

Essex Conservation Commission

September 7, 1993

Present: Edwin Perkins, Acting Chairman; David Folsom;
Arthur Hodges; Peter Perrigo; Thomas Prentiss.

Meeting called to order at 8:05 p.m.

Paul Sommer, Sommer Environmental Technologies, Inc., met with the Board to review the submittal of a Notice of Intent for Louis Rome for the installation of a sanitary disposal system and bank revetment at 45 Lufkin Point Road. Sommer told the Board that the Department of Environmental Protection became involved with the project prior to the filing of the Notice of Intent and issued an Enforcement Order to Rome. The Enforcement Order has been completed but they have not, as yet, received a final release. Sommer then reviewed the submittal of the new plans with the Board. The heavy line indicates where the concrete retaining wall was placed. The top of the wall has been removed and only a 6" to 10" stub and footing remain to be used as a toe for the bank revetment. The dash line indicates the proposed erosion control - double staked hay bales with a siltation fence on the uphill side of the hay bales. The arrows indicate a slope to the base of the wall. Sommer said they had found a new site for the septic system on the other side of the dwelling. He was questioned about the new site and its relationship to the wells in the area. Sommer said they are looking for a variance. He suggested the Board make a site visit to the property.

A public hearing was scheduled for Tuesday, September 21, 1993, at 8:00 p.m.

Dr. Dennis Outwater met with the Board to discuss the Cease and Desist Order placed on his property, Lot 5, Belcher Street. Outwater said he had contracted a land clearer to do 3-4 hours of work clearing the uplands, as had been determined five years ago. He added that his adjudicatory hearing had been in front of the Department of Environmental Protection for 5 1/2 years. Perkins said, "I looked at the site and found a tree had been cut right in the brook. Everything that had been done was within the buffer zone. You should have filed with the Conservation Commission before doing this work." Outwater said, "My lawyer and engineer said I was within my rights to cut the brush." Outwater was told that he must file with the Commission before doing any

more work within the buffer zone.

Building Permit Review - A Building Permit Application was submitted for William Fitts, 2 Lufkin Point Road, for the remodelling and replacing of windows. There will be no excavation and all work is within the footprint of the existing structure. Upon review of the Application and plan the Board found that the work would not be in violation of the Wetlands Protection Act, M.G.L. Chapter 131, Section 40.

A letter was received from Brand Marine Services, Inc. requesting that the Order of Conditions 21-225, Essex River Dredging, be amended to reflect an alternative method of transferring material from the dredge to the dump scow. The alternative method would be to mount a chute on the dredge that spans the gap from the dredge hopper to the scow hopper. It was felt this would better protect the river from spillage during the transfer of material as opposed to the original method of a silt curtain, which could be destroyed or sunk by the currents in the Essex River.


Folsom moved that the chute construction between barges be accepted as an alternative to the siltation curtains at the transfer site. The motion was seconded by Perrigo, with the Board voting unanimously in favor.

The Board felt a letter should be sent to James Sprague of the Department of Environmental Protection requesting his opinion as to whether Area A on the plan of Peter Van Wyck's property is an isolated wetland subject to flooding.

Hodges 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:

9/7/93

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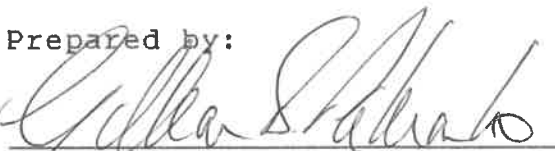
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A G E N D A

Appointments:

- 8:00 p.m. ... Review of Notice of Intent submittal -
Louis Rome, Lufkin Point
- 8:15 p.m. ... Dr. Dennis Outwater - property on
Belcher Street

Business:

- Review correspondence
- Sign Bills Payable Voucher