

Essex Conservation Commission

September 21, 1993

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

Meeting called to order at 8:00 p.m.

A public hearing was held at 8:00 p.m. under the Massachusetts Wetlands Protection Act, M.G.L. Chapter 131, Section 40, on a Notice of Intent filed by Louis Rome covering installation of a sanitary disposal system and bank revetment at 45 Lufkin Point Road. Paul Sommer of Sommer Environmental Technologies, Inc., represented Rome. Sommer told the Board he was requesting a continuation of the hearing until the October 5 meeting in order to allow for timely notification of abutters. Sommers noted that he had neglected to notify the abutters.

Perrigo moved to continue the public hearing for Louis Rome, 45 Lufkin Point Road, to October 5, 1993, at 8:00 p.m. The motion was seconded by Folsom, with the Board voting unanimously in favor.

A request for a Certificate of Compliance was made by Holden Bottle Gas, Inc., for a project at Lot 9, Scot's Way. Paul Sommer, Sommer Environmental Technologies, Inc, represented Holden Bottle Gas. Sommer said, "The grading and site has been completely developed as per the Order of Conditions. There was a modification to the plan. Gravel was added in the area immediately south of the propane tank to allow for loading of trucks. All slopes have been stabilized. No structures and no septic have been put in place. If they do, we will have to come back again." Sommer added that he felt in the future Holden would come back for the structure, but not at this time. The Board felt a site visit should be made to the property before issuing the Certificate of Compliance.

It was brought to the Board's attention that George Benoit had been cutting brush in wetlands in violation of the Cease and Desist Order placed on his property on Patriot's Lane. It was felt a letter should be sent to the Department of Environmental Protection asking what other action can be taken to prevent further violations.

A public hearing was held at 8:30 p.m. under the

Massachusetts Wetlands Protection Act, M.G.L. Chapter 131, Section 40, on a Notice of Intent filed by Kerry and Patricia Kaplon covering the repair and reconstruction of an existing retaining wall at 27 Lakeshore Drive. Kerry Kaplon told the Board they have a retaining wall 50 feet in length; 25 feet is stone and 25 feet is concrete. The concrete portion has disintegrated and needs to be repaired. He felt that if he continued with the concrete he would always be involved with upkeep and the necessity of heavy machinery in the area. He felt it would be better to remove it and construct a stone wall. The Commission had indicated that they would prefer mortar in the stones which, Kaplon said, seemed like a good idea. He indicated that this was a good time to do this project because the lake was very low due to the lack of rain in summer. The Commission reiterated that they would like to see mortar behind the stone wall to prevent any siltation. The Board then reviewed the Notice of Intent and accompanying plan.

Folsom moved to close the public hearing for Kerry and Patricia Kaplon, 27 Lakeshore Drive. The motion was seconded by Prentiss, with the Board voting unanimously in favor.


Prentiss moved to approve the project of Kerry and Patricia Kaplon, 27 Lakeshore Drive, covering repair and reconstruction of an existing retaining wall, seconded by Perrigo, with the Board voting unanimously in favor. The Order of Conditions were written.

The Board reviewed the correspondence.

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

Meeting adjourned at 9:05 p.m.

Prepared by:


Gillian B. Palumbo
Administrative Clerk

Attest:

9/21/93

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Essex Conservation Commission

September 21, 1993

A G E N D A

Appointments:

- 8:00 p.m. ... Public hearing - Louis Rome, 45
Lufkin Point Road
- 8:20 p.m. ... Charles Holden - Request for a
Certificate of Compliance, D.E.P.
File #21-207
- 8:30 p.m. ... Public hearing - Kerry and Patricia
Kaplon, Lakeshore Drive

Business:

Review correspondence

Sign Bills Payable Voucher

Letter to George Benoit - Cease and Desist Order
Violations

Essex Conservation Commission
September 7, 1993

Present: Edwin Perkins, Acting Chairman
Arthur Hodges; Peter Perrigo;

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

Paul Sommer, Sommer Environmental Techno
with the Board to review the submittal of
for Louis Rome for the installation of a
system and bank revetment at 45 Lufkin Po
told the Board that the Department of Env
Protection became involved with the proje
Order to Rome. The Enforcement Order ha
filing of the Notice of Intent and issued
they have not, as yet, received a final re
then reviewed the submittal of the new pla
The heavy line indicates where the concret
was placed. The top of the wall has been
6" to 10" stub and footing remain to be us
bank revetment. The dash line indicates th
control - double staked hay bales. The arr
the uphill side of the hay bales. Sommer sai
slope to the base of the wall. Sommer sai
new site for the septic system on the other
dwelling. He was questioned about the new
relationship to the wells in the area. Som
looking for a variance. He suggested the Bo
visit to the property.

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

Dr. Dennis Outwater met with the Board to di
and Desist Order placed on his property, Lot
Street. Outwater said he had contracted a l
do 3-4 hours of work clearing the uplands, as
determined five years ago. He added that hi
hearing had been in front of the Department of
Protection for 5 1/2 years. Perkins said, "I
site and found a tree had been done within the b
Everything that had been done was cut right in
You should have filed with the Conservation Co
doing this work." Outwater said, "My lawyer
said I was within my rights to cut the brush."
told that he must file with the Commission bef

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