

**Marblehead Conservation Commission
Minutes January 9, 2014**

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 Don Tritschler, Brian Leclair, David VanHoven, Fred Sullivan and Ken Fisher. 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 six 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

- **New Chairman** – With Walter Haug having submitted his resignation from the Commission as of 31 December 2013, the Commission has been operating without an official chairman. D. Tritschler nominated Brian LeClair for this position. K. Fisher seconded the nomination. No additional nominations were made. A vote was taken and Brian LeClair was unanimously elected chairman of the commission.
- **Formation of a sub-committee to review Marblehead Wetlands Regulations regarding Minor Activities** – it was discussed that it would benefit both future applicants and the commission if a clear and potentially expanded definition of 'minor activities' be developed. To do so, it was agreed by the commission (not voted on) that a sub-committee be formed to research this further and submit recommendations to the full commission to act on. It was also agreed that this subcommittee could benefit by the input of persons outside the commission inclusive of a lawyer, a builder and a wetlands specialist. D. Tritschler, Fred Sullivan and Brian LeClair volunteered to serve as the core of this sub-committee along with Willy Lanphear. W. Lanphear was tasked with finding potential members from the public.

Approve Minutes: The minutes of 12 December 2013 were approved by all members with changes.

40-1156 151 GREEN STREET - MARBLEHEAD LANDFILL - TOWN OF MARBLEHEAD

Continued from 12 December 2013 (members: Haug, LeClair, Fisher, VanHoven, Tritschler)

Resource Area: BVW

Interests of the WPA and Bylaw: Prevention of Pollution, Protection of Wildlife Habitat, Protection of Ground Water Supply

Appeared: No one for the applicant

Control Drawings: See NOI prepared by Kleinfelder dated November 2013

Reference: NOI 40-1094 for the Marblehead Landfill issued 25 January 2013

Due to anticipation that a quorum of the eligible commissioners would not be present to hear this continuation, the applicant did not attend the hearing.

All members voted to continue this hearing to 13 February 2014.

40-1158 38 Ticehurst Lane - MERROW

Continued from 12 December 2013 (members: Haug, LeClair, Fisher, VanHoven, Tritschler)

Resource Area: Land under a Water Body, Inland Coastal Bank

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

Appeared: P. Lausier, atty. and M. Wolverton of Lausier & Lausier LLC

Control Drawing: Plan of Land, 38 Ticehurst Lane, dated 5 December 2013, prepared by Reid Land Surveyors

The commission from the December hearing had required more specific details of the proposed repairs and the containment system to prevent debris/material from entering the resource waters. A narrative covering this request was submitted. The commission requested drawings and details for the stair repair and rail detail be submitted prior to construction. All members voted to close this hearing. All members voted to issue an OOC with the following special conditions

Special Conditions:

XX. Drawings and details for the stair repair and rail replacement will be submitted to the commission for approval before construction begins.

20. In accordance with General Condition No. 9 contained in this Order of Conditions, the applicant shall record this original Order of Conditions and any subsequent amendments thereto at the Registry of Deeds in Salem and shall submit the recording information to the Conservation Commission on the form for said information found at the end of the Order of Conditions prior to the commencement of any work authorized by this Order of Conditions or any amendments thereto. Failure to submit said recording information prior to the commencement of work may result in a fine issued against the applicant in accordance with Marblehead Bylaws Chapter 194, Section 11E. See Attachment "C" for "Schedule of Fines".

21. Prior to any work authorized by this Order, a sign (1' x 2') shall be displayed in a conspicuous place at the site with the words "DEP File 40-1158"

22. Prior to any demolition, construction or earth moving activities on the site, the applicant shall make an appointment for a site inspection by the Conservation Administrator to review the proposed work and the conditions contained in this Order.

23. A copy of the Order of Conditions as well as the final approved plan/s shall be available for inspection on site while activities regulated by the Order are underway.

24. This Order of Conditions is issued under the Wetlands Protection Act and its Regulations (MGL Chapter 131, Section 40 and 310 CMR 10.00 et. seq.), and under the Town of Marblehead Wetlands Protection Bylaw (Marblehead Bylaws Chapter 194) and its Regulations (Wetlands Protection Bylaw Regulations for Administering Marblehead Bylaws Chapter 194, Sections 194-1 through 194-14). As such this Order constitutes a wetlands permit both under the Act and under the Bylaw.

25. The project shall be performed in accordance with the final approved plans and other documents referenced in Attachment A to this Order of Conditions, except as the project may be altered or amended by these Special Conditions. Any deviation from this Order of Conditions and the approved construction plan/s and documents requires authorization from the Conservation Commission prior to implementation. Any deviation from the approved construction plans and documents commenced prior to authorization is subject to a fine of up to \$300 per day, issued against the applicant in accordance with Marblehead Bylaws Chapter 194, Section 11E. See Attachment "C" for "Schedule of Fines".

26. The project shall be performed in accordance with the representations made by the applicant and his/her representative(s) and in accordance with the requirements of the Marblehead Conservation Commission, all as reflected in the public hearing record as documented in the minutes of the Marblehead Conservation Commission referenced in Attachment A to this Order of Conditions, except as the project may be specifically altered or amended by these Special Conditions.

27. These Special Conditions relate equally to both the Wetlands Protection Act and the Marblehead Wetlands Protection Bylaw unless herein indicated otherwise.

Pre-construction:

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.

45. When a pool/spa/hot tub is to be drained, no chlorine or other chemicals are to be added to the pool water for a period of at least four (4) days prior to draining to allow for the chlorine and other chemicals to dissipate; and there shall be an appropriate sign placed permanently at or immediately adjacent to the pool/spa/hot tub drainage valve or mechanism indicating this requirement. The method of pool drainage shall be such as to prevent any soil erosion by the draining water and to allow the draining water to seep into the ground prior to entering any resource waters. No direct discharge to resource waters is allowed. This condition shall survive this order.

50. 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.

55. 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".

40-1159 232 Ocean Avenue - Powell

Resource Area: Coastal Beach, Coastal Bank, BVW

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

Appeared: R Zarelli, Zarelli Architects; P. Ogren, Hayes Engineering; J. Emmanuel, Emmanuel Associates.

Control Drawings: Plan showing Proposed Condition 232 Ocean Avenue by Hayes Engineering dated November 25, 2013 and revised to December 12, 2013

A presentation of the proposed project including additions and porches to an existing house was made. The presentation outlined the conditions of the v-zone and the vegetated wetlands. The site was deemed already disturbed by the commission. It was presented that 863 square feet of the proposed addition are into the 100 foot buffer zone.

The commission requested a relocation of the sub surface storm structure and that the roof storm water be directed into the structure.

Andrew Savage, a neighbor at 25 Flint Street spoke in support of the project but added that he was aware of basement flooding already occurring in neighboring properties (Ward Rose) and was wondering if this project would worsen these conditions. P. Ogren indicated that an additional sub-surface storm water structure could be added to potentially help the condition but there would not be guarantees that it would eliminate the existing basement infiltration. All members voted to close this hearing. All members voted to issue an OOC with the following special conditions.

Special Conditions:

20. In accordance with General Condition No. 9 contained in this Order of Conditions, the applicant shall record this original Order of Conditions and any subsequent amendments thereto at the Registry of Deeds in Salem and shall submit the recording information to the Conservation Commission on the form for said information found at the end of the Order of Conditions prior to the commencement of any work authorized by this Order of Conditions or any amendments thereto. Failure to submit said recording information prior to the commencement of work may

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

21. Prior to any work authorized by this Order, a sign (1’x 2’) shall be displayed in a conspicuous place at the site with the words “DEP File 40-1159”

22. Prior to any demolition, construction or earth moving activities on the site, the applicant shall make an appointment for a site inspection by the Conservation Administrator to review the proposed work and the conditions contained in this Order.

23. A copy of the Order of Conditions as well as the final approved plan/s shall be available for inspection on site while activities regulated by the Order are underway.

24. This Order of Conditions is issued under the Wetlands Protection Act and its Regulations (MGL Chapter 131, Section 40 and 310 CMR 10.00 et. seq.), and under the Town of Marblehead Wetlands Protection Bylaw (Marblehead Bylaws Chapter 194) and its Regulations (Wetlands Protection Bylaw Regulations for Administering Marblehead Bylaws Chapter 194, Sections 194-1 through 194-14). As such this Order constitutes a wetlands permit both under the Act and under the Bylaw.

25. The project shall be performed in accordance with the final approved plans and other documents referenced in Attachment A to this Order of Conditions, except as the project may be altered or amended by these Special Conditions. Any deviation from this Order of Conditions and the approved construction plan/s and documents requires authorization from the Conservation Commission prior to implementation. Any deviation from the approved construction plans and documents commenced prior to authorization is subject to a fine of up to \$300 per day, issued against the applicant in accordance with Marblehead Bylaws Chapter 194, Section 11E. See Attachment “C” for “Schedule of Fines”.

26. The project shall be performed in accordance with the representations made by the applicant and his/her representative(s) and in accordance with the requirements of the Marblehead Conservation Commission, all as reflected in the public hearing record as documented in the minutes of the Marblehead Conservation Commission referenced in Attachment A to this Order of Conditions, except as the project may be specifically altered or amended by these Special Conditions.

27. These Special Conditions relate equally to both the Wetlands Protection Act and the Marblehead Wetlands Protection Bylaw unless herein indicated otherwise.

Pre-construction:

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.

50. 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.

55. 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 3 FORT BEACH WAY - NIEMEYER

Resource Area: Coastal Beach, Coastal Bank,

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

Appeared: S. Patrowicz of Patrowicz Land Development Engineering

Control Drawing: Plan of Land, for Suzanne Niemeyer, 3 Fort Beach Way, prepared by Reid Land Surveyors, dated 21 October 2013.

This RDA had been heard by the commission on December 12, 2013. The hearing was closed and a negative determination with conditions was voted on and approved (see meeting notes for the January 2014 Hearing). It was discovered that there was not the required notification of abutters prior to that hearing. It was requested of the applicant to subsequently notify abutters and that the RDA would be re-opened in the January 2014. Proof of notification was submitted to the commission. The commission voted to close this hearing and issue the same determination with conditions from the December 2013 hearing.

40-1155 6 CORN POINT ROAD - POCHARSKI

Continued from 12 December 2013 (members: Haug, LeClair, Fisher, VanHoven, Tritschler)

Resource Area: Coastal Beach, Coastal Bank,

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

Appeared: S. Patrowicz of Patrowicz Land Development Engineering, and S. Pocharski

Control Drawing: Proposed Site Plan, #6 Corn Point Road, dated 25 November 2013, prepared by Patrowicz Land Development Engineering

It was discovered that there was not the required notification of abutters prior to December 12, 2013 hearing. It was requested of the applicant to subsequently notify abutters and that the NOI would be heard in the January 2014. Proof of notification was submitted to the commission.

From the previous month's hearing, it had been requested of the applicant to provide accurate calculations of the additional impervious area proposed by the project. This was calculated by the engineer at 3,070 square feet. In addition, the commission had suggested that the applicant consider a change to the site plan such that a depression be constructed in this lawn area to collect surface runoff and proper drainage be installed seaward of the new retaining walls to

capture the runoff from the patio with the goal to reduce pollution run-off into the resource area. This plan change had been made and was submitted to the commission for review. A request for a siltration fence along the creek was requested by the commission. Work to the existing seawall will be submitted under a separate N.O.I. D. Tritschler again voiced his concern that there was work proposed in the 'no-disturb' twenty five foot buffer zone. It was noted by the chair that the work proposed was already in an area that had been previously disturbed. All members voted to close this hearing. The commission voted 4-1 in favor (with D. Tritschler voting in opposition) of issuing an OOC with the following special conditions.

Special Conditions:

XX. A silt fence will be shown on the plans and constructed to protect the creek prior to the commencement of construction.

20. In accordance with General Condition No. 9 contained in this Order of Conditions, the applicant shall record this original Order of Conditions and any subsequent amendments thereto at the Registry of Deeds in Salem and shall submit the recording information to the Conservation Commission on the form for said information found at the end of the Order of Conditions prior to the commencement of any work authorized by this Order of Conditions or any amendments thereto. Failure to submit said recording information prior to the commencement of work may result in a fine issued against the applicant in accordance with Marblehead Bylaws Chapter 194, Section 11E. See Attachment "C" for "Schedule of Fines".

21. Prior to any work authorized by this Order, a sign (1'x 2') shall be displayed in a conspicuous place at the site with the words "DEP File 40-1155"

22. Prior to any demolition, construction or earth moving activities on the site, the applicant shall make an appointment for a site inspection by the Conservation Administrator to review the proposed work and the conditions contained in this Order.

23. A copy of the Order of Conditions as well as the final approved plan/s shall be available for inspection on site while activities regulated by the Order are underway.

24. This Order of Conditions is issued under the Wetlands Protection Act and its Regulations (MGL Chapter 131, Section 40 and 310 CMR 10.00 et. seq.), and under the Town of Marblehead Wetlands Protection Bylaw (Marblehead Bylaws Chapter 194) and its Regulations (Wetlands Protection Bylaw Regulations for Administering Marblehead Bylaws Chapter 194, Sections 194-1 through 194-14). As such this Order constitutes a wetlands permit both under the Act and under the Bylaw.

25. The project shall be performed in accordance with the final approved plans and other documents referenced in Attachment A to this Order of Conditions, except as the project may be altered or amended by these Special Conditions. Any deviation from this Order of Conditions and the approved construction plan/s and documents requires authorization from the Conservation Commission prior to implementation. Any deviation from the approved construction plans and documents commenced prior to authorization is subject to a fine of up to

\$300 per day, issued against the applicant in accordance with Marblehead Bylaws Chapter 194, Section 11E. See Attachment "C" for "Schedule of Fines".

26. The project shall be performed in accordance with the representations made by the applicant and his/her representative(s) and in accordance with the requirements of the Marblehead Conservation Commission, all as reflected in the public hearing record as documented in the minutes of the Marblehead Conservation Commission referenced in Attachment A to this Order of Conditions, except as the project may be specifically altered or amended by these Special Conditions.

27. These Special Conditions relate equally to both the Wetlands Protection Act and the Marblehead Wetlands Protection Bylaw unless herein indicated otherwise.

Pre-construction:

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.).

34. To the maximum extent possible, all driveways, terraces, patios or similar ground-level surfaces shall be constructed as permeable surfaces to allow water to infiltrate through their surfaces into the ground on site.

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.

45. When a pool/spa/hot tub is to be drained, no chlorine or other chemicals are to be added to the pool water for a period of at least four (4) days prior to draining to allow for the chlorine and other chemicals to dissipate; and there shall be an appropriate sign placed permanently at or immediately adjacent to the pool/spa/hot tub drainage valve or mechanism indicating this requirement. The method of pool drainage shall be such as to prevent any soil erosion by the draining water and to allow the draining water to seep into the ground prior to entering any resource waters. No direct discharge to resource waters is allowed. This condition shall survive this order.

50. 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.

55. 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".

40-1160 10 CORN POINT ROAD - ROCKETT

Resource Area: Coastal Beach, Coastal Bank,

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

Appeared: S. Patrowicz of Patrowicz Land Development Engineering

Control Drawings: Proposed Site Plan, #10 Corn Point Road, dated 18 December 2013, prepared by Patrowicz Land Development Engineering

Plans were presented for the demolition of an existing house with the construction of a new house, in-ground pool, site pergola, patios, walkways, driveway, landscape and utility work. Because of the extent of the proposed project and the subtlety of what areas are previously disturbed, the commission proposed to schedule a site visit. This was set for Saturday morning at 9a on January 18, 2014. All members voted to continue this hearing to 13 February 2014.

Old and New Business:

Old Business:

40-1064, 212 Humphrey Street, Oliver's Pond Condominium – Construction Report & Project Status: A report dated January 06, 2014 was submitted to the commission.

Enforcement Orders

40-1123, 15 Spray Avenue, David and Thomas Groom: The enforcement order was ratified by all members of the commission. Paul Lynch represented D. and T. Groom. B. Selenko represented the family at the abutting property at 4 Bass Rock. The commission requested that the temporary work be removed and the right of way adjacent to the property be restored inclusive of the drain. The overflow of concrete left on the beach was also to be removed. The boring data at the base of the footings was also to be provided as previously requested. All work is to take place within the next two weeks of this hearing. A site visit by the commission's administrator will be conducted to verify compliance.

Request for changes in project scope:

40-1093 89 Front Street, Marblehead Boat Yard: Jeff Tucker of Walter Jacobs Architects appeared before the commission to report that the design which was based on driving piles needed reconsideration due to the shallow refusal of the test piles. In lieu of the piles driven as designed, it is now being proposed to pour a concrete collar around the piles above the mud line. The commission requested a description be submitted for the technique under which the concrete will be poured as well as plans and details with and an engineer's stamp and signature. The commission voted all in favor to accept these changes as minor design changes with these conditions

Request for COC:

40-1121 2 Gas House Lane: The commission voted all in favor to approve this COC.

Sign Documents: All documents per the agenda were signed.