

**CONSERVATION COMMISSION
MINUTES OF MARCH 9, 2006**

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

Meeting was called to order at 7:00 PM

Present were: Commission Members Betsy Rickards, Walt Haug, Mark Klopfer, Miller Shropshire (arrived 7:30 PM), Margo Carey and Fred Sullivan (representing a quorum). Also present was: Doug Saal, Conservation Administrator.

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

Approve Minutes: The minutes of 02/23/06 were approved without change by the five present members.

40-868 13 GOODWINS'S COURT OUELLETTE

Resource Area: Coastal Bank

Interest of WPA and Bylaw: Storm damage prevention.

Appeared: Mr. Bill Kelley of Kelley Marine Resources

Control Drawing: Topographic Plan, # 13 Goodwin's Court, prepared for James Ouellette by Hancock Associates, dated 12/05/05, revised 12/14/05.

This was a continuance from 1/12/06 and 2/23/06. A letter dated March 2, 2006 from Paul Lynch requested a continuation of this hearing to March 23, 2006. Mr. Kelley submitted a letter report dated March 7, 2006 from Vine Associates, Inc. This letter attempted to address concerns raised previously by the commission. Since neighbors and abutters had been notified prior to this evening that a continuance had been requested and, therefore, none were present, the commission decided to only review the Vine letter with the intent of raising questions and/or requests to be answered/supplied at the next hearing.

The following questions/requests were raised.

1. Submit a compilation of all the data referred to in the March 7 letter from Vine. Include pictures and any other information used to evaluate the site.
2. Explain the rationale for concluding that the integrity of the new wall is sufficient to meet its intended function.
3. Explain how it was determined that wave reflection/impact/run up will not have any adverse impacts on up shore/down shore properties.

4. Was the previous wall sufficient to protect the property? How was this concluded?
5. Supply drawings showing the existing wall construction and elevations (pre and post construction)

It was the consensus of the commission that a representative of Vine should have consulted with the commission as a body before writing the report. It was felt that such a consultation would have insured that Vine had a more complete understanding of the issues and concerns of the entire commission. It was requested that Mr. Williams, author of the report of March 7, attend the March 23 hearing. Mr. Saal will relay the above delineated questions/requests to him. At the March 23 hearing the focus of the discussions will be to insure the commission receives all the information it deems necessary from the applicant and his consultant(s). Members of the audience will be appraised of this focus. As/if required a further hearing will be conducted subsequent to the March 23 hearing.

Mr. Mahan of 15 Goodwin's Court said he was discouraged by contractors from building a pier off his property due to severe wave action during storms. He said his stairs on the ocean side have washed away three times during the last ten years.

All members voted to continue this hearing to March 23.

Old/New Business:

Minutes: see above

Request for COC: All voted to issue the COC for 40-299. Saal had viewed the property and the OOC conditions had been met.

Sign Documents: All documents per the agenda were signed.

Other Matters: Shropshire informed the commission that, on behalf of the commission, she had written and hand delivered a letter of congratulations to the Marblehead Conservancy thanking them for their help and assistance. The commission thanked her for this effort.

MACC: Saal will check to make sure Mark Klopfer is listed as a member of the commission with MACC. Klopfer will attempt to obtain clarification regarding the liability of individual members of the commission (he mentioned he had been informed this issue had been discussed at the latest conference of MACC).

Meeting was adjourned at 8:45 PM.