

**CONSERVATION COMMISSION  
MINUTES OF AUGUST 23, 2007**

Meeting was held in the lower conference room at the Mary A. Alley Building, 7 Widger Road

Meeting was called to order at 7:00 PM

Present were: Commission Members Walt Haug, Betsy Rickards and Fred Sullivan. Neither Jan Smith, Associate Member, nor Doug Saal, Conservation Administrator, was present.

The hearings were conducted under the Massachusetts Wetlands Protection Act and the Marblehead Wetlands Protection Bylaw.

Note: The commission currently has only five members. Per the MACC Handbook, section 4.1.2, most lawyers agree that a quorum is "a majority of commissioners currently serving". The quorum for this meeting is therefore three members.

**Approve Minutes:** The minutes of 07/26/07 were approved.

**NOI 40-931 6 CLIFF STREET M'HD TRADING COMPANY**

Resource Area: Coastal Bank

Interest of WPA and Bylaw: Prevention of Pollution, Flood Control and Storm Damage Prevention

Appeared: Ralph Anderson of the Marblehead Trading Company

Control Document: As submitted with the NOI

Per Anderson, a bottom wash water recycle machine (manufacture: Furrh Equipment Company) will be used to wash boat bottoms. This machine recycles the wash water and the residue of bottom paint is collected in removable bins located inside the proposed concrete rectangular catch basin. The residue is classified as non-toxic per EPA and is disposed of in a corresponding manner. At the end of the washing season, the recycled wash water is disposed of per EPA regulations.

A rubber containment mat, measuring approximately 20 ft. by 50 ft., will be laid on the area of the boat washing to catch all wash water and direct it into the proposed concrete rectangular catch basin. If this mat presents any problems, it will be replaced by an asphalt berm surrounding the same area. All boat washing will be done in this area only.

All members present voted to close this hearing. All members voted to issue an OOC with the following special conditions.

**Pre-construction:**

1. All special conditions are to be included in the construction contracts between the applicant and his/her contractor.
2. A drawing of the erosion control techniques to be used on site shall be included in the construction contracts between the applicant and his/her contractor.

**During construction:**

3. There shall be no cleaning or rinsing of cement concrete ready-mix trucks, or cement concrete mixing equipment, such that the byproduct of the cleaning or rinsing operation finds its way to any resource area by any means, especially, but not limited to, by means of a storm drainage system (catch basins, pipes, drainage ditches, etc.).
4. All demolition debris will be removed from the site ASAP and not stored within a resource area or a buffer zone. If a dumpster is used to contain the debris, the dumpster shall be covered. The debris shall be properly disposed of in accordance with applicable federal, state and local regulations.
5. All construction material will be stored outside the resource area and its buffer zone or as far back from the resource areas as possible.
6. Upon completion of the work allowed under this OOC, the applicant shall within 30 days apply for a Certificate of Compliance (COC) and, if required by the commission, submit an ñas builtö drawing with the application for the COC.

Note: In order to expedite the issuance of this OOC, it is requested that D. Saal prepare the OOC ASAP and alert the commission members so a minimum of three members sign the OOC individually (not wait for the next scheduled meeting). In addition, Anderson pointed out that no boat bottom washing is allowed at the Riverside launching ramp. F. Sullivan said the water spigot at this launch ramp has been disconnected.

**Old/New Business:**

**Approve Minutes:** see above.

**Request for Extension:** Per a request from the Goldthwait Reservation Inc. (see their letter dated 20 August 2007) the commission voted all in favor of granting a one year extension for OOC 40-722.

The meeting was adjourned at 7:30 PM.