

# Conservation Commission Public Meeting – SEPTEMBER 28, 2017 Minutes

TIME: 7:30PM

LOCATION: Swampscott Police Headquarters

Members Present: T. Ruskin, T. Bandrowicz, M. Lagerquist, M. Tamborini, C. Hitchcock, J. Simon-Lento

Absent: M. Andler

Others Present: Peter Kane (Director of Community Development, Town of Swampscott), Andrew Levin (Assistant Town Planner, Town of Swampscott)

T. Ruskin called the meeting to order at 7:30PM.

## REVIEW AND APPROVE PREVIOUS MEETING MINUTES

T. Bandrowicz stated that she had made some corrections and clarifications to the draft July 20<sup>th</sup>, 2017 meeting minutes. The Commission discussed these revisions.

MOTION : by M. Tamborini to approve the July 20<sup>th</sup>, 2017 meeting minutes with T. Bandrowicz revisions, seconded by T. Bandrowicz, unanimously approved.

## PHILLIP'S BEACH – NOTICE OF INTENT – MASS DEP #71-308

T. Ruskin stated that the Swampscott Board of Selectmen (the applicant) has sent a letter requesting to withdraw their Notice of Intent.

MOTION : by M. Tamborini to accept the withdrawal relating to beach fires at Phillips Beach, seconded by J. Simon-Lento, unanimously accepted.

## FISHERMAN'S BEACH ENTRANCE - REQUEST FOR AMENDED ORDERS OF CONDITIONS – MASS DEP #71-303

Peter Kane, on behalf of the Town of Swampscott (the applicant) was present.

Mr. Kane began by giving a brief history of the Notice of Intent previously filed and the Orders of Conditions previously granted. P. Kane explained that, design work had originally been done by one firm, but with help from the Coastal Zone Management Grant the Town received, Kleinfelder had engineered the original plans further to help alleviate flooding and storm surges, redesigning Fisherman's Beach. P. Kane explained the original design had pavers or stamped concrete at the entrance (Greenwood Ave Extension) as well as planters with grass. P. Kane explained that Kleinfelder and the original engineers

stated the planters would create a funneling issue and possibly lead to material turning into projectiles, and encouraged changes in the plan. P. Kane explained that the paver system being proposed would be adhered to the base to prevent them from becoming projectiles. P. Kane continued that the design would form a sandy area, from the pavers to the beach and there would be sea grass in the sand, and an ADA accessible mat that would be rolled out on the sand. P. Kane explained that the grass helps alleviate sand washout and decreases velocity of the water. P. Kane mentioned that a specific type of seagrass hadn't been chosen yet, but it would be native and used at all beach entrances, potentially a similar type to the sea grass currently at Sandy Beach. P. Kane explained the amended design plans have sand being brought to increase the elevation in front of the parking area, creating a feature similar to a berm, decreasing the percentage of water that can crest. P. Kane stated that currently, there is sand with concrete or asphalt below it, and the engineers haven't decided if removing the concrete or asphalt. T. Ruskin noted that this is important to know because removal would increase sand washout. P. Kane mentioned that he is happy with a condition to keep the concrete or asphalt in place.

The Commission briefly discussed, T. Bandrowicz mentioned that it should be left up to the consultants, P. Kane added that the concrete or asphalt will probably stay. T. Ruskin reiterated that he believes the concrete or asphalt protects the material underneath.

C. Hitchcock asked if enough sand is planned to be put down to make sure the seagrass roots will hold, P. Kane responded the berm will be two-feet high and will rise up to the parking area, with a steeper slope towards end of wall, but not rise above it. P. Kane clarified that it will not impede handicap access as the mat will provide handicap access where there isn't any now.

The Commission continued to discuss potential conditions, coming to the conclusion that the concrete or asphalt must be kept, unless an explanation is given by an engineer on why it can be properly removed.

P. Kane also added that the plans call for the repaving of the parking lot, but that nothing new is being brought in or switched out.

C. Hitchcock inquired as to where the sand is coming from, P. Kane explained that he was not positive where it would come from yet.

MOTION : by T. Bandrowicz to accept the amended plans with a condition that if the underlying cement or concrete is to be removed it has to be accompanied with a justification on the fact that it will not negatively affect erosion, seconded by M. Tamborini, unanimously approved.

## **OTHER BUSINESS TO PROPERLY COME BEFORE THE COMMISSION**

T. Bandrowicz stated that she is a member of the Unitarian Church (a property who has been identified of encroaching on Ewing Woods, and that she would recuse herself from any vote on the matter.

T. Bandrowicz explained that she has received a call from the Unitarian Church and that their playground, specifically a mulch area, had been identified as encroaching on Ewing Woods. T. Bandrowicz mentioned that the Church had recently re-mulched, but only to their allowed border. The Commission discussed the area briefly, T. Bandrowicz explained that the space is currently being left

untouched and poison ivy has started to take over. The Commission briefly discussed a daycare operating at the Church and its future activities. T. Bandrowicz stated that she recommends the Church be provided with an extension, and report back with an update on what they are doing with the area when the daycare leaves.

T. Ruskin stated that the Commission did not need to take action immediately, and the Commission discussed possible further extensions. T. Bandrowicz reiterated the Church reporting back when the daycare leaves the location. The Commission continued to discuss actions to take and possible conditions, adding that the Church has not repaired the encroaching area, but are leaving it be.

MOTION : by C. Hitchcock, acknowledging the letter from the Church which acknowledged the property line and that they re-mulched the area within their property lines, but did not remove the mulch in the encroaching area, but given the biodegradable nature of the mulch, the Commission is “ok” with it as nature will eventually retake the area, seconded by J. Simon-Lento, unanimously approved.

The Commission then continued to discuss other properties that the survey had identified as encroaching.

The Commission with P. Kane discussed a specific property where fence posts had encroached (which the property owners stated were there when they purchased the property), and that the fence posts have since been removed.

The Commission continued to discuss other properties where encroachment was identified. P. Kane stated to the Commission that they must decide what action to take when 90-days (timeline stated in the letters sent to encroachers) is up.

The Commission discussed possible action to take. P. Kane stated that all encroachers have responded to the letters sent out.

## **VOTE – BLYTHESWOOD CONSERVATION EASEMENT MANAGEMENT PLAN**

T. Bandrowicz explained some background on the property and conservation easement (ten-foot easement that starts at Littles Point Road and goes to the back of the Blytheswood property). T. Bandrowicz continued that the easement has restrictions to it on what the Town can and can't do regarding the easement, T. Bandrowicz added that the draft plan before the Commission incorporates all of these things. T. Bandrowicz stated that the draft plan had been sent to all the Town committees and departments for public comment, and all comments received were positive, and that the property owner and their legal council had agreed to the management plan as well.

MOTION : by T. Bandrowicz to formally adopt the Conservation Easement Management Plan at Blytheswood, seconded by M. Tamborini, unanimously approved.

## DISCUSSION – POTENTIAL 40B DEVELOPMENT AT 133 PURITAN ROAD

The Commission briefly discussed the waivers being asked for by the developers and the jurisdiction the Commission will potentially have, if the site is deemed eligible. P. Kane helped clarify the process for the Commission.

## DISCUSSION – LINS COTT PARK USAGE FEE SCHEDULE

Danielle Strauss, Director of Swampscott Parks and Recreation had previously contacted Assistant Town Planner Andrew Levin, and told him that she would not be able to make the meeting, T. Ruskin moved the Linscott Park Usage Fee Schedule discussion to the next meeting.

MOTION : by M. Tamborini to close the meeting, seconded by C. Hitchcock, meeting adjourned at 8:19PM

Andrew Levin  
Assistant Town Planner