

Essex Conservation Commission

December 15, 1992

Present: Canan Hewson, Chairman, David Folsom, Arthur Hodges,  
Edwin Perkins.

Meeting called to order at 7:58 p.m.

A continuation of 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 Gloucester Bank and Trust covering construction of a portion of a residential structure, driveway and regrading within the buffer zone on property at the corner of Western Avenue and Essex Park Road. Engineer Clay Morin submitted a letter to the Board from Attorney Michael Shea, who represented the Bank. The letter read as follows: "The Gloucester Bank and Trust Company would like to withdraw the current Notice of Intent scheduled for a hearing without prejudice. Due to a reconfiguration of the wetlands line, the current filings, Exhibit A and B with the Notice of Intent, are not accurate. The applicant would, therefore, respectfully request that the Conservation Commission allow them to withdraw their Notice of Intent without prejudice for a refiling at a later date when plans have been prepared to accurately depict the location."

Perkins moved to accept the letter submitted by Attorney Michael C. Shea and allow Gloucester Bank and Trust to withdraw their Notice of Intent for property on Western Avenue adjacent to #114 without prejudice. The motion was seconded by Hodges, with the Board voting unanimously in favor.

A Request for a Determination of Applicability made by Daniel A. Rice was heard at 8:15 p.m. under the Massachusetts Wetlands Protection Act, M.G.L. Chapter 131, Section 40, covering the construction of a porch at 34 Lakeshore Drive.

Rice told the Board that the project consists of the construction of a 5' x 33' foot wood frame open porch to the street side of the existing building. The porch will be supported by four 8" cement tubes 4 feet below grade. The Board reviewed the Request and accompanying plan.

Perkins moved to issue a negative Determination to Daniel Rice for the construction of 5' x 33' foot open porch at 34

Lakeshore Drive, seconded Hodges, with the Board voting unanimously in favor.

Jack Gale met with the Board for an informal discussion on the property of Louis McMillan, Eastern Avenue. Gale told the Board, "Mr. and Mrs. McMillen had been trying to find a way to make the barn fit better. We now have the barn completely out of the buffer zone." Gale then presented a plan to the Board. Gale said he was just trying to get a reading from the Board on the new layout. The submittal of an amendment to the Determination of Applicability will be heard on January 5, 1993, at 8:00 p.m.

Thomas Ellsworth met with the Board to submit a Request for a Determination of Applicability. Ellsworth told the Board he is subdividing one parcel of land on Belcher Street and wants to construct a driveway. A portion of the driveway is within 100 feet of wetlands. A site visit will be made to the property on Saturday, December 19, 1992, at 9 a.m.

Richard Southgate, Western Avenue, met with the Board for a building permit application review. Southgate told the Board there is presently a deck at the rear of his dwelling and he would like to remove it and build an addition in its place. The distance from the deck to the stream at the rear of the property is 180 feet. The Board reviewed the application and plan. The chairman signed the application.

Ronald and Robin Pydynkowski met with the Board for an informal discussion on the construction of a barn/garage on their property at 8 Forrest Avenue. Pydynkowski told the Board there were drainage trenches on the property but was not sure if they were wetlands. The Board suggested they file a Request for a Determination of Applicability.

Joseph Ginn requested the Board to give permission for a small 4-wheel tractor to go on the marsh near the railroad tracks to remove a dumpster that had floated there during the storm.

Perkins moved to allow Joseph Ginn to take a small 4-wheel tractor onto the marsh behind the railroad tracks to remove a dumpster, seconded Folsom, with the Board voting unanimously in favor.

Barry O'Brien, 24 Grove Street, requested a Certificate of Compliance for work regulated by Order of Conditions, D.E.P. File Number 21-50.

Perkins moved to issue a Certificate of Compliance to Barry O'Brien, 24 Grove Street, for work regulated by Order of Conditions D.E.P. File Number 21-50, seconded by Folsom, with the Board voting unanimously in favor.

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

Meeting adjourned at 9:55 p.m.

Prepared by:

  
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Gillian B. Palumbo  
Administrative Clerk

Attest:

Essex Conservation Commission

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A G E N D A

Appointments:

- 8:00 p.m. ... Continuation of public hearing -  
Gloucester Bank and Trust, property  
at Essex Park Road/Western Avenue
- 8:15 p.m. ... Request for a Determination of  
Applicability - Daniel Rice, 34  
Lakeshore Drive
- 8:30 p.m. ... Jack Gale - property of Louis  
McMillen, Eastern Avenue
- 8:40 p.m. ... Submittal of a Request for a  
Determination of Applicability - Tom  
Ellsworth
- 8:45 p.m. ... Richard Southgate, Western Avenue -  
addition to property
- 9:00 p.m. ... Ronald and Robin Pydynkowski, Forest  
Street - construction of barn

Business:

Review correspondence