

**CONSERVATION COMMISSION
MINUTES OF OCTOBER 11, 2007**

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

Meeting was called to order at 7:05 PM

Present were: Commission Members Walt Haug, Craig Smith, Betsy Rickards, Fred Sullivan and Mark Klopfer. Also present were Jan Smith, Associate Member, and Doug Saal, Conservation Administrator.

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 09/27/07 were approved.

40-932 BEACON STREET PAVING M'HD DPW

Resource Area: Coastal Bank, Rocky Intertidal Shores, Land Subject to Coastal Storm Flowage, BVW, Stream

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

Appeared: D. Snow and D. Donahue of the Marblehead Highway Department

Control Documents: See Section 4A of the NOI

D. Donahue will be on site to monitor all work as it is being performed. It is anticipated there will be approximately 2 ½ to 3 days of actual work. D. Snow said all removed asphalt will be loaded directly into trucks as it is milled off the surface of the road. The machine that does the removing has a skirt around the bottom to prevent any material from escaping. All storm drains will be covered during milling and paving operations. All members 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.

During construction:

2. 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.
3. A member of the Marblehead Highway Department will be on site at all times work is being performed. He/she will insure no removed asphalt or new asphalt is allowed to enter any resource waters.
4. All storm drains will be covered during both removal and re-paving of the road.

Post-construction/in perpetuity:

5. 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 easement drawing with the application for the COC.

Old/New Business:

Presentation by Marblehead Conservancy relative to Forest River Conservation Land. Appeared Don Morgan who presented a list of tasks (1-21) to be performed at the Forest River Conservation land. After discussion of each task, the commission required that tasks 9, 10 and 14 be deleted from the list and that no work be done on these tasks. Re task 20, D. Morgan, D. Saal and W. Haug will visit this area to determine what, if anything will be done here. D. Morgan then introduced other members of the Trails Committee who were in attendance: Joan McDuff, Sandy Peaslee and Bob French.

Sign Documents: All documents per the agenda were signed.

The meeting was adjourned at 9:00 PM.