

Essex Conservation Commission

September 19, 1995 - Minutes

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

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

David Lenzi met with the Board for an informal discussion on the construction of a garage on property on Wood Drive. The Board felt the amount of work within the buffer zone was sufficiently significant for Lenzi to file an Abbreviated Notice of Intent.

A continuation of a Request for a Determination of Applicability made by George Benoit for cutting of brush and trees and wetlands delineation for property on Patriot's Lane was heard at 7:45 p.m. The Board said they had no problem with the brush cutting to the extent noted at the site visit, but they wanted to be notified when Benoit intended to cut trees in order for them to determine whether the wetlands canopy would be affected.

Perkins moved to issue a negative determination to George Benoit for property on Patriot's Lane to cut grass and brush on the upland side of the wetlands flagging, with a stipulation that no trees be cut or trimmed without the specific approval of the Conservation Commission. The motion was seconded by Perrigo, with the Board voting unanimously in favor.

Attorney Paul Shea and Robert Lynch, Atlantic Engineering, representing John Coughlin, Trustee for PMC and Gateway Realty Trust, met with the Board to submit a Notice of Intent for Gateway Subdivision, 230 Western Avenue. The project covers the construction of two roads for a seven lot subdivision. Part of the roads will be within the 100 foot buffer zone - the smaller road is 360 feet long and the longer road is 800 feet in length. Town water will be piped to the subdivision. Drainage will be by gravel swales on each side of the roadways. The public hearing is scheduled for Tuesday, October 3, 1995, at 8:00 p.m.

A Request made by Michael P. Staid for the Commission to Determine the Applicability of the Wetlands Protection Act, M.G.L. Chapter 131, Section 40, for the installation of footings for the support of a deck from a single family

dwelling at 63 Wood Drive was heard at 8:00 p.m. Staid told the Board the construction of the single family home will be built outside of the buffer zone, but the deck of the structure will extend into the buffer zone by approximately 25 feet and cover the length of the house (58 feet). The footings will be placed in an area which slopes back into the lot and not towards Chebacco Lake. Any run-off from the structure will be away from the Lake. The footings will be dug by hand. The Board reviewed the Request and accompanying plan.

Perrigo moved to issue a negative Determination for Michael Staid for the installation of footings for a deck at 63 Wood Drive, providing that all construction material be stockpiled outside of the buffer zone. The motion was seconded by Perkins, with the Board voting unanimously in favor.

Barry Richards met with the Board to submit a building permit application for a single family dwelling on property owned by Dennis Outwater on Belcher Street, D.E.P. File Number 21-162. The Board told Richards they could not sign the building permit application until they had received notification that the Department of Environmental Protection had approved the replication area. The Board noted that the Superceding Order of Conditions stated that the replication area had to be approved prior to the driveway being constructed. Perkins said according to the D.E.P. the only water Outwater was supposed to install was a hydrant so that the replication area could be watered; he was not meant to install utilities or the driveway. The Board reiterated that they felt at this time they could not sign the building permit application until they had received a letter from the D.E.P. that they had viewed the replication area and it met with their approval.

During the discussion with Barry Richards, Commission member George Stavros had to leave the meeting because of a call for emergency medical personnel.

Peter Van Wyck met with the Board to submit a building permit application for Lot A, Turtleback Road, D.E.P. File Number 21-165. The Board questioned Van Wyck as to why he was resubmitting the application, as they had previously signed one for the same project. Van Wyck said he had lost the prior application and was, therefore, asking for a new one to be signed. Chairman Folsom signed the application.

Paul and Alison Desmond met with the Board to submit a

building permit application for an addition to an existing structure at 64 Western Avenue. The nearest resource area to the property is a stream which runs at the rear of property on Walnut Park - the addition therefore would not be in violation of the Wetlands Protection Act. The Board reviewed the building permit application.

Perkins moved to approve the building permit application of Paul and Alison Desmond for an addition to an existing structure at 64 Western Avenue. The motion was seconded by Messersmith, with Messersmith, Perkins and Perrigo voting in favor; Folsom voted present. Chairman Folsom signed the application.

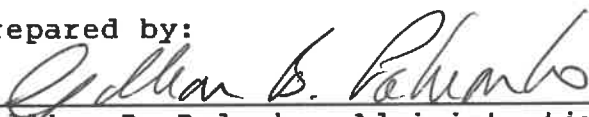
A building permit application was submitted for the construction of an addition to the existing structure of Stephen and Rhonda Woodman, rear of Woodman's property, 125R Main Street. The Board reviewed the building permit application and accompanying plan. It was noted that the addition would be well outside of the buffer zone. Perkins moved to approve the building permit application of Stephen and Rhonda Woodman, 125R Main Street, for the construction of an addition to the existing structure. The motion was seconded by Perrigo, with Messersmith, Perkins, and Perrigo voting in favor; Folsom voting present. Chairman Folsom signed the application.

The Board reviewed the Gateway subdivision plan submitted to the Commission by the Planning Board for their comments, as part of the definite subdivision plan approval process. The Board at this time could not recommend approval, approval with modifications or disapproval at this time because the public hearing with the Commission had not been held. The Board's comments to the Planning Board will reflect this. The Board also noted that a review of the wetlands as shown on the plan appears to be in accordance with their Determination of Applicability voted on at the Board's meeting of January 3, 1995.

The Board reviewed the correspondence.

Messersmith moved to adjourn the meeting, seconded by Perkins, with the Board voting unanimously in favor. Meeting adjourned at 8:55 p.m.

Prepared by:

  
Gillian B. Palumbo, Administrative Clerk

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A G E N D A

Appointments:

- 7:30 p.m. ... David Lenzi, Wood Drive - informal discussion on construction of a garage
- 7:40 p.m. ... Determination of Applicability continuation - George Benoit, Patriots Lane
- 7:45 p.m. ... Submittal of a Notice of Intent - Gateway subdivision, Western Avenue
- 7:50 p.m. ... Request for a Determination of Applicability - Michael Staid, Wood Drive
- 8:00 p.m. ... Building permit application review - Barry Richards, Belcher Street lot
- 8:15 p.m. ... Building permit application review - Peter Van Wyck, Lot A
- 8:25 p.m. ... Building permit application review - Paul Desmond, 64 Western Avenue
- 8:35 p.m. ... Building permit application review - Rear Woodman's, Main Street

Business:

Review corespondence

Next meeting - October 3, 1995