

Conservation Commission Public Hearing Minutes – October 22, 2020

Time: 7:00 – 8:00 PM **Location:** Remote

Members Present: Tom Ruskin, Chair; Toni Bandrowicz, Vice Chair; Colleen Hitchcock; Monica Lagerquist; Monica Tamborini, Jonathan Grabowski, A. Randall Hughes

Members Absent: None

The public hearing of the Conservation Commission was called to order at 7:00 pm.

The public hearing was video recorded.

AGENDA

1. Request of Determination of Applicability – Continued: MBTA Right of Way filed by Keolis Commuter Services for vegetation management, control, and maintenance activities for the years 2021-2025 for the railroad right-of-way.

Matt Donovan of Keolis Commuter Services was present for the hearing.

M. Donovan explained that the current 2016 plan is expiring in 2020, and is requesting a negative determination in order to conduct preventative measures.

T. Bandrowicz stated that she spoke with Clary Coutu of Keolis and Alicia Gelen, the Circuit Rider at the Northeast Regional Office for DEP to talk about what other communities have done, and they made the following determination:

- Issue a positive determination that the boundary delineations are accurate for purposes of implementation of the Vegetation Management Plan approved by the Department of Agricultural Resources under 333 CMR 11 (**check off item A.2.a. on Form 2**); and
- A negative determination that the work described is within the Buffer Zone but will not alter a resource area, and so not require a NOI, subject to the following conditions:
 - o All work, both involving the application of herbicides as well as the mechanical removal of trees or vegetation within the right of way shall be in full accordance with the Vegetation Management Plan approved by the Department of Agricultural Resources under 333 CMR 11. (**check off item B.3. on Form 2**).

There was neither comment from the Commission nor from the public.

MOTION: T. Bandrowicz to issue determinations as stated above. M. Lagerquist seconds; unanimously approved.

2. Request of Determination of Applicability – 16 Blodgett Ave filed by Peter Plaehn for construction of single-story sunroom on existing concrete foundation.

Peter Plaehn explained the scope of work, confirmed that no digging is to be done.

There was neither comment from the Commission nor from the public.

MOTION: T. Bandrowicz to issue negative determination as property is within flood zone but work will not alter land. M. Lagerquist seconds; unanimously approved (M. Tamborini recused as abutter).

3. Notice of Intent – DEP #071-0331 (81 Puritan Lane) – filed by Ralph and Janice James of G and R Family Trust for construction of single-family house on recently-subdivided lot. (Map 24, Lot 8)

Owners Ralph and Janice James, Landscape Architect Lisa Giersbach, and Engineer Eric Lane were present for the meeting.

L. Giersbach explained the landscape plan and E. Lane presented the site plan.

T. Bandrowicz inquired about erosion control measures. E. Lane replied that no measures had been specified, so they are happy to take up the preferences of the Commission.

T. Bandrowicz inquired about the stormceptor that comes off the driveway and would effectively discharge all pollutants directly into the ocean. E. Lane responded that the catch basin will trap all aggregates and will be cleaned annually. M. Tamborini asked about the consequences of not cleaning the catch basin. E. Lane replied that it would take upwards of 15 years before the product would begin to fail.

There was no public comment.

MOTION: T. Ruskin to issue OOC for NOI as filed, with condition to monitor catch basin annually. M. Tamborini seconds; unanimously approved.

4. Notice of Intent – DEP #071-0332 (76 Phillips Beach Ave) filed by Scott Patrowicz, P.E. (Patrowicz Land Development Engineering) for toe and face repairs to existing revetment; toe protection by boulder management; and general site work and landscaping. (Map 30, Lot 24)

Scott Patrowicz, P.E. was present for the hearing.

S. Patrowicz provided an explanation of the scope of work, and confirmed that machinery would be used but would be confined to the lawn and would be done so during the winter.

The Commission inquired about the size of the stones and their efficacy. S. Patrowicz stated that if smaller stones could be imported and wedged, then the boulders would move less, and it creates less maintenance. The stones would also be tilted so that the weight is facing down instead of lying flat.

M. Tamborini asked what is the biggest smallest stone that could be used. S. Patrowicz stated 2' x 2' x 2'.

There was no public comment.

MOTION: T. Bandrowicz to approve OOC with condition that rocks are angular and 2'x2' in size; ongoing maintenance to be performed; and landscaping plan is subject to approval. M. Tamborini seconds; unanimously approved.

5. Notice of Intent – DEP #071-0333 (10 Palmer Rd) filed by Scott Patrowicz, P.E. (Patrowicz Land Development Engineering) for addition to single-family home that includes new deck, roof, and second-floor addition; general repairs; and resurfacing of existing compacted gravel driveway (Map 33, Lot 13D)

Scott Patrowicz, P.E. was present for the hearing.

S. Patrowicz provided an explanation of the scope of work.

There was neither comment from the Commission nor from the public.

MOTION: T. Bandrowicz to approve OOC with incorporation of erosion control measures; landscape plan subject to approval; no stockpiling; and requirement of pre-construction meeting. M. Tamborini seconds; unanimously approved.

6. Notice of Intent – DEP #TBD (Cassidy Beach Park) filed by Gino Cresta (Director of Public Works, Town of Swampscott) for improved access to beachfront; flood protection; and beach/dune stability.

David Peterson of Kleinfelder Architects was present for the hearing.

D. Peterson explained the updated designs that incorporate the concerns of the public that were addressed at the meeting in August.

Trash barrels were removed from the plans as there were concerns that they could become projectiles during a storm. It was confirmed that in the absence of trash barrels, the Commission can put up signs to notify users.

M. Lagerquist inquired about rings for kayaks. D. Peterson responded that the idea of anchors in the ground is counterproductive to the performance in dunes, and cannot attach anchors to the wall because it is private.

M. Tamborini echoed concerns about absence of trash barrels and wondered if it would be possible to mount one to the extended sidewalk.

The item was opened for public comment.

Abutter Elise Brault of 75 Puritan Rd. stated that she likes the new plan and appreciated the site visit conducted by Town Staff. She is worried about beach users stepping on the grass, and wonders if a sign could instead direct them to the boardwalk. She also favors sand over gravel at the entryway, and would prefer to see some sort of trash bin or at least a dog waste bin.

The public hearing was closed. In the absence of a filing number from DEP, the Commission was required to continue the matter to November.

MOTION: T. Bandrowicz to continue hearing to November. M. Lagerquist seconds; unanimously approved.

MOTION: M. Tamborini to approve minutes from 10/8 and 10/15. M. Lagerquist seconds; unanimously approved.

The public hearing of the Conservation Commission was adjourned at 8:59 pm.