

Marblehead Conservation Commission
May 12, 2022

This 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.

Meeting was called to order at 7:03 PM

Present were Commission Members Chair Brian LeClair; Jesse Alderman, David Van Hoven, Kate Melanson, Carole McCauley and Conservation Agent Charles Quigley.

MINUTES

The minutes of April 2022 were voted upon and approved unanimously.

DISCUSSION

OOO 40-1129 - Naugus Assoc. – Beach O&M, COC Request – The Naugus Head Association have existing OOC for beach maintenance. And have asked for COC. Request is to eliminate the annual extension and filing fee. What Con Com would do is issue a COC with a condition that that the Association maintain the beach in the same fashion as required under the OOC. Another requirement is conditions in OOC must be posted on beach. The conditions include requirements like no power washing boats on beach, etc. In response to question, the Conservation Agent and Chair confirm that special conditions in COCs are permissible.

Motion to issue a COC which lists continuing requirements to abide by special conditions in the original OOC; motion seconded; all members voted to approve.

OOO 40-1452 – 10 Goldthwaite Rd – Jeff Tucker for applicant. He presented a landscape plan for review under a special condition in the existing OOC. Per the condition, the plan has to be reviewed by full Con Com. The plan calls for five new trees and native shrub planting. Motion to Approve Landscaping Plan; ; motion seconded; all members voted to approve.

3 Orchard Cir – invasive species management on Town Property. Kara Pascal for applicant looking for feedback on best practices for invasive management. The property in question is not a resource area of conversation area. Chair explains this land is not subject to our jurisdiction. But Con Com could help come up with BMPs and Conservancy would be good resource. Con Com would support proper invasive management.

ORDER OF CONDITIONS EXTENSION REQUESTS

OOO 40-1129 – Naugus Assoc. – mooted by earlier vote on COC w/ Special Conditions; no vote.

OOO 40-1299 – 257 Ocean Avenue – Steve Kapsalis – Motion to approve extension; motion seconded; all members voted to approve.

Certificate of Compliance Request

OOO 40-1343, 40-1398, 40-1410 – Alan November – addition, sitework, deck addition, site work, deck addition, landscaping, site work – Chair recused himself, David Van Hoven serves as temporary chair.

All 3 – Alan November – Chair recused, Dave Van H is temporary chair. All roll call votes unanimous.

Minor Activity Permit – 4 Bass Rock Ln – Linda Garnitz – Request is to convert driveway to lawn. A garage will be closed, and driveway to garage will be converted to grass. Motion to approve minor activity permit with the Con Com's standard conditions and special conditions #36 and #50. motion seconded; all members voted to approve.

Minor Modification Request – OOO 40-1505 – 325 Ocean Ave – Approved plan is to replace patio and deck above, More decking and code compliant stairs over existing patio approved to be replaced are proposed. Motion to approve Request. motion seconded; all members voted to approve.

NOI 40-1509 – 10 Harvard Street – Jamie Tedford et. ux.– [Patrowicz]. Applicant requests continuance without opening. Motion to Continue without opening the hearing; motion seconded; all members voted to approve.

NOI 40-1499 – 70 Nanapahset – William Burkhardt et al – [Patrowicz] - Applicant is (1) seeking approval of invasive species management plan; and (2) clearing five trees. Chair's comment is that he'd like debris disposed of in a manner that seeds cannot be spread. No herbicides will be used. Condition in prior OOO is that no trees could be removed until the Con Com hears from certified arborist. Ben Staples, arborist, reports all five trees are defective or dead.

Motion to approve Plan with two conditions (1) if invasive removal to be performed at time of year where there are seeds that could be spread to other locations, seeding materials will be cut and bagged to prevent spread of seeds; (2) replacement tree for each tree removed; motion seconded; all members voted to approve.

NOI 40-1510 – 102 Harbor Ave – Janet Himmel [Patrowicz] - No DEP comments received; no DMP comments. Pier repairs. Applicant will replace boards, make structural repairs using tarping method, and encapsulate undermining on pier.

Motion to close hearing; motion seconded; all members voted to approve. Motion to issue an OOO with special conditions 33, 35, 36, 37, 38 39. 40. 46, 47 48 50, 51, 52, 54. 55, 105, 109, 110, 111, and a condition in perpetuity that the owner must contract annually with a service to detach the ramp from the pier in the event of forecasts of winds of 20 knots or more from the NE or the SW; ; motion seconded; all members voted to approve.

40-15XX, 40-15XX, 40-15XX, 40-15XX – 0 Bracket Pl Building # 6, #7A, #7B, #8 – Glover Landing Condo Tr. – [Patrowicz] – means of egress -]. Applicant requests continuance without opening. Motion to Continue without opening the hearing; motion seconded; all members voted to approve.

Meeting Adjourned