

Essex Conservation Commission

July 18, 1995 - Minutes

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

Meeting called to order at 7:30 p.m.

Alan McCoy met with the Board for a building permit application review to shingle a roof of a shed on property at Wood Drive. The Board reviewed the application and felt there would be no violation of the Wetlands Protection Act, M.G.L. Chapter 131, Section 40. Chairman Folsom signed the application.

Garcia Kimball met with the Board for a building permit application review for the construction of a single family dwelling on Maple Street. The Board reviewed the application and accompanying plans and found there would be no violation of the Wetlands Protection Act.

A continuation of a public hearing was held at 7:50 p.m. under the Wetlands Protection Act, M.G.L. Chapter 131, Section 40, on a Notice of Intent filed by Albert C. Sivo covering the construction of a portion of a driveway within the buffer zone at Lufkin Point Road, Assessors Map 20, Lot 31A.

Hunt Durey, Hancock Survey Associates, represented Sivo. Durey submitted to the Board a revised plan and driveway profile. Durey told the Board, "We have added a haybale siltation barrier down gradient of the construction. We are notifying the Commission and D.E.P. of the additional haybale barrier by submitting a revised Page 6 of the Notice of Intent. We were originally proposing a natural barrier, but this is an added protective measure." Folsom and Prentiss said they walked around the property to see if there was a drainage ditch and found there was no dip. Any water at the road would flow back down below the driveway. Durey noted that sixty feet from the edge of Lufkin Point Road, the proposed grade meets the existing grade. Durey was then asked what was the total length and total surface area of the driveway. He stated that the total length of the driveway was 230 feet, but the total surface area had not be calculated, but noted that an approximate calculation could be made by multiplying the length (230') by the width (12'). As no more questions were forthcoming from the public, Perkins moved to close the public hearing for Albert C.Sivo, seconded by Prentiss. Durey said he

had placed the haybale barrier on the plan, but would like to know whether the Commission would require it instead of natural vegetation. Folsom said they would write what the Commission required in the Order of Conditions. The Board voted unanimously in favor; the motion carried.

Folsom told the Board that Robert Brophy had spoken to him regarding fixing the Island Road roadway near the creek towards the right-hand side, which is being used as a boat ramp.

Outwater property, Belcher Street - Perkins said he had checked the site and found that Outwater has been clearing a little bit at a time.

Brookside Apartments, Story Street - Perkins stated that Scott DeWitt, owner of the property, has started on his roadway and has it roughed in. The playground is near completion.

Quinn Bros, Western Avenue - Folsom said he visited the storage shed extension site and found that haybales had been placed all along the wetland area. At present, work is being done in an area outside of the Commission's jurisdiction.

Essex Park Road/Western Avenue property - Folsom said he had to call the D.E.P. because the siltation fence was flapping and material had been stockpiled within sixty feet of the resource area. He had told the builder to stabilize the fence and move the stockpiled material, but nothing was done. It was checked out by the D.E.P. resulting in the fence being fastened.

A Request for a Determination of Applicability made by The Trustees of Reservations covering the construction of a temporary walkway/stairway and floats on Hog Island was heard at 8:05 p.m.

Peter Pinciario, Superintendent of the Crane Memorial Reservations, represented the applicant. Commission member Hodges removed himself from the Board because of a conflict of interest. Pinciario told the Board that the Trustees wish to construct a temporary wooden stairway from the end of a ramp situated at the base of the embankment in front of the Choate House on Hog Island. The temporary stairway will allow pedestrians to access the island without causing erosion on the upland bank. No portion of the stairway will be in the wetlands. There will also be temporary moored floats which will fall under the Harbor Master's permitting process. There is nothing on the marsh. The Board then reviewed the Request with accompanying plans.

Perkins moved to issue a negative Determination to The Trustees of Reservation for construction of a temporary stairway and floats on Hog Island. The motion was seconded by Messersmith, with Messersmith, Perkins, Perrigo and Prentiss voting in favor.

Fang Liaw, owner of the Essex Fortune Palace Restaurant, Main Street, met with the Board to discuss the problems of the restaurant's holding tanks. Liaw told the Board the tanks are moving with the tides and one has broken away from the pipe leading to it. Fang Liaw asked if he would have to refile with the Commission for repair of the septic system. A review of his Notice of Intent, filed with the Commission for the reconstruction of the restaurant, also included an amendment made to the original Notice of Intent, for the repair of the septic system. A provision of the approval was that any plans or paperwork submitted to the Board of Health for their approval should be copied to the Commission. For this repair to the septic system, the Commission requested he place haybales around the resource area as had been done for the restaurant reconstruction.

The Order of Conditions were written for Albert C. Sivo for construction of a driveway at Lufkin Point Road.

Perkins moved to approve the construction of a driveway for Albert C. Sivo for property at Lufkin Point Road, seconded by Perrigo, with the Board voting unanimously in favor.

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

Meeting adjourned at 8:25 p.m.

Prepared by:



Gillian B. Palumbo  
Administrative Clerk

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A G E N D A

Appointments:

- 7:30 p.m. ... Building permit application review -  
Alan McCoy, Wood Drive
- 7:35 p.m. ... Building permit application review -  
Garcia Kimball, Maple Street
- 7:45 p.m. ... Continuation of public hearing -  
Albert Sivo, Lufkin Point Road
- 8:00 p.m. ... Request for a Determination of  
Applicability - Trustees of Reser-  
vations, Hog Island
- 8:10 p.m. ... Fang Liaw - Essex Fortune Palace, 99  
Main Street

Business:

Review correspondence