

Marblehead Conservation Commission
Minutes October 13, 2016

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 Fred Sullivan, Chairman Brian LeClair, Michael Smith, David VanHoven, David Depew and Jesse Alderman. Also present was Charlie Quigley, 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.

Prior to Meeting

Approve Minutes: A motion was made and seconded "to approve the minutes of 8 September 2016." All members voted in the affirmative.

Discussion item: National grid work Mantaug Trail area. Charlie issued a minor activity permit.

HEARINGS:

NOI 40-1251 Riverhead and Devereux Beach (Map 93 & 94 lots 1 1a 2 and 4)
(DEP: under review)

Applicant: Town of Marblehead – Recreation and Park Commission

Appeared: Tim Short Rec and Park Director, Jason Gillilane Marblehead Fire Dept Chief

Proposed: Various activities at Riverside and Devereux Beach

Brian started by explaining the existing order of conditions and emphasized the need to come discuss with the commission prior to proceeding with any work.

Brian asked how long the seaweed will be temporarily stored. Tim responded it would be one week max.

Brian asked what the plans are to address the damage to the dunes from people walking back and forth. Tim explained that a boardwalk is going to be installed.

Brian asked about the status of the sea grass plugs that were supposed to be installed last summer. Tim said they have not been installed yet.

Brian stated he would not like to see the bonfire on or near the sea grass. Jason explained that it will be difficult to avoid. This is where the fire was located last year and the options are limited.

Fred stated there is a pile of dirty sand where the causeway meets land that should be removed, Tim said he will address it.

Fred mentioned a 6'x8' dilapidated float that needs to be disposed of, Tim said he can get it removed.

Fred also expressed concern regarding the proposed location of the bonfire. Jason explained that the fire can be relocated across the street but that would require the Electrical Dept to move a wire from a utility pole. Jason to look into the feasibility of this location and report back to the commission.

All members voted to close the hearing. All members voted to change the following conditions:

- Proposed work activity 1. Annual Christmas Tree Bonfire – to be located in the Devereux Beach parking lot
- Proposed work activity 11. Routine maintenance and repairs to existing buildings and structures at Devereux Beach and Riverhead Beach – Delete, this is already in the existing Order of Conditions.
- Proposed work activity 15. Temporary storage of seaweed and debris cleaned from beaches – Storage can be no longer than one week
- Add – Walkways to be installed to protect sand and sea grass
- 40-1095, Special Existing Order of Conditions to remain
- Add – Area damaged last year needs sea grass plugs planted before summer beach season

OLD AND NEW BUSINESS:

Enforcement Order:

57 Naugus Ave – unauthorized removal of vegetation

- The Commission voted to send a letter to the owner explaining that a NOI must be in for the November meeting or else fines will be issued.

Review of By Laws: On page 14 of 19 “provided they are outside the fifty foot no build zone” will be added to the end of Activity 2 under 5.5.4 Minor Activities in Buffer Zone and/or within Land Subject to Coastal Storm Flowage.

Requests for a Certificate of Compliance: All were approved by the Commission.

- 40-1060 – 34 Crestwood Road - Blaney
- 40-1036 – 3 Anchorage Lane - Livingston
- 40-979 – 12 Goldthwaite – Burke
- 40-1204 – 2 Foster St - Lavoie

Sign Documents: All documents per the agenda were signed including bills payable.

The meeting adjourned at 8:07 PM.