

Essex Conservation Commission

September 13, 1994

Present: David Folsom, Chairman; Canan Hewson; Edith Messersmith; Edwin Perkins; Peter Perrigo; Thomas Prentiss (8:40 p.m.).

Meeting called to order at 7:55 p.m.

Stanley Collinson met with the Board for a Building Permit Application review for the replacement of gasoline tanks and plumbing at the Gaybrook Service Station, Western Avenue. It was noted that the proposed activity was well outside the 100 foot buffer zone and therefore, would not be in violation of the Wetlands Protection Act. Chairman Folsom signed off the application.

A Request to Determine the Applicability of the Wetlands Protection Act, M.G.L. Chapter 131, Section 40, made by Neal Dagle, covering the reconstruction of the existing shed, deck, roof and outer walls at 154 Main Street, was heard at 8:00 p.m.

Dagle told the Board there are three segments to the Request. "The first is to remove and replace the roof on the marsh side of the house, which at present does not meet any existing codes. At the same time, I would like to replace the outer walls of the dwelling, shown in red on the drawing, as they are just scabbed together and I would like them to resemble normal construction. Secondly, I would like to construct a 12' x 16' wooden storage shed which will sit on sonotubes, and remove an existing deteriorated one which is sitting very close to the marsh. The new shed will be 30 feet away from the marsh. Finally, I would like to reconstruct a 10' x 20' wooden deck at the rear of the house to replace a deck which was removed a few years ago due to its poor condition. The deck will sit on sonotubes or block. This work will not require any heavy machinery - all digging will be done by hand." The Board then reviewed the Request and accompanying plan.

Perkins moved to find a negative Determination to Neal Dagle, 154 Main Street, for the reconstruction of an existing shed, deck, roof and outer walls. The motion was seconded by Messersmith, with Folsom, Hewson, Messersmith, Perkins and Perrigo voting in favor.

A Request to Determine the Applicability of the Wetlands Protection Act, M.G.L. Chapter 131, Section 40, made by the Essex School Department, covering the correction of the existing drainage at the Essex Elementary School, Story Street, was heard at 8:15 p.m.

Superintendent Armand LaSelva represented the Elementary School. LaSelva told the Board, "The Request was made to correct an existing drainage problem in the School's basement. A sump pump was put in the basement to remove ground water and we found it was draining across the driveway near the Vocational/Technical room. When the sump pump was put in we found a pit and an existing pipe for drainage, but it's not draining. We put a snake into the pipe but it cannot be cleared. We, therefore, would like to install underground, 80 feet of plastic pipe to be attached to the sump pump, with the pipe ending at the existing brook area, thereby removing the ground water which fills the existing pit in the basement." Perkins asked, "What are you going to put at the end of the pipe to prevent it washing away the soil?" LaSelva - "I don't know. Whatever you recommend." Perkins then suggested a stone apron/riprap to slow down the water. Perrigo - "Could there be any kind of contamination of the brook from fuel oil in the basement?" LaSelva - "No, the fuel oil is in a separate tank. When we opened the brook it was a brackish color, now it looks quite clear. It is just ground water. We were having about an inch of water on the boiler room floor." Perrigo - "How much water comes out of the basement?" LaSelva - "In Winter and Spring quite a bit; it slows a bit in the summer but it still runs." Folsom asked if it was below the level of the pond, to which LaSelva affirmed that it was.

Perkins moved to issue a negative Determination for the correction of drainage at the Essex Elementary School, Story Street. The motion was seconded by Perrigo, with Folsom, Hewson, Messersmith, Perkins and Perrigo voting in favor.

A Certificate of Compliance was requested by Kerry and Patricia Kaplon, 27 Lakeshore Drive, for Order of Conditions D.E.P. File Number 21-240. Perrigo said he visited the site and found the work satisfactorily completed.

Perrigo moved to issue a Certificate of Compliance to Kerry and Patricia Kaplon, 27 Lakeshore Drive, for Order of Conditions D.E.P. File Number 21-240. The motion was seconded by Hewson, with Folsom, Hewson, Messersmith, Perkins and Perrigo Voting in favor.

A public hearing for Jonathan Janes, Western Avenue, was scheduled at this point in the meeting. As two of the Commission members, Hewson and Folsom, were abutters and removed themselves from the Board, the Board lacked a quorum. Commission member Thomas Prentiss was called to make a quorum.

Prior to the arrival of Commission Member Prentiss, the Board reviewed the Building Permit Application of Paul Pitman, Southern Avenue, for the construction of a single family dwelling. The Board reviewed the application and accompanying plan and found no violation of the Wetlands Protection Act. Folsom initialled the Application.

Upon Prentiss's arrival, Folsom and Hewson removed themselves from the Board, Perkins became acting chairman and opened the public hearing at 8:40 p.m. for Jonathan Janes, Trustee of 221 Western Avenue Realty Trust, covering the construction of storage units, paving of access road, drainage system and detention area at 221 Western Avenue. Engineer Clay Morin represented Janes.

Morin said, "We were asked to provide information on the front of the property as well as the back. The rip-rap wall is acting as a retention area. The trench is 6 feet wide at the beginning and goes to 7 feet wide. 12-inch diameter pits are at the end of the alley ways between the storage units. We took the informaton and divided the calculations between the front section and the rear section." Morin provided drainage calculations with the Notice of Intent and reviewed them with the Board, noting that he took the 10, 25, 50 and 100 year storms of a 24-hour duration. Morin then said, "A fairly good portion of the rear of the property is in the buffer zone. We rechecked the flagging of the wetlands, which was last done for the Scot's Way project. We propose to berm the entire paved areas to go to the catch basin, which has oil and gas separators, and then to the detention basin. There is no increase in the peak rate of flow from prior to the project." It was noted that the calculations were based on no retention, strictly on the detention basin. Prentiss asked if the detention basin was absolutely needed. Morin said it was, and that there was no way around it. Prentiss - "What will it do to the abutters properties? Will it increase the buffer zone to the abutters?" Morin - Any detention basin is not considered a wetland." Don Frickland, contractor for the project, said, "It works opposite to a pond - it absorbs the water." David

Folsom, abutter to the property, questioned whether the detention basin would overflow. Morin told him that on a low interval type storm it would not even make it to the outlet. Prentiss - "We have always thought of storage units as passive structures, but I have concerns with hazardous materials being stored in them. Do you monitor this? Are there any fail-safe systems?" Jonathan Janes, applicant - "I don't think there is a fail-safe system, but I do monitor it. Ninety-nine percent of the time in rural areas the storage is household items. We check their license and Social Security numbers. We also view when they put the material in the unit. There is a camera and everything moved in is monitored. It's my liability." Prentiss - "Everything is hidden so I have concerns. At Scot's Autobody Shop we can see what he has. This is close to the buffer zone and a very sensitive area." Janes - "As you come in your car will be taped. Any bad incidents and people will go down the street. It's my livelihood. I am conscious of it." Folsom wanted to know the volume of the gas trap. Morin told him it would be about 100 cubic feet. Perkins said he felt he would prefer a siltation fence as the siltation barrier.

Perrigo moved to close the public hearing for Jonathan Janes, Trustee, 221 Western Avenue Realty Trust. The motion was seconded by Prentiss, with Messersmith, Perkins, Perrigo and Prentiss voting in favor. As noted Folsom and Hewson had removed themselves from the Board for this hearing.

Folsom and Hewson rejoined the Board. Engineer Clay Morin submitted Notices of Intent for Ronald and Donna Gauthier, Woodman's, and Farnham's Restaurant. The hearings are scheduled for October 4, 1994, at 8:00 p.m., 8:15 p.m. and 8:30 p.m. respectively.

A Request for a Determination of Applicability was submitted by Howard Altholtz, Wood Drive. The Request will be on the Octobr 4, 1994, agenda at 7:50 p.m.

A request for a Certificate of Compliance was made by William Tyler for Order of Conditions D.E.P. File Number 21-242.

Prentiss moved to issue a Certificate of Compliance to Wlliam Tyler for Order of Conditions D.E.P. File Number 21-242 as the project for an elevated walkway and gangway over salt marsh and the placement of a bottom moored seasonal float in a tidal creek was done in accordance with the plans and done well. The motion was seconded by Perrigo, with the Board

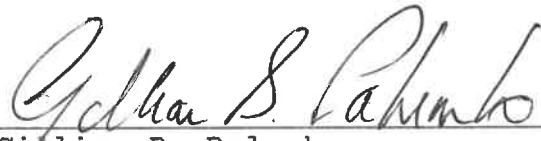
voting unanimously in favor.

The Board reviewed the correspondence.

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

Meeting adjourned at 10:00 p.m.

Prepared by:



Gillian B. Palumbo

Attest:

Essex Conservation Commission

September 13, 1994

A G E N D A

Appointments:

- 7:45 p.m. ... Stanley Collinson - Building Permit Application review - Western Avenue
- 8:00 p.m. ... Request for a Determination of Applicability - Neal Dagle, 154 Main Street
- 8:05 p.m. ... Request for a Determination of Applicability - Essex School Department, Story Street
- 8:15 p.m. ... Public hearing - Jonathan Janes, 221 Western Avenue
- 8:30 p.m. ... Brian Quinn - submittal of Notice of Intent for Tom Shea's Restaurant
- 8:35 p.m. ... Clay Morin - submittal of Notice of Intent
- 8:40 p.m. ... Paul Pitman - Building Permit Application review - Southern Avenue

Business:

Sign Certificate of Compliance - Kerry Kaplon, Lakeshore Drive

Request for Certificate of Compliance - William Tyler

Paul Rullo, Low Hill, will be commencing site work under Order of Conditions 21-234