

Essex Conservation Commission

April 5, 1994 - Minutes

Present: David Folsom, Chairman, Canan Hewson, Arthur Hodges, Edith Messersmith, Edwin Perkins, Peter Perrigo, Thomas Prentiss.

Meeting called to order at 7:45 p.m.

Sheldon Pennoyer met with the Board for a building permit application review for a single family dwelling on Grove Street. The Board reviewed the site plan and found the construction would not be in violation of the Wetlands Protection Act. Chairman Folsom signed the application.

Paul Levine, Pond Street, met with the Board for a building permit application review for the addition of a second floor bath-room. There was no change in the footprint of the structure. Chairman Folsom signed the application.

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 Charles Filias covering the maintenance and extension of an existing floating pier, to include the driving of 8 piles and dredging of the area near the pier at 138 Main Street. John Dick, Hancock Survey Associates, represented Filias. Dick told the Board, "We have managed to lay in the channel line. It would be necessary to rotate the end of the pier in the direction of the shore line to bring us out of the Federal Channel. I want to make sure these fingers are out of the channel. I will be going to the Planning Board on Wednesday under a Special Permit for the recreational aspect of it. I would like to come back after we have been to the Planning Board - I feel we shall complete the hearing then." Perkins requested that the center line and the edge of the channel be shown

Perkins then moved to continue the public hearing for Charles Filias to April 19, 1994, at 8:00 p.m., seconded by Prentiss, with the Board voting unanimously in favor.

The Commission was requested by Charles and Alex Filias to Determine the Applicability of the Wetlands Protection Act, M.G.L. Chapter 131, Section 40, covering the construction of a septic system with a portion of the leaching area 90 feet more or less from the bordering vegetated wetlands at 238

Western Avenue.

John Bennett, Cape Ann Professional Engineers, Inc., represented Charles and Alex Filias. Bennett told the Board, "This is a septic system upgrade. We are proposing a Title V system. A piece of leaching field is in the buuffer zone. The existing system is between the house and the fence." Hewson asked Bennett why the system could not be moved back ten feet. Bennett told her that when they did their soil tests they found the soil was not as good and the water table was higher. He noted that the system is designed for four bedrooms. It will be a 2-family house. Hodges questioned if the system could be re-designed to be out of the buffer zone. Bennett indicated that this was the best placement for the system.

Perkins moved to issue a negative Determination to Charles and Alex Filias for a septic system upgrade at 238 Western Avenue, seconded by Perrigo, with the Board voting unanimously in favor.

The Order of Conditions for William Tyler for the construction of an elevated wooden walkway and gangway over the marsh and placement of a moored seasonal float on Addison Street was written.

Perkins moved to approve the project of William Tyler to construct an elevated walkway and placement of a moored seasonal float on Addison Street, seconded Perrigo, with the Hewson, Messersmith, Perkins, Perrigo and Prentiss voting in favor; Hodges abstained.

The Board reviewed the correspondence. Copies of the Planning Board's proposed site plan review by-law was read. It was determined that the proposed by-law would have no effect on the Conservatiion Commission, therefore no comment was necessary.

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

Meeting adjourned at 9:15 p.m.

Prepared by:


Gillian B. Palumbo
Administrative Clerk

Attest:

Essex Conservation Commission

April 5, 1994

A G E N D A

Appointments:

- 7:50 p.m. ... Building permit application review
1) Sheldon Pennoyer, Grove Street
2) Paul Levine, Pond Street
- 8:00 p.m. ... Continuation of public hearing -
Charles Filias, 138 Main Street
- 8:15 p.m. ... Request for a Determination of
Applicability - Charles and Alex
Filias, 238 Western Avenue

Business:

Review correspondence

Write Order of Conditions for William Tyler

Sign Extension Permit for Leslie Moore, Lows Island