

Essex Conservation Commission

May 24, 1994

Present: David Folsom, Chairman; Edith Messersmith; Edwin Perkins; Peter Perrigo; Thomas Prentiss.

Meeting called to order at 7:55 p.m.

Anderson Storey, John Wise Avenue, met with the Board for a Building Permit Application review, for the construction of a pole barn for hay storage. The Board reviewed the application and accompanying plan and found the pole barn construction would not be in violation of the Wetlands Protection Act, M.G.L. 131, Section 40.

A continuation of a public hearing was heard at 8:05 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 maintenance and extension of an existing floating pier, to include the driving of eight piles and dredging of the area near the pier at 138 Main Street. John Dick, Hancock Survey Associates, submitted a letter stating that on behalf of his client he was requesting a continuation of the hearing until June 7, 1994, to allow for the continued review by the Planning Board pursuant to Special Permit provisions of the Essex By-laws. Dick added that the Planning Board had asked a few leading questions regarding the boundary lines of the abutters in the channel, and that he would be bringing all the information back to the Commission after the Planning Board decision. Perkins suggested that Dick talk to the Army Corps of Engineers as they were doing a water verification in the river at this time.

Perkins moved to continue the hearing of Charles Filias, 138 Main Street, until Tuesday, June 7, 1994, at 8:00 p.m. The motion was seconded by Prentiss, with the Board voting unanimously in favor.

The Board felt a letter should be sent to John Coughlin, 239 Western Avenue, requesting that he meet with the Board at the June 7 meeting to discuss with them corrective action with regard to violations of the Wetlands Protection Act. A Cease and Desist Order was issued to Coughlin on lots 10 and 17 of Assessors' Map 8.

A public hearing was held at 8:15 p.m. under the Massachusetts Wetlands Protection Act, M.G.L. 131, Section 40, on a Notice of

Intent filed by the Board of Selectmen for the Town of Essex covering the cleaning and restoration of the Alewife Brook so as to improve the natural capacity of the resource area. Selectman Robert Dawe represented the Town of Essex. Dawe said, "The problem we are incurring at this time is the alewives making their way up to Chebacco Lake and encountering encumbrances. We lost a vast number last year because of this. We would like to remove the debris with hand-held rakes. We felt it would behoove the Town to open up the Alewife Brook, put in holding pools, and clean out the debris. There have been a lot of volunteers offering to help with this. From Apple Street to Pond Street a lot of debris needs to be cleaned out. From Pond Street to Chebacco Lake it is the most grown in and will need the most work." Prentiss - "Has anyone noted how much the brook has changed in the last forty years?" Dawe - "I'm not sure how much change there has been in the last forty years, but in the last five years I've noticed a lot of growth." Perkins - "Another problem is that at one time along the brook it was all fields - now we have all trees, and a tremendous amount of leaves fall in the brook now." Dawe - "This is the lower end of the ecological food chain - if there is nothing for the fish to feed on, then the other fish will have nothing to feed on." Prentiss then noted that the Notice of Intent did not make reference to the creation of holding pools. Dawe said he felt they were necessary, as he had held a site visit with a member of the Division of Marine Fisheries who indicated this. Maria Van Dusen, Riverways Program Coordinator, and co-author of a document entitled, "Suggestions for Enhancement of the Alewife Run in the Essex River System" said, "We took the 'go-slow' approach. We feel it is better to clean out the debris and then see how the brook flows from that." Van Dusen added that she felt there should be no digging at this point, but to just pull up the vegetation and see how the brook flows. She also said she was pleased to see the Town so interested in this project.

Perkins moved to continue the hearing for the cleaning of the Alewife Brook to Tuesday, June 7, at 8:15 p.m. The motion was seconded by Messersmith, with the Board voting unanimously in favor.

A letter was received from Attorney Robert P. Laramee requesting a Certificate of Compliance for an Order of Conditions issued to Farnham's, Inc. in 1983, D.E.P. File Number 21-44, for a holding tank for grey water.

Perkins moved to issue a Certificate of Compliance to Farnham's, Inc., D.E.P. File Number 21-44. The motion was

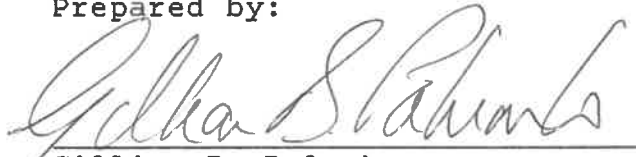
seconded by Perrigo, with the Board voting unanimously in favor.

A letter was received from the Department of Environmental Protection stating that they had received information concerning a possible violation of the Wetlands Protection Act in the vicinity of Harlow Street on land belonging to William Taylor, and asking the Board for their findings in this matter. Perkins said he had received a telephone call from Mrs. Poole of Harlow Street and went to the site. He found that percolation tests were being performed behind 150 Eastern Avenue, outside of the resource area. The backhoe used for the excavation was driven through wetlands but on an existing way. A letter will be sent to D.E.P. with this information.

Prentiss moved to adjourned the meeting, seconded by Perrigo, 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

May 24, 1994

A G E N D A

Appointments :

- 7:50 p.m. ... Anderson Storey - Building Permit  
Application review
- 8:00 p.m. ... Continuation of public hearing -  
Charles Filias, 138 Main Street
- 8:15 p.m. ... Public hearing - Town of Essex/Board  
of Selectmen - cleaning of Alewife  
Brook

Business:

Review correspondence

Request for a Certificate of Compliance - Farnham's  
Restaurant - D.E.P. File Number 21-44

Sign transfer of line item funds

Note: Ed Perkins signed off on a Building Permit  
Application for Melanie and Donald Burnham, 200R  
Western Avenue

Cease and Desist issued - Lakeshore Drive

John Coughlin - issued a Cease and Desist?