

Essex Conservation Commission

August 13, 1996

Present: David Folsom, Chairman, Edith Messersmith, Edwin Perkins, Peter Perrigo, Thomas Prentiss, Arthur Hodges (7:55 p.m.)

Meeting called to order at 7:38 p.m.

A public hearing was held at 7:40 p.m. under the Massachusetts Wetlands Protection Act, M.G.L. Chapter 131, Section 40, on a Notice of Intent filed by Jerome Crepeau covering the upgrade of a septic system at 51 Lufkin Point Road.

Louis Lima, part-owner of the property, told the Board they must, under Title V, upgrade the present septic system, which is a cesspool. They have been granted variances by the Board of Health and the Department of Environmental Protection. The variances are as follows: (a) Minimum setback distance of 10 feet from the soil absorption system to the property line (5 feet is provided because of site constraints), (b) minimum setback distances from the SAS to a private water supply well, (c) minimum setback distances from the SAS to a coastal bank, (d) downhill slope distance and slope stabilization, (e) separation from groundwater, and (f) distance from a SAS to a surface water (the ocean). Prentiss asked how many bedrooms was the new system proposed for. He was told three bedrooms. The Board reviewed the Notice of Intent and accompanying plans.

Perkins moved to close the public hearing, seconded Perigo, with Messersmith, Perkins, Perrigo, and Prentiss voting in favor.

A public hearing was held at 7:55 p.m. to consider a request made by Robbins Island Associates for an amendment to the Order of Conditions issued to John and Constance Hsai covering the repair of an existing wooden pier at 36R Robbins Island Road.

President Andrew Pratt represented Robbins Island Associates. Pratt told the Board they would like to construct wooden benches on the existing and remaining portion of the old walkway. This area would be for viewing only - no float would be attached. The plan calls for widening the last section of the walkway to construct the benches. The construction would be entirely within the confines of the

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naturally existing marsh edge, and will not protrude into any navigable waterway. Prentiss questioned whether all digging will be done by hand. Pratt told him there is a large piece of ledge in that area, so the benches will be set on the ledge. It will be a hand operation. The Board reviewed the submitted amended plans.

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

Perkins told the Board he signed off a building permit application for Benjamin Dudley, Eastern Avenue. He explained to the Board that they drove stakes on the edge of the marsh and came back 110 feet. They placed a stake at the brook at the rear of the property and measured 100 feet from the stake. They drove in four stakes to well define the wetland area and measured with a tape.

A public hearing was held at 7:55 p.m to consider a request made by Margot Anderson for an amendment to the Order of Conditions issued to Patrowicz Land Engineering covering the construction of an addition to the existing dwelling and retaining wall and regrading within the buffer zone at 1 Riverview Hill.

Joseph Walker represented Margot Anderson. Walker told the Board they would like to make the retaining wall significantly smaller, which would also reduce its visual impact, as shown on the revised plan dated July 26, 1996. The wall will end up being stone-faced. It will all be pinned to ledge and tapered. Walker was asked what amount of backfill will be required. Walker told the Board sufficient backfill would be used to hide all footings and it would then be blended into what is already there. He added that he would like to come back to the Board with a landscaping plan. Perkins told Walker that the Board's concern was the freeze behind the wall pushing out the wall. It was the consensus of the Board that the amended plan was an improvement over the prior plan.

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

A public hearing was held at 8:05 p.m. under the Massachusetts Wetlands Protection Act, M.G.L. Chapter 131,

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Section 40, on a Notice of Intent filed by Barbara Aparo covering an addition to the existing structure and enclosure of a deck at 11 Red Gate Road.

Sebastian Aparo told the Board that they would like to square off the northwest corner, 6' x 8' in size, of the existing structure, construct a small addition, 5' x 13' in size on the northwest side of the house, and construct a 14' x 14' addition over an existing deck. They would have to excavate below the deck for footings. The existing deck is approximately seventeen feet from Chebacco Lake, but from the deck to the edge of the Lake the land drops off. Aparo was asked if the edge of the Lake ever came up. Aparo told the Board there is a retaining wall and the highest he had ever seen it was six inches up the wall. Prentiss asked if the addition was going to be a single story. Aparo told him the addition will be a single story and the proposed use will be a dining room. He noted that the Board of Health had signed off the proposed project.

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

Maria Burnham, Diana Stockton and James Witham, representing the Essex Shipbuilding Museum, met with the Board for an informal discussion on the proposed construction of a schooner on the Town Landing. The project will be funded and owned by Tom Ellis, owner of the "White Elephant" Antique Shop. The schooner will be 65 feet long and its proposed launch time is next spring. Perkins felt it was a continuing use of the property, which has always been a shipyard. He added that the only permit required will have to come from the Town for the use of their property. Stockton indicated they would like to launch the schooner from the conventional cradle. The Board felt it was a continued use of the property.

Perkins moved that the Chairman draft a letter approving the construction of a schooner at the Shipbuilding Museum, formerly the Story Shipyard, seconded Hodges, with the Board voting unanimously in favor.

Attorney Irving E. Kane, representing the Essex Fortune Palace, 99 Main Street, submitted a letter requesting a Certificate of Compliance for work regulated by Order of

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Conditions D.E.P. File Number 21-183. A partial Certificate of Compliance was also requested for work regulated by Order of Conditions D.E.P. File Number 21-243. The partial Certificate of Compliance was requested for the structure and parking lot. The Order of Conditions also covers work to the septic system, but a Certificate of Compliance could not be issued for that work, as it still has not received final approval from the Board of Health.

Perkins moved to issue Essex Fortune Palace, 99 Main Street, a Partial Certificate of Compliance for the structure and parking area regulated under Order of Conditions D.E.P. File Number 21-243 and a Certificate of Compliance for work regulated under Order of Conditions D.E.P. File Number 21-183, seconded by Prentiss, with the Board voting unanimously in favor.

Peter Van Wyck submitted a letter requesting an extension to his Order of Conditions D.E.P. File Number 21-238 for brush cutting on Low Land Farm.

Perkins moved to grant an extension to Peter Van Wyck for Order of Conditions D.E.P. File Number 21-238 for a period of three years, seconded Perrigo, with Messersmith, Perkins, Perrigo, and Prentiss voting in favor; Hodges abstained.

A building permit application submitted by Anthony Dragonetti, 11 Harry Homans Drive, to raise the roof for the construction of a second floor, was reviewed by the Board. Perrigo indicated that there were no wetlands on his property. Folsom signed the application.

A building permit application submitted by Stephen and Shirley MacDougall, Robbins Island Road, for the addition of a small deck to the rear of the property, foundation repair and the addition of a second floor dormer was reviewed. The Board felt they required more information regarding the repair of the foundation and the construction of the deck. They felt if the deck was to sit on sono tubes then a Request for a Determination of Applicability would be sufficient.

A letter was received from Finn Brothers Co., the contractor who will be doing the construction work for Derrick Perkins, Jr., Essex Park Road, under Order of Conditions D.E.P. File Numbr 21-274, that he is ready to commence work. Peter

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Perrigo, the Commission's representative, was notified.

Folsom told the Board that he made a site visit to the property of David Wendell, Conomo Point Road, and noted that the silt fence is up and was told the tank had been installed.

A membership renewal form was sent to the Conservation Commission from the Essex County Greenbelt Association. In prior years \$25.00 had been taken from the budget line item under dues. Due to the increase of dues to the Massachusetts Association of Conservation Commissions no money remained in that portion of the account. It was felt \$25.00 could be removed from office expenses.

Perkins moved to remove \$25.00 from the regular account to make a donation to the Essex County Greenbelt Association, seconded by Messersmith, with Messersmith, Perkins, Perrigo and Prentiss voting in favor; Hodges abstained.

The Order of Conditions was written for Barbara Aparo, 11 Red Gate Road.

Perkins moved to approve the project of Barbara Aparo, 11 Red Gate Road, as shown on plans submitted with the Notice of Intent, seconded by Perrigo, with the Board voting unanimously in favor.

The Amended Order of Conditions was written for Margot Anderson, 1 Riverview Hill.

Perkins moved to approve the amended project as shown on the plan submitted, seconded Messersmith, with the Board voting unanimously in favor.

The Amended Order of Conditions was written for the Robbins Island Associates, 36R Robbins Island Road.

Prentiss moved to approve the project of the Robbins Island Associates as shown on plans submitted for the amendment, seconded Perrigo, with the Board voting unanimously in favor.

The Order of Conditions was written for Jerome Crepeau, 51 Lufkin Point Road.


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Perrigo moved to approve the project for Jerome Crepeau, 51 Lufkin Point Road, as shown on the plans submitted with the Notice of Intent, seconded Perkins, with Messersmith, Hodges, Perkins and Perrigo voting in favor; Prentiss opposed.

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

Meeting adjourned at 9:45 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 - Jerome Crepeau,  
51 Lufkin Point Road
- 7:45 p.m. ... Public hearing - Request for an  
amendment to Order of Conditions  
File #21-280, John & Constance Hsai,  
36R Robbins Island Road
- 7:55 p.m. ... Public hearing - Request for an amend-  
ment to Order of Conditions File #21-  
279, Margot Anderson, 1 Riverview  
Hill
- 8:00 p.m. ... Public hearing - Sebastian and Barbara  
Aparo, 11 Red Gate Road
- 8:10 p.m. ... Essex Shipbuilding Museum - building  
of schooner Thomas E. Lannon

Business:

- Request for Certificate of Compliance for Order of  
Conditions 21-183 (99 Main Steet) and Partial  
Certificate of Compliance for Essex Fortunee Palace
- Request for an Extension of Order of Conditions 21-238,  
Peter Van Wyck
- Review building permit applications for Anthony  
Dragonetti, Harry Homans Drive, and Stephen and Shirley  
MacDougall, Robbins Island Road
- Building permit application sign-off - Benjamin Dudley
- Sign Bills Payable Voucher