

Marblehead Conservation Commission
Minutes June 13, 2019

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

Meeting was called to order at 7:05 PM

Present were: Commission Members Brian LeClair, David Depew, David VanHoven, Michael Smith and Lindsey Serafin. Also present was Conservation Administrator and Town Engineer, Charles Quigley. Bill Colehower arrived at 7:19pm after approving the order of condition extension requests, prior to opening the first NOI Public Hearing.

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.

Approval of Minutes:

A motion to approve minutes of the Hearing held on May 9, 2019 was made, seconded and minutes were approved.

Requests for Certificate of Compliance:

40-1197	10 Harbor View – D Christian et ux – House Additions
40-1249	18 Harbor View – D Christian et ux – invasive species management
40-1256	18 Harbor View – D Christian et ux – concrete landing
40-1266	10 Harbor View – D Christian et ux – invasive species management
40-1355	285 Ocean Ave – Ken Bowden – steps repair
40-1345	285 Ocean Ave – Ken Bowden – seawall repair
40-1340	289 Ocean Ave – Sharon Rich – seawall repair
40-1328	8 Davis Rd – Henry Brauer – seawall repair [superseded by file 40-1362]
40-1362	8 Davis Rd – Henry Brauer – seawall repair
40-766	50 Naugus Ave – Denis Boucher et ux – tree work, invasive species management

All were approved by unanimous vote of the commission.

40-716, 40-853 and 40-1076 to be discussed later in the meeting

DISCUSSIONS:

- Susan Arcuni – Gallison Avenue – coastal dune/invasive species
Did not appear at the meeting

Minor Modification Request[s]:

40-1192 22 Foster Street – Meryl Sevinor – tree removal for house sitework.

Removed from agenda

40-1129 Naugus Head Association Inc. – boat/ kayak rack installation.

Applicant would like to get the dingy's and kayaks off the ground with a new rack. A condition will be added to the existing conditions for the use of pressure treated wood. The Commission voted to approve the request.

40-1314 Glover Landing – rebuild stairs.

The Commission voted to approve the request.

30-1367 37 Bradlee Road – Jack Tatelman et al – pier modification

The Commission voted to approve the request.

Order of Conditions Extension Request[s]:

40-1120 21 Goodwins Ct – Stephen Gallagher et ux – pier, gangway and float work

40-1137 21 Goodwins Ct – Stephen Gallagher et ux – home renovations, masonry etc.

All were approved by unanimous vote of the commission.

*Commission Member Bill Colehower arrived at 7:19pm after approving the Order of Conditions Extension Requests. Bill is present for the following hearings.

CONTINUED PUBLIC HEARINGS:

NOI 40-1392 46 Gallison Avenue – Fabrice Durand et ux – Hancock Associates

[DEP: No comments] garage, grading, realignment of driveway

- Pavers were added to the driveway
- Commission asked to add a small depression on the ocean side of the driveway and add pre & post calculations for pervious and impervious materials.

All members voted to close the hearing. The Commission voted to approve the request and issue an OOC with the following special conditions. 33, 34, 35, 36, 40 (See the attached list of Special Conditions)

PUBLIC HEARINGS:

NOI 40-1395 313 Ocean Avenue – Kazim Bayus – [Hayes Engineering]

[DEP: No comments] Part of proposed project is new wall seaward of existing and actually higher- not a repair. Submit alternatives analysis – Contact CH 91 for license requirement] proposed property improvements

- Peter Ogren of Hayes Engineering and Bob Zarelli present for the hearing
- Brian explained that the commissions standard is to maintain the same wall with the same height.
- Peter said they are planning to take the cobble stone wall off and put a deflector cap on. The elevation increase varies based on location but the cap is essentially leveling out the sloped existing grade

- Commission does not want the wall to be any higher than the neighbor to the north.
- Commission requested a revised drawing which shall include addressing the DEP comments.
- Hearing is continued to next meeting

NOI 40-1396 55 Naugus Avenue – Mary and Denis Boucher – [Hayes Engineering]
[DEP: No comments] proposed beach access stairs

- Peter Ogren of Hayes Engineering and Mary Boucher present
- Brian asked that they place tarps on either side of the steps during construction.
- Mike Sercone of 70 Naugus asked what the new steps will look like and explained that the current last step is high. Peter said they may try to set some boulders at the base of the steps

All members voted to close the hearing. The Commission voted to approve the request and issue an OOC with the following special conditions. 33, 35, 36, 40, 50, 55, 105 (See the attached list of Special Conditions)

NOI 40-1398 61 Naugus Avenue – Alan November – [Patrowics Land Development Engineering]

[DEP: No comments] construction of deck additions, site work, landscaping and tree removal

- Scott Patrowics and Alan November present
- Scott explained that 2 trees are being removed, 1 is diseased (20” cal), the other (36” cal) is an insurance risk as it is hanging over the house
- Commission requested a revised plan with calculations for impervious materials as well as a tree replacement plan.

All members voted to close the hearing. The Commission voted to approve the request and issue an OOC with the following special conditions. 33, 34, 35, 36 40, 50, 55 (See the attached list of Special Conditions)

NOI 40-1397 24 Adams Road – Linda A. Buckley – [Patrowics Land Development Engineering]

[DEP: No comments] invasive species management program, landscaping and fencing

- Scott Patrowics and Linda Buckley present
- Brian asked where the debris will be disposed of. Scott Patrowics was unsure but explained that it will be disposed of off-site.
- Brian asked what time of year will the removal be done. Scott Patrowics was unsure but explained that it will be done at the appropriate time of year.

All members voted to close the hearing. The Commission voted to approve the request and issue an OOC with the following special conditions. 33, 35, 36, 40, 50, 55 (See the attached list of Special Conditions)

The Commission voted to add the following special conditions.

- Use of any herbicide must be performed by a licensed firm in accordance with DEP regulations and the removed plants to be properly disposed of.

NOI 40-1399 33 Bradlee Road – Blue Thalassa, LLC – [Patrowics Land Development Engineering]

[DEP: No comments] site work and landscaping

- Scott Patrowics present
- The project entails the removal of 800 cu yd of soil and replacement

All members voted to close the hearing. The Commission voted to approve the request and issue an OOC with the following special conditions. 34, 35, 36, 40, 50, 55 (See the attached list of Special Conditions)

NOI 40-1400 10 Corn Point Road – J. Hilary and Paige Rockett – [Susan St Pierre Consulting Services]

[DEP: No comments] proposed pier construction

- Susan St. Pierre present
- DEP issued a superseding order of conditions

All members voted to close the hearing. Commissioner Dave VanHoven voted against the request, the remaining Commissioners voted to approve the request and issue an OOC with the following special conditions. 33, 34, 35, 36, 37, 38, 39, 40, 46, 47, 48, 50, 51, 54, 55, 112 (See the attached list of Special Conditions)

Separate Discussion Requests for Certificate of Compliance:

40-716 191 Green St – Gregory Ozoonian et ux – 2 single family houses, sitework

40-853 191A & B Green St – single family house, sitework

40-1076 191A Green St – single family house, sitework

- Bob Griffin of Griffin Engineering, Pat Lausier, Buck Grader and Tim Derosa (owner of 191B) present
- To allow the current owner of 191B to sell their property the Commission restricted the CoC to 191B. 40-716 & 40-853 will need to be amended and recorded.
- 40-1076 is not approved.

Meeting was adjourned at 9:50 PM.