

Essex Conservation Commission

October 17, 1995 - Minutes

Present: David Folsom, Chairman, Edith Messersmith, Arthur Hodges (8:00 p.m.), Edwin Perkins, Peter Perrigo, George Stavros.

Meeting called to order at 7:35 p.m.

A Request made by Theodore and Charlotte Guldemond for the Commission to Determine the Applicability of the Wetlands Protection Act, M.G.L. Chapter 131, Section 40, for the construction of a front porch and partially screened rear porch to the existing dwelling at 5 Ralston Lane was heard at 7:40 p.m.

Donald Rogacki represented the Guldemonds. Rogacki told the Board that the Request was made because they will be constructing a porch within 100 feet of wetlands, which will require digging for approximately seven sona tubes. An existing porch will be partially screened in, but there will be no change of footprint. The Board reviewed the Request and accompanying plan and found the existing dwelling was located between the proposed project and the resource area. The Board felt, therefore, there would be no impact on the resource area.

Perkins moved to issue a negative Determination to Theodore and Charlotte Guldemond, 5 Ralston Drive, for the construction of a porch. The motion was seconded by Messersmith, with Messersmith, Perkins, Perrigo and Stavros voting in favor.

A public hearing was held at 7:47 p.m. under the Wetlands Protection Act, M.G.L. Chapter 131, Section 40, on a Notice of Intent filed by David Lenzi covering the construction of a 30' x 50' garage on Wood Drive, Assessors Map 4, Lot 107.

Lenzi told the Board he would like to build a 30' x 50' single story garage on a vacant lot he owns across the street from his dwelling. The building would be on a cement block/slab foundation. The resource area is 60 feet from one corner of the proposed building. Lenzi noted that his land is much higher than the wetland area and felt there would not be too much impact from the construction. He said a row of haybales will be placed across the rear property line between the construction area and wetlands to mitigate any alteration

of the resource area.

As there were no further questions from the Board and the public, Perkins moved to close the public hearing for David Lenzi, Wood Drive. The motion was seconded by Perrigo, with Messersmith, Perkins, Perrigo and Stavros voting in favor.

Michael Taylor submitted an Abbreviated Notice of Intent for the construction of a 24' x 24' garage/storage building with a loft at 27R Pond Street. The Board reviewed the submittal and scheduled a public hearing for Tuesday, November 7, 1995, at 7:45 p.m.

The Board reviewed the correspondence. A letter sent to Jim Sprague of the D.E.P. from Dennis Outwater regarding property on Belcher Street was read into the meeting. The letter referred to the submittal of a revised plan for a project under D.E.P. File #21-162, and requested that D.E.P. instruct the Commission to sign off on a building permit application for prospective purchaser Barry Richards. Also read into the meeting were Planning Board Minutes of October 4, 1995, in which a motion was made not to issue building permits to Dennis Outwater until a public hearing was held under the Scenic Ways Law. Outwater, presently, is in violation of this State Law.

Perkins moved that the Conservation Commission send a letter to Jim Sprague of D.E.P. stating that the Commission feels before any building permits are issued the replication area should be shown to be effective and that all Planning Board issues be resolved. The motion was seconded by Perrigo, with the Board voting unanimously in favor.

A public hearing was held at 8:00 p.m. under the Wetlands Protection Act, M.G.L. Chapter 131, Section 40, on a Notice of Intent filed by Osborne Ward covering repairs to an existing septic system and construction of a well at 13 Red Gate Road.

Scott Patrowicz represented Ward. Patrowicz told the Board that the purpose of the project is to repair and upgrade an existing septic system for an existing two-bedroom dwelling abutting Chebacco Lake. The proposed construction includes installing a new well, new septic tank and leaching bed. The proposed leaching bed is 88 feet east of Chebacco Lake and 99 feet west of an existing Bordering Vegetated Wetland. He noted that although Health Agent, John Jacobi, did not like his original septic design, which was shown on the plan

submitted with the Notice of Intent, a revised design is under review, but within the same footprint. The new well is approximately 15 feet from Chebacco Lake. Patrowicz said his goal is to try and locate it as far away as possible from the septic system. He is also aiming to have a higher form of leaching so there will be less pollution of Chebacco Lake. The Board then reviewed the Notice of Intent and accompanying plan. A discussion followed as to whether the hearing should be continued to the Commission's next meeting on November 7 to enable the Board to review the revised septic plan and its footprint. They were concerned the revised septic footprint would change from that shown. Patrowicz reassured the Board it would not change and requested that the hearing be closed. The Board requested they received a copy of the revised plan. As there were no further questions, Perkins moved to close the hearing of Osborne Ward, Jr., 13 Red Gate Road, seconded Perrigo, with the Board voting unanimously in favor.

Derek Perkins, Liberty Research, Essex Park Road, met with the Board for an informal discussion regarding an addition to his property, which he felt would not have as much impact on the wetlands as one he had proposed previously. The earlier filing, D.E.P. File Number 21-251, had fallen under the jurisdiction of the D.E.P. and Perkins had withdrawn his Notice of Intent without prejudice. Perkins noted that he also has a proposal for upgrading the septic system, which, at present, is close to failing. The Board reviewed the preliminary plans.

The Minutes of the meetings of August 29, 1995, and September 19, 1995, were submitted for approval.

Perkins moved to approve the Minutes of August 29, 1995, as read, with the following amendment - a typographical error be corrected on page two, paragraph four, second line - written as 'east die' instead of 'east side'. The motion was seconded by Perrigo, with the Board voting unanimously in favor.

Perkins moved to approve the Minutes of September 19, 1995, as read, seconded Stavros, with Messersmith, Perkins and Perrigo voting in favor; Hodges and Stavros voted present.

The Order of Conditions was written for David Lenzi, Wood Drive.

Perkins moved to approve the proposed construction of a 30' x

50' garage for David Lenzi, Wood Drive, seconded Perrigo, with Messersmith, Perkins, Perrigo and Stavros voting in favor; Hodges voted present.

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

Meeting adjourned at 8:50 p.m.

Prepared by:



Gillian B. Palumbo
Administrative Clerk

Attest:

Essex Conservation Commission

October 17, 1995

A G E N D A

Appointments:

- 7:30 p.m. ... Building permit application review -
Shaw Butler, 9 Milk Street
- 7:35 p.m. ... Request for a Determination of
Applicability - Theodore and
Charlotte Guldemon, 3 Ralston Drive
- 7:45 p.m. ... Public hearing - David Lenzi, Wood
Drive
- 8:00 p.m. ... Public hearing - Osborne Ward, 13 Red
Gate Road
- 8:15 p.m. ... Derek Perkins - Liberty Research,
Essex Park Road

Business:

- Review correspondence
- Review revised plans of Dennis Outwater, Belcher Street
- Sign Bills Payable Voucher
- Sign Payroll Voucher
- Next meeting November 7, 1995