

**Marblehead Conservation Commission
Minutes 10 October 2013**

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

Meeting was called to order at 7:15 PM

Present were: Commission Members Don Tritschler, Brian Leclair, David Vanhoven, Fred Sullivan and Walter Haug. Also present was Willy Lanphear, Conservation Administrator.

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

Note: The commission currently has seven 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 four members.

Discussion Items:

Email notice to abutters: Reference letter from Blatman, Bobrowski & Mead, LLC, dated 1 October 2013: The commission agreed it will not allow email notification to abutters.

Special Condition for Rip-rap: The commission voted to approve the following special condition: When the repair of a seawall entails the use of existing rip-rap which was previously located at the toe of the seawall but has been distributed onto the beach seaward of the seawall by wave action, the following applies. The rip-rap lying above the mean high tide line can be re-located to the toe of the seawall. The rip-rap lying at or below the mean high tide line cannot be disturbed. This special condition is not a surviving condition and is not valid for any other work than that specified for this particular permit.

Approve Minutes: All members voted to approve the minutes of 12 September 2013 without corrections.

40-1148 321 OCEAN AVENUE ROSENTHAL

Resource Area: Coastal Bank

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

Control Drawing: Plan to Accompany NOI, Rosenthal, 321 Ocean Avenue, dated 2 August 2013, prepared by Hayes Engineering, Inc.

Appeared: P. Ogren of Hayes Engineering

A previous NOI for this site was 40-981. All equipment will be located landward of the seawall. Only humans will be present on the beach. All members voted to close this hearing. All members voted to issue an OOC with the following special conditions.

Pre-construction:

28. Any land disturbance of an area less than 40,000 square feet requires that Section II.C of the regulations pertaining to the Stormwater Management and Erosion Control Bylaw, Chapter 195 of the Marblehead Code must be followed and implemented.

29. All special conditions are to be included in the construction contracts between the applicant and his/her contractor.

30. 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. The erosion control must be in place, erected per the drawing, before any work is started on the site.

31. Prior to commencement of construction activities, the Applicant shall obtain all federal, state and local permits (in addition to this OOC) that may be required for the proposed project.

During construction:

32. This project shall not cause an increase in run-off onto adjacent properties or streets, either during construction or after completion. Appropriate measures shall be taken to prevent the movement of silt or debris onto adjacent properties, streets and Resource Areas.

33. 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.).

35. All demolition debris shall be removed from the site as soon as possible and not stored within a resource area or a buffer zone. If a dumpster is used to contain debris, the dumpster shall be covered after each work day. The debris shall be properly disposed of in accordance with applicable federal, state and local regulations.

36. All construction material shall be stored outside the resource area and its buffer zone or as far back from the resource areas as possible.

Post-construction/in perpetuity:

40. By voluntary agreement with the applicant, only organic fertilizers are to be used on the property landward of the resource areas. Fertilizers should not contain pesticides or herbicides; should contain slow release nitrogen and should not contain more than 3% phosphorous. To mitigate chemical runoff, do not fertilize directly before a rainstorm and do not over fertilize. Apply fertilizer in late April and in September (refer to: A Homeowner's Guide to Environmentally Sound Lawn care published by the Massachusetts Department of Food and

Agriculture and the booklet, Don't Trash Grass, published by the Massachusetts Department of Environmental Protection). **This condition shall survive this order.**

41. Maintenance pointing and repairs of existing stone masonry walls and concrete walls including the replacement of an occasional missing stone or patching cracks and minor defects in a concrete wall are allowed as a surviving condition to this Order of Conditions. **The property owner shall inform the Conservation Commission in writing at least seven days prior to any proposed repointing or repair work on existing walls.** All dislodged and removed mortar/cement will be immediately contained and removed from the work site to prevent any such material from entering the resource waters. Any future razing, rebuilding or enlarging of the subject wall(s) will require the filing of a new Notice of Intent. **This condition shall survive this order.**

42. The repair/replacement of small sections of damaged caps on seawalls is allowed as a surviving condition. All dislodged and removed caps will be immediately contained and removed from the work site to prevent any such material from entering the resource waters. Prior to any work, the scope of the proposed repair/replacement must be approved by the Conservation Commission. If the cap on a major length or on an entire wall needs to be repaired/replaced, this requires an NOI. **This condition shall survive this order.**

43. The back-filling of small areas of erosion landward of a seawall is allowed as a surviving condition provided the erosion is not on a coastal bank. This back-filling applies to areas defined primarily as Land Subject to Coastal Storm Flowage. Any work on a coastal bank requires an NOI. The back-fill material must be clean and compatible with the eroded material. Prior to any back-filling, the scope of the proposed back-filling must be approved by the Conservation Commission. **This condition shall survive this order.**

53. The control drawing/s for this project were prepared by a licensed Professional Engineer. The construction of this project shall be regularly inspected by said licensed professional to insure that the project complies with the control drawing/s. Upon completion of the work authorized by this OOC, said licensed professional shall submit a written statement to the Conservation Commission certifying that the completed work is in substantial compliance with the control drawing and setting forth any deviations that may exist between the completed work and the plan approved by the Conservation Commission.

54. Upon completion of the work allowed under this Order of Conditions the applicant shall apply for a Certificate of Compliance (COC) (a) within 30 days after completion of the work or (b) thirty (30) days prior to the expiration date of the original or extended OOC, whichever time comes sooner. If no work was started under the OOC or if some of the work will not be performed, the applicant must still apply for a Certificate of Compliance at least 30 days prior to the expiration of the OOC. The Conservation Commission may require the submission of an "as built" drawing (signed and stamped by a licensed Professional Engineer or licensed Professional Land Surveyor) with the application for the COC. Failure to submit an application for a COC shall result in a fine issued against the applicant in accordance with Marblehead Bylaws Chapter 194, Section 11E. **See Attachment "C" for "Schedule of Fines".**

Note: At this time, "Requests for changes in project scope" for **7 and 9 Sargent Road (NOI's 40-1135 and 40-1136)** were reviewed with P. Ogren. Reference letters from Hayes Engineering

dated 18 September 2013 and 10 October 2013. With reference to the 18 September letter, the commission issued a new special condition for rip-rap (see above) to address and to allow for the concern raised in this letter. The commission noted that an amendment will have to be filed before the work can proceed. Re the 10 October letter, the applicant will obtain permission from all necessary parties to cross their beaches and confirm said permission to the commission in writing before any work is started.

40-1149 39 CLIFTON HEIGHTS LANE FINN

Resource Area: Coastal Bank

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

Control Drawing: Site Plan, Embankment Reconstruction, 39 Clifton Heights Lane, Finn, dated 12 September 2013, prepared by Paatrowicz Land Development Engineering and Gabion Wall Plan and Foundation Detail, dated 9/12/2013, latest revision 10/10/2013 prepared by Martel Engineering

Appeared: S. Patrowicz of Patrowicz Land Development Engineering, P. Rosen of GEO/Plan Associates, M. Finn and M. Martel of Martel Engineering

Reference: Memo from Haug, dated 6 December 2012, letters from Rosen dated 25 August 2013 (same as letter dated 12 February 2013) and dated 3 October 2013.

A critical factor for this site is whether the bank supplies nourishment/sediment for beaches. Referring to the Haug memo, the commission initially suspected the bank could be a source of beach nourishment. However, the Rosen letter of 25 August eventually concludes that "... the site does not supply sediment to coastal beaches." In addition, in this same letter, Rosen introduces the concept of "gap walls" and explains what these are. He states these have been allowed by DEP. Prior to this hearing, the commission had requested from Rosen specific examples or permits documenting the DEP position on gap walls. In the letter of 3 October from Rosen, he cites four permits allowed by the DEP. Based on the arguments of Rosen, the commission accepted his conclusion that this bank is not a source of beach nourishment and that hard armoring via gap walls is acceptable. All members voted to close this hearing. All members voted to issue an OOC with the following special conditions.

Pre-construction:

28. Any land disturbance of an area less than 40,000 square feet requires that Section II.C of the regulations pertaining to the Stormwater Management and Erosion Control Bylaw, Chapter 195 of the Marblehead Code must be followed and implemented.

29. All special conditions are to be included in the construction contracts between the applicant and his/her contractor.

30. 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. The erosion control must be in place, erected per the drawing, before any work is started on the site.

31. Prior to commencement of construction activities, the Applicant shall obtain all federal, state and local permits (in addition to this OOC) that may be required for the proposed project.

During construction:

32. This project shall not cause an increase in run-off onto adjacent properties or streets, either during construction or after completion. Appropriate measures shall be taken to prevent the movement of silt or debris onto adjacent properties, streets and Resource Areas.

33. 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.).

35. All demolition debris shall be removed from the site as soon as possible and not stored within a resource area or a buffer zone. If a dumpster is used to contain debris, the dumpster shall be covered after each work day. The debris shall be properly disposed of in accordance with applicable federal, state and local regulations.

36. All construction material shall be stored outside the resource area and its buffer zone or as far back from the resource areas as possible.

Post-construction/in perpetuity:

40. By voluntary agreement with the applicant, only organic fertilizers are to be used on the property landward of the resource areas. Fertilizers should not contain pesticides or herbicides; should contain slow release nitrogen and should not contain more than 3% phosphorous. To mitigate chemical runoff, do not fertilize directly before a rainstorm and do not over fertilize. Apply fertilizer in late April and in September (refer to: A Homeowner's Guide to Environmentally Sound Lawn care published by the Massachusetts Department of Food and Agriculture and the booklet, Don't Trash Grass, published by the Massachusetts Department of Environmental Protection). **This condition shall survive this order.**

49. Invasive plants shall not be used nor maintained in the landscape of the project site. This applies to the existing landscape as well as to any proposed landscape. A list of invasive plants in Massachusetts can be found in the latest update of The Evaluation of Non-Native Plant Species for Invasiveness in Massachusetts (with annotated list) produced by the Massachusetts Invasive Plant Advisory Group. For most recent update, visit www.mnla.com or www.newfs.org. **This condition shall survive this order.**

53. The control drawing/s for this project were prepared by a licensed Professional Engineer. The construction of this project shall be regularly inspected by said licensed professional to insure that the project complies with the control drawing/s. Upon completion of the work

authorized by this OOC, said licensed professional shall submit a written statement to the Conservation Commission certifying that the completed work is in substantial compliance with the control drawing and setting forth any deviations that may exist between the completed work and the plan approved by the Conservation Commission.

54. Upon completion of the work allowed under this Order of Conditions the applicant shall apply for a Certificate of Compliance (COC) (a) within 30 days after completion of the work or (b) thirty (30) days prior to the expiration date of the original or extended OOC, whichever time comes sooner. If no work was started under the OOC or if some of the work will not be performed, the applicant must still apply for a Certificate of Compliance at least 30 days prior to the expiration of the OOC. The Conservation Commission may require the submission of an "as built" drawing (signed and stamped by a licensed Professional Engineer or licensed Professional Land Surveyor) with the application for the COC. Failure to submit an application for a COC shall result in a fine issued against the applicant in accordance with Marblehead Bylaws Chapter 194, Section 11E. **See Attachment "C" for "Schedule of Fines"**.

RDA 308B WEST SHORE DRIVE KEHN/GRADER

Resource Area: Isolated Vegetated Wetland

Interests of the WPA and Bylaw: Flood Control, Protection of Wildlife Habitat and Prevention of Pollution

Control Drawing: Topographic Plan, 308B West Shore Drive, dated 16 September 2013, prepared by Kane Land Surveyors

Appeared: M. Kehn

Reference: Letter from C. Young of Wetlands Preservation Inc. dated 11 September 2013. Young documents that the wetland in this application is an isolated wetland, not bordering. As such, the application does not need approval from the DEP, but only from the local conservation commission. The commission required that the erosion control hay bales be re-aligned to better encompass the work area. After review, all members voted to close this hearing. Four members voted to issue a negative determination (one member voted no) with the single special condition that a revised site plan be submitted to the commission showing a re-aligned erosion control barrier.

RDA DEVEREUX BEACH (Parking lot/Float Storage Area)

Resource Area: Land Subject to Coastal Storm Flowage

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

Control Drawing: Town of Marblehead, GIS Map Print showing arial view of subject site dated 10/10/2013

Appeared: B. Egan of the Marblehead Recreation & Park Department

It was accepted that the "islands" constructed of railroad ties and occasional shrubs do not impede or slow down the flow of storm water into the marsh during overtopping of the beach dune. In addition, it was recognized such water flow is a normal dynamic of coastal areas. All members voted to close this hearing. All members voted to issue a negative determination without any special conditions.

40-1152 20 NONANTUM ROAD TROTTI/NEWMAN

Resource Area: Coastal Bank, Coastal Beach and Land Subject to Coastal Storm Flowage

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

Control Drawing: Site Plan, 20 Nonantum Road, dated 21 September 2013, prepared by Patrowicz Land Development Engineering and detail drawings by Trotti Associates, Inc. dated 10 September 2013

Appeared: S. Patrowicz of Ptrowicz Land Development Engineering and Mr. Trotti

The commission reminded the applicant that the re-constructed stairs must be able to withstand a hundred year storm. After review, all members voted to close this hearing. All members voted to issue an OOC with the following special conditions.

Pre-construction:

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29. All special conditions are to be included in the construction contracts between the applicant and his/her contractor.

30. 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. The erosion control must be in place, erected per the drawing, before any work is started on the site.

31. Prior to commencement of construction activities, the Applicant shall obtain all federal, state and local permits (in addition to this OOC) that may be required for the proposed project.

During construction:

32. This project shall not cause an increase in run-off onto adjacent properties or streets, either during construction or after completion. Appropriate measures shall be taken to prevent the movement of silt or debris onto adjacent properties, streets and Resource Areas.

33. 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.).

35. All demolition debris shall be removed from the site as soon as possible and not stored within a resource area or a buffer zone. If a dumpster is used to contain debris, the dumpster shall be covered after each work day. The debris shall be properly disposed of in accordance with applicable federal, state and local regulations.

36. All construction material shall be stored outside the resource area and its buffer zone or as far back from the resource areas as possible.

37. The construction of the pier/dock and any structure over the water permanently secured to the earth shall withstand a 100-year storm without damage to the integrity of the structure. All piers/docks shall conform to the requirements of Chapter 91.

38. Any pressure-treated wood proposed to be used in the construction of a structure for land-based use shall be arsenic-free. Any pressure-treated wood proposed to be used in the construction of a structure for salt water contact shall be treated with Chromated Copper Arsenate (CCA) or other preservative approved by the EPA and/or the MADEP which is less polluting and harmful to the salt water and its environment.

Post-construction/in perpetuity:

40. By voluntary agreement with the applicant, only organic fertilizers are to be used on the property landward of the resource areas. Fertilizers should not contain pesticides or herbicides; should contain slow release nitrogen and should not contain more than 3% phosphorous. To mitigate chemical runoff, do not fertilize directly before a rainstorm and do not over fertilize. Apply fertilizer in late April and in September (refer to: A Homeowner's Guide to Environmentally Sound Lawn care published by the Massachusetts Department of Food and Agriculture and the booklet, Don't Trash Grass, published by the Massachusetts Department of Environmental Protection). **This condition shall survive this order.**

41. Maintenance pointing and repairs of existing stone masonry walls and concrete walls including the replacement of an occasional missing stone or patching cracks and minor defects in a concrete wall are allowed as a surviving condition to this Order of Conditions. **The property owner shall inform the Conservation Commission in writing at least seven days prior to any proposed repointing or repair work on existing walls.** All dislodged and removed mortar/cement will be immediately contained and removed from the work site to prevent any such material from entering the resource waters. Any future razing, rebuilding or enlarging of the subject wall(s) will require the filing of a new Notice of Intent. **This condition shall survive this order.**

42. The repair/replacement of small sections of damaged caps on seawalls is allowed as a surviving condition. All dislodged and removed caps will be immediately contained and removed from the work site to prevent any such material from entering the resource waters. Prior to any work, the scope of the proposed repair/replacement must be approved by the Conservation Commission. If the cap on a major length or on an entire wall needs to be repaired/replaced, this requires an NOI. **This condition shall survive this order.**

53. The control drawing/s for this project were prepared by a licensed Professional Engineer. The construction of this project shall be regularly inspected by said licensed professional to insure that the project complies with the control drawing/s. Upon completion of the work authorized by this OOC, said licensed professional shall submit a written statement to the Conservation Commission certifying that the completed work is in substantial compliance with the control drawing and setting forth any deviations that may exist between the completed work and the plan approved by the Conservation Commission.

54. Upon completion of the work allowed under this Order of Conditions the applicant shall apply for a Certificate of Compliance (COC) (a) within 30 days after completion of the work or (b) thirty (30) days prior to the expiration date of the original or extended OOC, whichever time comes sooner. If no work was started under the OOC or if some of the work will not be performed, the applicant must still apply for a Certificate of Compliance at least 30 days prior to the expiration of the OOC. The Conservation Commission may require the submission of an "as built" drawing (signed and stamped by a licensed Professional Engineer or licensed Professional Land Surveyor) with the application for the COC. Failure to submit an application for a COC shall result in a fine issued against the applicant in accordance with Marblehead Bylaws Chapter 194, Section 11E. **See Attachment "C" for "Schedule of Fines"**.

40-1151 10 MOORING ROAD PANDAPAS

Resource Area: Coastal Bank, Coastal Beach and Land Subject to Coastal Storm Flowage

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

Control Drawing: Site Plan, 10 Mooring Road, Pandapas dated 18 September 2013, prepared by Patrowicz Land Development Engineering

Appeared: S. Patrowicz of Ptrowicz Land Development Engineering, P. Lynch, atty., and M/M Pandapas

The following changes to the site plan were discussed: reduce the driveway width from 15 feet to 10 feet; increase the width of the swale parallel to the driveway by 5 feet with this extra 5 feet closer to the side of the driveway away from the neighbor's property - the edge of the swale closest to the neighbor's property does not change; the "turn around" at the entrance to 10 Mooring Road will be crushed stone, not hard paved); two catch basins will be installed mid-way down the driveway and will be connected to an underground drain pipe leading into a rain garden; install a trench drain starting at the courtyard and running to a dry well which then drains to a rain garden; change the "hammer head" to crushed stone instead of a hard surface.

L. and N. Greene of 7 Mooring Road presented various reservations about the project. These reservations are documented in writing. In addition, a letter from M/M Halsted of 33 Bradlee Road raised various concerns.

W. Fallon of the Fluen Point Association raised concern about drainage across Mooring Road. A Mr. Pelenur stated his house overlooks Mooring Road and he has never seen any surface runoff

coming off 10 Mooring Road across Mooring Road. A Mr. Sherman likes the "turn around" at the entrance to 10 Mooring Road.

In order to allow the applicant to address the aforementioned concerns, all members voted to continue this hearing to 14 November 2013.

40-1150 76 BEACON STREET

Resource Area: Stream Bank, BVW

Interests of the WPA and Bylaw: Flood Control, Protection of Wildlife Habitat and Prevention of Pollution

Control Drawing: Site Plan, 76 Beacon Street, Canner, dated 18 September 2013, prepared by North Shore Survey Corporation

Reference: Letter from M/M Leeson dated 25 September 2013

Appeared: S. Patrowcz of Pthrowicz Land Development Engineering, W. Manuell of Wetlands and Land Management, Inc.

There will be no expansion of the house footprint and only very minor, temporary, non-destructive impact on the stream bank. All members voted to close this hearing. All members voted to issue an OOC with the following special conditions.

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36. All construction material shall be stored outside the resource area and its buffer zone or as far back from the resource areas as possible.

Post-construction/in perpetuity:

41. Maintenance pointing and repairs of existing stone masonry walls and concrete walls including the replacement of an occasional missing stone or patching cracks and minor defects in a concrete wall are allowed as a surviving condition to this Order of Conditions. **The property owner shall inform the Conservation Commission in writing at least seven days prior to any proposed repointing or repair work on existing walls.** All dislodged and removed mortar/cement will be immediately contained and removed from the work site to prevent any such material from entering the resource waters. Any future razing, rebuilding or enlarging of the subject wall(s) will require the filing of a new Notice of Intent. **This condition shall survive this order.**

42. The repair/replacement of small sections of damaged caps on walls is allowed as a surviving condition. All dislodged and removed caps will be immediately contained and removed from the work site to prevent any such material from entering the resource waters. Prior to any work, the scope of the proposed repair/replacement must be approved by the Conservation Commission. If the cap on a major length or on an entire wall needs to be repaired/replaced, this requires an NOI. **This condition shall survive this order.**

53. The control drawing/s for this project were prepared by a licensed Professional Engineer. The construction of this project shall be regularly inspected by said licensed professional to insure that the project complies with the control drawing/s. Upon completion of the work authorized by this OOC, said licensed professional shall submit a written statement to the Conservation Commission certifying that the completed work is in substantial compliance with the control drawing and setting forth any deviations that may exist between the completed work and the plan approved by the Conservation Commission.

54. Upon completion of the work allowed under this Order of Conditions the applicant shall apply for a Certificate of Compliance (COC) (a) within 30 days after completion of the work or (b) thirty (30) days prior to the expiration date of the original or extended OOC, whichever time comes sooner. If no work was started under the OOC or if some of the work will not be performed, the applicant must still apply for a Certificate of Compliance at least 30 days prior to the expiration of the OOC. The Conservation Commission may require the submission of an "as built" drawing (signed and stamped by a licensed Professional Engineer or licensed Professional Land Surveyor) with the application for the COC. Failure to submit an application for a COC

shall result in a fine issued against the applicant in accordance with Marblehead Bylaws Chapter 194, Section 11E. **See Attachment “C” for “Schedule of Fines”.**

RDA REDD'S POND

Resource Area: Pond (Land Under a Water Body)

Interests of the WPA and Bylaw: Flood Control

Control Drawing: Locus Map, Town of Marblehead and Redd's Pond Inlet Chamber by Haley & Ward, Inc., dated September 2013

Appeared: S. Patrowicz of Ptrowicz Land Development Engineering, P. Lynch, atty., and M/M

McHugh explained that this effort is to eliminate the possible source of the pond runoff onto neighboring properties. After review, all members voted to close this hearing. All members voted to issue a negative determination with no conditions.

Old Business:

Henry's Way: See this subject in the minutes of 12 September 2013. The fine was paid by Byors and a fence separating the school land from the Byors' property has been erected. No further action is required by the ConCom.

212 Humphrey Street (40-1064): Reference: W. Lanphear memo dated 16 September 2013 re 212 Humphrey Street. S. Patrowicz of Patrowicz Land Development Engineering submitted Site Plan, Temporary Mitigation for Runoff Water Quality Control, 212 Humphrey Street, dated 27 September 2013. This plan identifies all current BMP's and describes how they will be altered to temporarily fulfill the requirements of storm water control. The reporting form is as follows.

212 Humphrey Street (File 40-1064)

Report on Temporary BMP's

(due the first week of each month until permanent BMP's are installed)

Inspection Date Inspected by curb/swale drain manhole catch basin

- a. currently performing to prevent contamination from entering resource waters
- b. replaced 1. haybales 2. Sorbent Bats 3. Sorbent Cylinder
- c. cleaned catch basin

446 and 450 Atlantic Avenue (40-1146 and 40-1147): S. Patrowicz of Patrowicz Land Development Engineering submitted the drawing, Revetment Repair Project at 446/450 Atlantic Avenue, dated August 2013. This drawing details the revetment repair detail.

Enforcement Order: The commission voted to ratify the E.O. issued against Katz of 29 Neptune Road. Mr. Katz will appear at the November meeting.

Request for changes in project scope:

9 Sargent Road and 7 Sargent Road (40-1135 and 40-1136): See the note after NOI 1148 (bottom of page 3) in these minutes.

425 Ocean Avenue (40-1124): See Site Plan, Seawall Repair for 425 Ocean Avenue, dated 22 April 2013, latest revision 27 September 2013. All members voted to regard this change as a minor design changes, not requiring an amendment

Request for COC:

26 Foster Street (40-1131): All members voted to approve the COC for this property.

Sign Documents: All documents per the agenda were signed.

The meeting adjourned at 10:10 PM.