

Essex Conservation Commission

December 17, 1996 - Minutes

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

Meeting called to order at 7:37 p.m.

A continuation of a public hearing was held at 7:38 p.m. under the Wetlands Protection Act, M.G.L. Chapter 131, Section 40, on a Notice of Intent filed by Patrowicz Land Engineering covering the construction of a dwelling and horse barn and regrading within the 100 foot buffer zone at 168 Southern Avenue, property of Thomas and Ruth McLaine.

Engineer Scott Patrowicz and Site Architect Sheldon Pennoyer represented the McClaines. Patrowicz told the Board that the site was flagged by a wetlands specialist, DeRosa Environmental Consulting, Inc. The proposed project is the construction of a 4-bedroom single family dwelling, horse barn, garage and driveway within the buffer zone, but with no work to be done within the resource area. The site is eight and one half acres in size. The site's grades will be raised adjacent to the buildings to allow for positive drainage. The grading for each structure has been designed to be outside any resource area, and therefore, no impact to the wetland resource area is expected or proposed. The manure storage area is 120 feet from the wetland area. The drainage will flow to a small gravel swale and then piped into a culvert, which will then flow into an existing swale. There will be about 40 feet of grading, with the silt fence also serving as the limit line of the project. Pennoyer said the attempt was to make the house fit into the landscape, trying to avoid too much regrading. Patrowicz noted that the barn will be 35' x 50' in size, containing six horse stalls. He indicated that the lot had more delineated wetlands than was originally anticipated by his client. John Henderson, Southern Avenue, an abutter, asked if there was any chance that the water which flows from the property and into his land would be diverted so as not to flow into his field. Pennoyer told him that this project will not affect that flow positively or negatively, because it was run-off from the top of the hill. It was noted that the driveway will be paved. The Board reviewed the Notice of Intent and accompanying plans.

Perkins moved to close the public hearing for Patrowicz Land Engineering for a proposed project at 168 Southern Avenue,

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seconded by Stavros, with the Board voting unanimously in favor.

A public hearing was held at 7:55 p.m. under the Wetlands Protection Act, M.G.L. Chapter 131, Section 40, on a Notice of Intent filed by Scot and Christine Amero covering an 18' x 24' addition and maintenance of a drainage ditch at 28 Addison Street.

Scot Amero told the Board that the proposed project is for an 18' x 24' addition to the rear of the existing dwelling. Some backfilling will be required next to the addition. He noted that the wetland is created by the non-maintenance of a drainage ditch which runs along the edge of the property. The maintenance of this drainage ditch was included in the Notice of Intent. Folsom said he checked Massachusetts General Laws and found that drainage ditches that were in existence prior to 1980 can be maintained. The Board reviewed the Notice of Intent.

Perkins moved to close the public hearing for Scot and Christine Amero for property at 28 Addison Street, seconded by Perrigo, with the Board voting unanimously in favor.

Derek Brown met with the Board for an informal discussion on two issues. The first issue Brown said he wished to discuss, as a citizen of the Town, was the degradation of the marsh at Conomo Point, with boats being left on the marsh over the winter. Also ramps belonging to the Conomo Point Association were also left on the marsh. Dumping of brush has also occurred over the seaward edge of the Point and across from Sumac Drive. Brown said the second matter for discussion was as a member of the Open Space Committee. They are applying for a \$2000-\$3000 grant to open up the old railroad bed which runs behind the Town Hall to the Town dump. They are at the preliminary stage at present, but they would like to receive a letter of support from the Conservation Commission and Board of Selectmen. The proposal is to restore the rail bed as a walk path. The proposal must be into the State by January 13, 1997. The Board asked that Brown submit an outline of the proposal to them for their review.

A building permit application submitted by John Coughlin, Trustee of PMC Realty Trust, to relocate an existing 24' x 24' garage and an existing house from 239 Western Avenue to Lot 2,

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Piper Lane, was reviewed. The Board found that both the house and garage would both be located in the buffer zone and would require the filing of an Abbreviated Notice of Intent. Coughlin will be so notified.

The Order of Conditions was written for Peter Madsen for the repair/upgrade of an existing septic system at 1 Ralston Drive.

Perrigo moved to approve the project, the repair/upgrade of an existing septic system, for Peter Madsen, 1 Ralston Drive, seconded by Stavros, with Perrigo and Stavros voting in favor, Messersmith and Perkins voting present.

The Order of Conditions was written for Stephen Brooking and Lisa Kraft for the repair and upgrade of an existing septic system at 172 Southern Avenue.

Perrigo moved to approve the project, the repair and upgrade of an existing septic system, for Stephen Brooking and Lisa Kraft, at 172 Southern Avenue, seconded by Stavros, with Perrigo and Stavros voting in favor, Messersmith and Perkins voting present.

The Order of Conditions was written for Sandpiper GJM/Louis Paglia for the replacement of an existing septic system with a holding tank at 91 Main Street.

Stavros moved to approve the project, the replacement of an existing septic system with a holding tank, for Sandpiper GJM/Louis Paglia, at 91 Main Street, seconded by Perrigo, with Perrigo and Stavros voting in favor, Messersmith and Perkins voting present.

The Order of Conditions was written for Patrowicz Land Engineering for the construction of a single family house and horse barn at 168 Southern Avenue, property of Thomas and Ruth McClaine.

Perekins moved to approve the project, the construction of a single family house and horse barn, for Patrowicz land Engineering, at 168 Southern Avenue, property of Thomas and Ruth McClaine, seconded by Perrigo, with the Board voting unanimously in favor.

The Order of Conditions was written for Scot and Christine

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Amero, for the construction of an addition to an existing dwelling at 28 Addision Street.

Perkins moved to approve the project, the construction of an addition to an existing dwelling, for Scot and Christine Amero, at 28 Addision Street, seconded Messersmith, with the Board voting unanimously in favor.

The Board reviewed the correspondence. Folsom said he would write a letter to Filias Realty Trust regarding the review of revised plans submitted with a letter from Filias Realty Trust for Order of Conditions D.E.P. File Number 21-259.

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

Meeting adjourned at 9:20 p.m.

Prepared by:



Gillian B. Palumbo
Administrative Clerk

Attest:

Essex Conservation Commission

December 17, 1996

A G E N D A

Appointments:

- 7:35 p.m. ... Continuation of a public hearing -
Patrowicz Land Engineering, property
of Thomas & Ruth McClaine, 168
Southern Avenue
- 7:45 p.m. ... Public hearing - Scot & Christine
Amero, 28 Addison Street
- 7:55 p.m. ... Derek Brown - Discussion on 1) Ramps
at Conomo Point and 2) Letter of
support for Open Space project

Business:

Write Orders of Conditions for
1) Peter Madsen, Ralston Drive
2) Stephen Brooking/Lisa Kraft
3) Sandpiper GJM, Inc.

Review building permit application for PMC Realty Trust,
Lot 2, Piper Lane

Letter to Filias Realty Trust re: letter dated October
29, 1996

Next meeting - January 7, 1997