

Swampscott Conservation Commission minutes
July 8, 2019

Attending: Tom Ruskin Chair, Tonia Bandrowich, Vice Chair, Jennifer Simon-Lento, Monica Tamborini, Monica Lagerquist, Colleen Hitchcock

Town staff: Marzie Galazka, Director Community and Economic Development

Please see attached sign in sheet for names and contact of individuals that attended this meeting.

Quorum present. Meeting called to order at 7:30p.m. by T. Ruskin, Chair.
T. Ruskin gave an overview of the Conservation Commission's responsibilities and jurisdiction under the Wetland Protect Act (GL Ch.131 sec 40).

7:10p.m Public Hearing for **134-140 Eastman Ave**
(Filed by Geraldo Raffaele/Williams& Sparages, LLC for construction of two (2) single-family dwellings within 100 feet of bordering vegetated wetlands. Map 17, Lots 6A 6C and portion of 6B.

Certificate of notice of mailings was provided. Public Hearing was continued to August 29 meeting. Reason for continuance: Planning Board meeting to discuss this project was held on the same night and time. This will allow direct abutters and other interested parties to attend and participate in the next Commission meeting/hearing.

Manson Street – Lot 827 –Map 10, Lot 64. (Filed by Gregory Darius/ Gregory Investment Group for a new construction of a single-family dwelling, paved driveway, grading, vegetation removal and utility connection within 100 feet of bordering vegetated wetlands. Meeting continues from June 6, 2019.
Project has DEP file number.

Greg Hochmuth, RS, P.W.S. provided an overview of the project and update on revised sewer connection. Plan has been revised to address corrections to elevations. Neighbors have concerns about flooding. G. Hochmuth questioned source of flooding as property is downhill from abutters. Water will not travel uphill unless it is pumped up. Discussion followed regarding sheet drainage, pitch of road, slope of driveway and the impact on the brook and wetlands. Developer is working with Lynn Water and Sewer to provide an easement on the property for sewer infrastructure improvements.

Residents of 3 and 16 Manson questioned abutter notification and stated that they were not property notified. Applicant provided proof of notification – including Lynn property owners within 100 feet of the property.

Bandrowicz asked the abutters for suggestions regarding flooding mitigation. Abutters are not opposed to the project. Requested that developer do their best to keep storm water within the property bounds. Discussed longstanding history of dumping on this site and clearing of shade trees. T. Ruskin stated that the Commission cannot address issues from the past and encouraged residents to call the Commission or Swampscott Police if they see something illegal or questionable.

Voted to issue Order of Conditions – 6-0 C. Hitchcock / M. Lagerquest
(Town's General Conditions (attached) and following special conditions:

1. Installation of roof drain retention system for the house on lot 827.
2. Appropriate erosion control devices shall be in place prior to the beginning of any phases of construction and shall be maintained during construction in the resource area and buffer zone. The erosion control specifications provided in the Notice of Intent will be the minimum standards for this project. Additional or modified erosion control measures may be required by the Commission at any time before, during, and after construction. These will be maintained until the engineer has determined that they are no longer needed, at which time they will be removed using appropriate removal procedures.
3. All debris, fill and excavated material shall be stockpiled far enough away from wetland resource areas to prevent sediment from entering wetland resource areas.
4. All demolition debris shall be removed and disposed of properly off site prior to the construction of the building.
5. As necessary, all existing and proposed catch basins and oil traps on the site or on the streets adjacent to the project shall be protected by adequate erosion control to prevent sediment from entering the drainage system. Such erosion control shall be maintained and regularly cleaned of sediments until all areas associated with the work permitted by this Order have been permanently stabilized.
6. Prior to the start of site work, the owner/applicant shall schedule a meeting with the contractor(s), relevant subcontractor(s), member(s) of the Commission, and any individual involved in managing site work, to review the Order and inspect the site and erosion controls.

60 Tupelo Road- Map 26, lot 119

Filed by Scott Patrowicz for the replacement of an existing pool area with new pool, decking spa and pool house in approximately the same footprint, and terracing and landscaping within a buffer zone.

Mr. Patrowicz provided an update on previous Order of Conditions, Certificate of Compliance and overall project history of this ocean front property. Project has a DEP File #. No comments to date. Abutters notified and proof of notification included in the file. Mr. and Mrs. Tom Belhumer spoke in support of the project and provided a support letter for the project file.

Discussion followed regarding rip-rap replacement, securing and stabilization.

Attorney Ken Shutzer spoke against the project. Restating history of non-compliance with landscaping plan discussed during ZBA hearings for this project. Owner's Attorney Bob McCann pointed out the fact that the majority of landscaping is located outside the Buffer Zone.

T. Bandrowicz requested that landscape architect include native plants in the design.

Voted to issue Order of Conditions – 6-0 C. Hitchcock / M. Lagerquest (town's general conditions, the specified in the conditions in the NOI, as well as following special conditions:

1. Appropriate erosion control devices shall be in place prior to the beginning of any phases of construction and shall be maintained during construction in the resource area and buffer zone. The erosion control specifications provided in the Notice of Intent a will be the minimum standards for this project.
Additional or modified erosion control measures may be required by the Commission at any time before, during, and after construction. These will be maintained until the engineer has determined that they are no longer needed, at which time they will be removed using appropriate removal procedures.
2. All debris fill and excavated material shall be stockpiled far enough away from wetland resource areas to prevent sediment from entering wetland resource areas.
3. All demolition debris shall be removed and disposed of properly off site prior to the construction of the building.
4. Prior to the start of site work, the owner/applicant shall schedule a meeting with the contractor(s), relevant subcontractor(s), member(s) of the Commission, and any individual involved in managing site work, to review the Order and inspect the site and erosion controls.

2 Smith Lane -Map 21, Lot 60. Filed by DeRosa Environmental Consulting/Dorothy Foley for raze and rebuild of an existing single-family home and reconfiguration of driveway.

Certificate of notice of mailings was provided. Ken Shutzer, Attorney for the abutter stated that his client was not notified. Mailing list and return slips were verified. Determination was made that proper notice was given.

J. Mortin P.E. provided an overview of the project.

Attorney Shutzer provided Commission with an email from Kelly Engineer and a letter from the Planning Board raising issues with the project (which Commission addressed and found not relevant to issuance of Order of Conditions for the project.

Voted to issue Order of Conditions 6-0 T. Bandrowicz/Lagerquist with no special conditions but did advise applicant that this property is within Town's Flood Plain Zoning Overlay and that Building Inspector be notified as requirements under that bylaw are addressed by him.

Rail Trail Peer Review - Voted to hire Linden, subject to it providing cost estimate that Commission finds reasonable.

Update on Ewing Woods Encroachment – Town Counsel mailed a letter to property owner of Kensington Avenue.

Motion to approve June 6, 2019 meeting. 6-0. Bandrowicz/Tamborini

10:30p.m. Motion to adjourn. 6-0. Hitchcock/Simon Lento

Next meeting August 29, 2019 7:30p.m. Location TBD.

All future meetings should include a notice regarding NO PARKING in the Police Department lot/parking spaces. Public and all attendees are to park on street.