

## **Conservation Commission Public Hearing Minutes – June 25, 2020**

**Time:** 7:30 – 8:37 PM    **Location:** Remote

**Members Present:** Tom Ruskin, Chair; Toni Bandrowicz, Vice Chair; Jonathan Grabowski; Monica Lagerquist; Monica Tamborini,

**Members Absent:** A. Randall Hughes; Laura Spathanas (Selectmen Liaison)

The public hearing of the Conservation Commission was called to order at 7:30 pm.

The public hearing was video recorded.

### **AGENDA**

**1. Request for Notice of Intent: DEP #071-0324 (22 Northstone Road)** – filed by Chris Casey for a proposed addition of a pool and patio area within the 100' buffer zone of a top of a coastal bank (22 Northstone Road, Map 31, Lot 47A).

Peter Ogren, Tobin Shulman, and Chris Casey were present for the application.

Mr. Ogren gave a presentation on progress since the last meeting. The applicant's team and the neighbors, including Mr. Rosen, met onsite to discuss concerns related to the project. They have since developed an alternative plan with a new location for the pool and additional reinforcement to the seawall.

Mr. Ogren noted a couple of issues with the seawall that needed to be address. The revetment needs to be reinforced as stones are currently loose and voids need to be filled. In order to address wave abatement, he is recommending 3 protection measures: 1) toe protection, 2) a "boulder bench" which also serves as erosion protection, and 3) a vertical wall with a deflector cap. He is also proposing a deflector cap around the existing shared stairs at 29 Northstone to protect them, as they continue to be damaged by storms. His analysis is that these measures will reduce wave velocity, protect the house and pool area, and strengthen the seawall. A fence is still proposed for the pool area and a portion of the yard; there is not a final design but it will be porous.

T. Bandrowicz asked about the final fence location. Mr. Shulman noted that it will surround the pool and encompass some of the property, running along the property line, but away from the pool the fence can be lowered to 3 feet. Mr. Ogren noted that hear the sea wall he anticipates an iron fence that is anchored.

T. Bandrowicz noted that the work now extends beyond the 22 Northstone property and asked if there needed to be a separate NOI. [Staff will look into this].

Mr. Rosen, representing the abutters, noted that the onsite meeting was very productive and he is pleased with the revised plan. Issues relating to the seawall have been addressed through new layers of protection and stabilization, and the new work around the existing stairs will make the seawall a continuous line and eliminate any failure points.

T. Ruskin noted that the rip rap along the shore tends to move each year – he asked if that will happen on the top of the wall? Mr. Rosen responded that he doesn't think so because the new toe protection should prevent it.

T. Ruskin wondered if the Commission was allowed to approve raising a seawall's height. Mr. Rosen said yes.

T. Bandrowicz asked about the coastal bank issues. Mr. Rosen replied that a coastal bank can't be impeded unless protecting a house of a certain age or a road, and there are both items here. Mr. Ogren noted the 1933 seawall construction that extends to the beach club.

The meeting was opened for public comment.

Jeff Schub, abutter at 29 Northstone condominiums, noted that his major issue was the sanctity of the seawall and the coastal bank. The new plan is very agreeable and the condo can convey a license to extend reparations across the property line and/or a verbal permit, whatever is needed to do the work.

T. Ruskin asked how many feet away from the beach the new toe protection will be. Mr. Ogren noted it will extend about 5-6" into the beach and the rest will sit on the existing embankment.

T. Bandrowicz asked about plans for installation and the machinery that will be needed. Mr. Ogren noted that there are 3 potential methods but the final will need to be determined. The Commission can make a construction plan a condition of the approval.

T. Ruskin asked about the use of a public way to get to the seawall. Mr. Ogren noted that the beach could be used (access down at Phillips), or a barge, or overhand with machinery. Mr. Shub stated that the beach has always been used when stones are reset for the condo.

T. Bandrowicz asked about the pool work and whether or not that would affect the resource area. Mr. Ogren stated no. If work was to be done from the top of the bank, erosion control measures would be put in place.

Mr. Ogren noted that plan would be to do the seawall work in the fall of 2020 and build the pool in the spring of 2021.

T. Ruskin stated that the commission needs to do a site visit to confirm the site plan and he would not be able to make a motion on this tonight. T. Bandrowicz thinks the plan as proposed makes sense, and wants a plan to construction, erosion control if necessary, and a condition for the final fence. M. Lagerquist would also like a site visit.

The Commission discussed a site visit to happen the upcoming weekend and continuing the item to the following Thursday, July 2<sup>nd</sup>.

MOTION: T. Bandrowicz to continue the NOI for 22 Northstone to Thursday, July 2<sup>nd</sup>. Seconded by M. Lagerquist and unanimously approved (M. Tamborini abstaining).

Meeting adjourned at 8:37 p.m.