

Essex Conservation Commission

October 15, 1996

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

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

Due to the absence of the Administrative Clerk, the Minutes were taken by Commission member George Stavros.

Perrigo moved to approve the Minutes of August 13, 1996, as read, seconded Messersmith, with Perkins, Perrigo and Messersmith voting in favor; Stavros voted present.

Perrigo moved to approve the Minutes of September 10, 1996, as read, seconded Messersmith, with the Board voting unanimously in favor.

A public hearing was held at 7:35 p.m. under the Massachusetts Wetlands Protection Act, M.G.L. Chapter 131, Section 40, on a Notice of Intent filed by Donald Reed covering the upgrade of a septic system at 40 Southern Avenue.

Reed told the Board he is filing for the upgrade of his septic system, which already has Board of Health approval. The Board reviewed the Notice of Intent.

Perrigo moved to close the public hearing for Donald Reed, 40 Southern Avenue, seconded by Stavros, with the Board voting unanimously in favor.

A public hearing was held at 7:45 p.m. under the Wetlands Protection Act, M.G.L. Chapter 131, Section 40, on an Abbreviated Notice of Intent filed by H.A. Patrican, Jr. covering the construction of foundations beneath two existing porches and the enclosure of same porches at 15 Pond Street.

The Board was told that the proposed project involves the construction of foundations under two existing porches, one in the rear and one to the side of the dwelling, and enclosing the two porches.

Perrigo moved to close the hearing for H.A. Patrican, Jr., seconded by Messersmith, with the Board voting unanimously in favor.

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A public hearing was held at 8:04 p.m. under the Wetlands Protection Act, M.G.L. Chapter 131, Section 40, on a Notice of Intent filed by Curtis E. Jones covering the removal of ten feet of stone wall from Chebacco Lake and approval of existing pier at 75R Wood Drive.

Perrigo removed himself from any discussion as he is an abutter to the property. The filing was made for the removal of a stone wall per order of the D.E.P. and for the Chapter 91 license.

Stavros moved to close the public hearing for Curtis E. Jones, seconded by Messersmith, with Perkins, Messersmith and Perrigo voting in favor; Perrigo abstained.

A Request for the Commission to Determine the Applicability of the Wetlands Protection Act, M.G.L. Chapter 131, Section 40, was made at 8:10 p.m. by Essex River Landing Inc. for the maintenance of existing structures, floats, ramps and bulkheads for Chapter 91 Licensing at 122/132 Main Street.

Malcom Low, Maritime Group, represented Essex River Landing. He told the Board the Request was made for the maintenance of existing structures, rip-rap, floats, ramps and bulkheads for the Chapter 91 Amnesty Licensing. The structures were built by the prior owners and existed prior to 1984.

Perrigo moved to issue a negative Determination to Essex River Landing Inc., seconded Messersmith, with the Board voting unanimously in favor.

A Request for the Commission to Determine the Applicability of the Wetlands Protection Act, M.G.L. Chapter 131, Section 40, was made at 8:17 p.m. by Margot Anderson for the maintenance of the existing catwalk, ramp and floats for Chapter 91 Licensing off Dodge Street Extension.

Malcom Low, Maritime Group, represented Anderson. He said the Request was filed for the structures for the Chapter 91 Amnesty License. The structures existed prior to 1984. They have an Army Corps of Engineers permit, but not a State one.

Perrigo moved to issue a negative Determination to Margot Anderson, seconded by Messersmith, with the Board voting unanimously in favor.

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A public hearing was held at 8:27 p.m. under the Wetlands Protection Act, M.G.L. Chapter 131, Section 40, to review an amended plan for a Notice of Intent filed by Nancy Roberts covering the upgrade/ repair of the existing system, house reconstruction with driveway construction and waterline installation at 83 Eastern Avenue.

James McDowell, Morin Engineering, represented Roberts. He told the Board that Board of Health approval for the septic system is pending. Madeline and Benjamin Dudley, abutters to the property, wished to know where the retaining wall was going to be.

Perrigo moved to close the public hearing for Nancy Roberts, seconded by Messersmith, with the Board voting unanimously in favor.

The Order of Conditions was written for Nancy Roberts, for property at 83 Eastern Avenue.

Perrigo moved to approve the project for Nancy Roberts, 83 Eastern Avenue, as shown on the amended plan dated December 3, 1995, revised September 20, 1996, seconded Messersmith, with the Board voting unanimously in favor.

The Order of Conditions was written for Curtis E. Jones, for property at 75R Wood Drive.

Messersmith moved to deny the project, seconded Perkins, with Messersmith, Perkins and Stavros voting in favor; Perrigo abstained. Everything water side of the concrete retaining wall must be removed in accordance with File Number 21-90 Superceding Order of Conditions dated November 6, 1985. 3'x10' pier to small float is, to the best of our knowledge, all that existed. The denial is based on failure to comply with the above referenced Superceding Order.

The Order of Conditions was written for William Burke, for property at 58 Forest Street.

Perrigo moved to approve the project for William Burke, 58 Forest Street, as submitted in the Notice of Intent, seconded Messersmith, with the Board voting unanimously in favor.

The Order of Conditions was written for Patrowicz Land

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Development for property of William and Nancy Gorman, 62 Lakeshore Drive.

Perrigo moved to approve the project for William and Nancy Gorman as submitted in the Notice of Intent, seconded by Messersmith, with the Board voting unanimoously in favor.

The Order of Conditions was written for Joel Plastridge, for property at 37 Spring Street.

Messersmith moved to approve the project of Joel Plastridge, 37 Spring Street, as submitted in the Notice of Intent, seconded Stavros, with the Board voting unanimously in favor.

The Order of Conditions was written for Ginnie O'Hara for the Estate of Lillian Leck, 24 Story Street.

Perrigo moved to approve the project for the Estate of Lillian Leck, 24 Story Street, as submitted in the Notice of Intent, seconded by Messersmith, with the Board voting unanimously in favor.

The Order of Conditions was written for David and Carol Leighton, for property at 160 Eastern Avenue.

Perrigo moved to approve the project for David and Carol Leighton, 160 Eastern Avenue, as submitted in the Notice of Intent, seconded by Messersmith, with the Board voting unanimously in favor.

The Order of Conditions was written for Paul and Catherine Xavier, for property at 154R Eastern Avenue.

Perrigo moved to approve the project for Paul and Catherine Xavier, 154R Eastern Avenue, as submitted in the Notice of Intent, seconded by Messersmith, with the Board voting unanimously in favor.

The Order of Conditions was written for Joseph Ginn, for property at 17 Addison Street.

Perrigo moved to approve the project for Joseph Ginn, for property at 17 Addison Street, as submitted in the Notice of Intent, seconded Messersmith, with the Board voting unanimously in favor.

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A building permit application was submitted for review by Northstar Realty Trust, owner Steve Zagorski, for property on Scot's Way. The Board felt there were no Commission issues for the proposed project.

A Request for a Certificate of Compliance made by Edward McInerney, 44 Lakeshore Drive, was reviewed. Perrigo said he made a site visit to the property and found the project regulated under Order of Conditions D.E.P. File Number 21-248 had been satisfactorily completed.

Perrigo moved to issue a Certificate of Compliance to Edward McInerney, 44 Lakeshore Drive, for work regulated under Order of Conditions D.E.P. File Number 21-248, seconded Messersmith, with the Board voting unanimously in favor.

A building permit application was submitted for review by Judith Perkins, 4 Robbins Island Road, for the construction of a 16'x20' shed on a concrete slab. The Board felt that in order to make a finding, they needed to see a plot plan with dimensions to the wetlands.

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

Meeting adjourned at 9:31 p.m.

Prepared by:


George Stavros

Attest:

Essex Conservation Commission

October 15, 1996

A G E N D A

Appointments:

- 7:35 p.m. ... Public hearing - Donald Reed, 40
Southern Avenue
- 7:45 p.m. ... Public hearing - H.A. Patrican, Jr.,
15 Pond Street
- 7:55 p.m. ... Public hearing - Curtis Jones, 75R
Wood Drive
- 8:05 p.m. ... Request for a Determination of
Applicability - Essex Landing, Inc.,
Main Street
- 8:10 p.m. ... Request for a Determination of
Applicability - Margot Anderson,
Dodge Street Extension
- 8:15 p.m. ... Public hearing - Nancy Roberts, 83
Eastern Avenue (Amended plan)

Business:

Review correspondence

Vote on and sign Order of Conditions for the following:

- (1) William Burke, 58 Forest Avenue
- (2) William & Nancy Gorman, 62 Lakeshore Drive
- (3) Joel Plastridge, 37 Spring Street
- (4) Lillian Leck, 24 Story Street
- (5) David & Carol Leighton, 160 Eastern Avenue
- (6) Paul & Catherine Xavier, 154R Eastern Avenue
- (7) Joseph Ginn, 17 Addison Street

Sign Certificate of Compliance - Edward McInerney

RDA submittal - Judith Perkins, Robbins Island Road

Building permit application review - Northstar R.T.

Next meeting - November 5, 1996