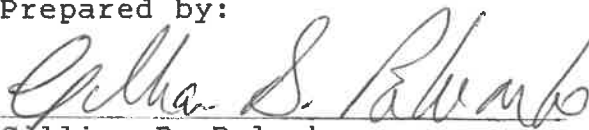
The Board felt it should be noted on the Determination of Applicability for Patrowicz Land Engineering for property at 63 Eastern Avenue, owner PMC Realty Trust, that the project shall result in no loss of retention capacity.

The amendment to the Order of Conditions for Apple Street Realty Trust was written.

Perkins moved to approve the amendment to the Order of Conditions for Apple Street Realty Trust, applicant Charles Hay, seconded Messersmith, with the Board voting unanimously in favor.

Messersmith moved to adjourn the meeting, seconded by Perkins, with the Board voting unanimously in favor. Meeting adjourned at 9:00 p.m.

Prepared by:


Gillian B. Palumbo
Administrative Clerk

Attest:

Essex Conservation Commission

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A G E N D A

Appointments:

- 7:35 p.m. ... Public hearing on Amendment to Order
of Conditions D.E.P. File #21-263,
Apple Street Realty Trust - Charles
Hay
- 7:45 p.m. ... Richard Means, County Road - informal
discussion on pole barn
- 8:00 p.m. ... Continuation of a Request for a
Determination of Applicability -
Scott Patrowicz, 63 Eastern Avenue

Business:

Review correspondence

Review Building Permit Applications for Perkins Realty
Trust and Robert Dutton

Review Notice of Intent submittal for Jerome Crepeau,
51 Lufkin Point Road

Review revised plan of Edward Marchetti, Ralston Drive

Bills Payable voucher