

Marblehead Conservation Commission
Minutes November 10, 2021

The hearing was held remotely in accordance with Governor Baker's March 12, 2020 Order Superseding Certain Provisions of the Open Meeting Law, G.L. c.30A, section 18 and the Governor's March 15, 2020 Order imposing strict limitation on the number of people that may gather in one place.

The hearing was called to order at 7:00 PM

Present were: Commission Members Brian LeClair, Jesse Alderman, David Oster and Kate Melanson. Also present was Conservation Administrator and Town Engineer, Charles Quigley.

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

Note: The commission currently has 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 hearing is therefore three members

Commissioners present: Brian LeClair, Katie Melanson, Dave Oster, Jesse Alderman

1. Approve October conservation commission meeting minutes. Roll call vote held. All commissioners vote in favor. Katie, Bryan, and Dave.
2. 2 requests for extending orders of conditions 40-1369 and 40-1232. All commissioners voted to extend these requests. Katie, Dave, and Brian.
3. Minor activity permit – 32 Crestwood Road, owner: Kara Pascal – deck expansion.
 - a. 250 sq ft expansion with 3 new footings, adding 3 sq ft of impervious surface
 - b. Discussion – the proposed deck expansion is in a no-build area. Brian asks commission if this counts as a minor activity. Dave says that town by-laws do not count deck expansions as minor activities. Charlie says the MassDEP calls all decks minor activities and usually allows these. Jesse is present now and says the commission has been flexible in the past with decks in the 25-50 ft buffer zone.
 - c. Vote – Jesse, Katie, and Brian vote yes, Dave votes no. minor activity permit approved.
4. Certificate of compliance request – 40-1409 2 Mill Pond Rd -pool, site work, and landscaping.
 - a. An inspection showed the project is in compliance
 - b. All commissioners (Katie, Jesse, Dave, and Brian) vote in favor of approval.
5. 12 Davis Rd, 40-1470 public hearing -no representative for the project is present at the meeting.
6. 65 Naugus Ave – adding stairs in resource area – no DEP comments
 - a. Applicant's consultant Scott Patrowicz said he removed the concrete sonatubes from the proposed stairs.
 - b. Motion to close the hearing -all commissioners approve
 - c. Motion to approve the project – all commissioners vote yes

7. 40-1594, 201 Ocean ave – building addition and other landscape additions
 - a. Consultant: Devon Morse from Hancock Engineering representing applicant provides project overview
 - b. Discussion – commission determines that impervious area calculations and existing conditions are not on site plan – these items are required in order for commission to consider the project.
 - c. Motion to continue hearing at the December public hearing – all commissioners vote in favor to continue hearing.
 8. Minor modification request – 3-5 Gilbert Heights Road – raze two buildings and construct a new one. Plan is revised with smaller building footprint than originally proposed.
 - a. All commissioners vote to approve request
 9. Marblehead Museum proposed interpretive sign discussion – install interpretive sign on joseph brown conservation area
 - a. All commissioners vote to approve request
- Meeting Adjourned 8:00pm