

Essex Conservation Commission

July 12, 1994

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

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

David Dunn met with the Board to discuss the property on Western Avenue where he conducts his wood-cutting business. A brook runs through the lot and the Commission had requested Dunn install a siltation fence alongside it. Dunn said the fence had fallen down but he has started to restake it. He had let it go because the vegetation had grown in. Dunn was told to complete the installation of the fence to avoid any potential for siltation into the brook.

A public hearing was held at 8:05 p.m. under the Massachusetts Wetlands Protection Act, Chapter 131, Section 40, on a Notice of Intent filed by Edward A. McInerney covering the replacement of a portion of the dwelling at 44 Lakeshore Drive.

McInerney told the Board he wanted to replace a 12' x 24' portion of the dwelling containing the kitchen and a bathroom. He was originally going to replace the flooring but found the underfloor had all rotted. Water runs down the hill by the property and had eaten away the foundation. Because of this problem he would therefore like to dig a trench for a footing and rebuild the addition. The excavation area is approximately 54 feet from Chebacco Lake, with the existing dwelling located between the lake and the excavation area. The Board then reviewed the Notice of Intent and accompanying drawings. Perkins asked McInerney if anymore digging would be necessary other than the trench. McInerney told him no.

Perkins moved to close the public hearing, seconded by Messersmith, with the Board voting unanimously in favor.

A letter was read into the meeting from Filias Realty Trust for property at 138 Main Street, as follows: "Due to complications that we have encountered during the Planning Board stage of our permit process we are requesting that at the continuation of the public hearing for D.E.P. File Number 21-239 for Filias Realty Trust, scheduled for July 12, 1994, we be granted permission to withdraw without prejudice. Our intention is to regroup and resubmit at a later date."

Perkins moved to allow Filias Realty Trust to withdraw without prejudice from the hearings for D.E.P. File Number 21-239. The motion was seconded by Prentiss, with the Board voting unanimously in favor.

A public hearing was held at 8:20 p.m. under the Massachusetts Wetlands Protection Act, M.G.L. Chapter 131, Section 40, on a Notice of Intent filed by the Town of Essex covering the addition of sand and maintenance to Clammer's Beach, Conomo Point.

Fred DeScenza, Conomo Point, who initiated this project, told the Board that they have made more parking area, put in picnic tables, and want to put in a float line and place more sand on the beach area. He added that he had shown Coastal Zone Management (CZM) the type of sand they would be using, who approved it and the project, providing that the sand was placed only to the rocks as shown on the submitted plan. DeScenza was questioned regarding the float line. He said, "The float line will designate the swimming area from the mooring area. The area hasn't been designated yet, but I would like to see it done. There will be no hot topping involved with the parking area. We have painted lines on the soil and have put in concrete tire bumpers. I feel it is now being used as it was meant to be used."

Selectman Robert Dawe told the Board he was in favor of the project. Selectman Edward Neal told the Board that Farah Courtney and someone from Boston visited the site and approved the sand, and therefore the Town decided to approve the project. The Board then reviewed the Notice of Intent and accompanying plan.

Perkins moved to close the public hearing, seconded by Hodges, with the Board voting unanimously in favor.

The Board then asked Selectman Robert Dawe the scheduled commencement for the cleaning of the Alewife Brook. He told them it was to begin on Saturday, August 6, and that he would like to have members of the Conservation Commission be there if possible.

Theodore Smick, 31 Lufkin Point Road, met with the Board to submit a Notice of Intent covering the construction of an addition to a residential dwelling. He said there would be no excavation as the foundation would be pinned to ledge. The public hearing was scheduled for August 2, 1994, at 8:00 p.m.

John Knowles, Southern Avenue, met with the Board to discuss

with them moving a transformer in his front yard from one location to another. He told the Board that Mass. Electric had asked him to move the transformer 10 to 12 feet, which would entail moving it from its present location, 35 feet from the buffer zone, to another area 70 feet from the buffer zone. Mass. Electric will execute the project.

Prentiss moved to allow the project with no restrictions, as it is a maintenance project, to be performed by Mass. Electric. We consider it to be a limited project which the Commission has reviewed and feel it will have a negative impact on the wetlands provided precautions are taken upon removal of the transformer. The motion was seconded by Perkins, with the Board voting unanimously in favor.

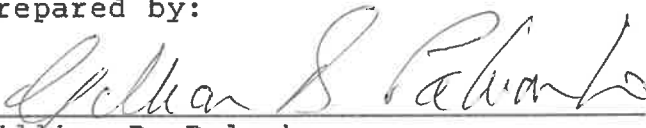
Review of the proposal from Atlantic Engineering regarding the restoration of the wetlands on Western Avenue, property owned by John Coughlin. The Board felt the written proposal was acceptable and that they should go ahead and get the work done as soon as possible.

Peter Van Wyck met with the Board regarding the extension of Turtleback Road, which he said fell under File Numbers 21-164 and 21-165. He said he was continuing the water pipeline, which is not in the buffer zone, but will be getting to the point where it will be in the buffer zone. He was requesting the Board to authorize his going into the buffer zone to do this work. He felt he should not be filing again. Hodges asked him what the rush was for. Van Wyck said it would be nice to do it in the summer time. Folsom said he would call Jim Sprague at the Department of Environmental Protection regarding this.

Commission Member Canan Hewson noted that she had had calls asking if a letter had come from Elizabeth Saboujian regarding John Coughlin's property at the rear of South Essex Village, Eastern Avenue. At this time, the Commission had not received any letters regarding this property.

Perrigo moved to adjourn the meeting, seconded Hodges, with the Board voting unanimously in favor. Meeting adjourned at 9:30 p.m.

Prepared by:


Gillian B. Palumbo

Attest:

Essex Conservation Commission

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A G E N D A

Appointments:

- 7:50 p.m. ... David Dunn - Michael Davis property,
Western Avenue
- 8:00 p.m. ... Public hearing - Edward McInerny,
Lakeshore Drive
- 8:15 p.m. ... Public hearing - Town of Essex -
Clammer's Beach
- 8:30 p.m. ... Submittal of Notice of Intent =
Ted Smick, Lufkin Point Road
- 8:35 p.m. ... Joe Knowles, Southern Avenue
- 8:40 p.m. ... Peter Van Wyck

Business:

Review correspondence

Read into meeting letter from Filias Realty Trust re:
File #21-239

Sign Bills Payable Voucher

Letter from Atlantic Engineering & Survey Consultants

Set next meeting date