

Minutes of a Conservation Commission Meeting - 8 October 2014

Members present: Peter Vincent - Chairman, Christina Brown, Lil Province, Jeff Carlson, Stuart Lollis

Absent: Bob Avakian, Edo Potter

Staff: Morrison, Varkonda

MAD MAX NOI to extend pier and reconfigure bulkhead. Richard Barbini, engineer, and Bob Colacray, owner, were both present. Barbini noted that the project has been in discussion with the Marine Advisory Committee for several months to develop this plan. The project involves extending a portion of the pier laterally 5-feet. There will be no increase in dockage, this plan just makes it easier for boats to go in and out. Letters of approval from both the Harbormaster and the MAC were read.

Also proposed is the rehabilitation of the bulkhead. Barbini said that will probably be done by driving in steel sheathing. The applicant will have to apply to DEP-Waterways for a revision to the Chapter 91 license.

Denise Page of the Seafood Shanty was concerned about the timing of the project and how will it affect the public walkway. Barbini noted that the project would be done in the off-season and work will be done from the water side. The project will probably not begin until next fall. Ms. Page asked about the gas tank and the fence, which she believed were in the public walkway. Barbini noted that the state has found Colacray's use to the walkway to be compliant. Ms. Page said that she also believed that the walkway was supposed to be bricked.

Roger Becker had some questions about the faired pier line. Barbini replied that the faired pier line is 30-feet away from the end of this pier.

Barbini noted that if there are any issues with compliance, the applicant will not be able to get a license revision from the Commonwealth.

There were some questions about lighting. Mr. Colacray said that he uses commercial pedestals. Barbini noted that no change in lighting is proposed. It was suggested that Colacray supply the Commission with cut sheets on the fixtures. Province made a motion to approve the project as presented. Carlson seconded the motion.

Unanimously approved with the following conditions: lighting plan to be submitted, no construction May to October.

SPIRO NOI to widen existing boardwalk and add steps and handrails, Old Poucha Road. Roger Becker present for applicant. Existing walkway is way too steep. The intent is to make it safer. There will be no extension in length. Walkway will have a minimum of ½ inch spacing between boards. Posts will be set right in the ground, not in concrete.

There was some discussion regarding the use of ACQ-treated lumber. Brown said that she would prefer that no chemically treated lumber is used on projects in the wetlands. Becker noted that ACQ is quite commonly used, he said that having to rebuild more frequently may be more damaging to a resource area than ACQ-treated lumber.

Province made a motion to approve the project. Carlson seconded the motion. Board is willing to explore the use of ACQ-treated lumber. Unanimously approved.

EBERSTADT NOI for coir log system and plantings for shoreline protection. Reid Silva representing applicant. Initial project using coir logs washed away. Silva explained that the earlier project involved just one row of logs at the base of the bank. This project will be more extensive – the logs will be staked into a geogrid-enforced mesh and plastic netting will then be placed over the logs to hold them in place. The netting is UV resistant – jute netting does not hold up. Oak stakes will anchor logs during construction and the system will be topped with soil and plantings.

Mr. Silva was asked about the rate of erosion in the area. He replied that it really depends on storm activity. Silva will bring in a sample of the geo fabric. After some further discussion, it was agreed to continue the hearing until the next meeting, October 22nd, and schedule a site visit.

Patricia Tyra had some questions about the public pathway that she believed was on the left side of the Eberstadt property. Mr. Silva thought that it was between Sheriff's Meadow property and the Garvey property.

BALDER Amendment of order of conditions to install an 18' by 45' swimming pool and associated landscaping. George Sourati representing applicant. House was approved a year ago. Property is adjacent to some land owned by Sheriff's Meadow. Sheriff's Meadow would like to applicant to stake the property line to prevent any incursions onto SM property. Lil Province made it known that she is on the board of Sheriff's Meadow, but said that she has no conflict with this project. There were no concerns to her sitting on the hearing.

Sourati stated that the excavation will not go below the water table and no dewatering will be required. Pool will not be visible to the public and the surrounding vegetation is quite high. Landscaping plan was discussed and will be reviewed by the agent in greater detail.

Highest groundwater was found at 1.7 feet. Pool will be at 1.8 feet. Applicant will install a drywell to handle any pool water drainage.

A salt-based filtration system will be used. The salt content of drinking water is about 600 ppm, the pool will be about 3000 - 3200 ppm, and the ocean is between 45,000 to 50,000.

Bill Mueller, a neighbor, was concerned about the effect of the pool on the health of Herring Creek.

After some further discussion the Commission voted unanimously to allow the amendment with conditions and subject to approval of property boundary by Sheriff's Meadow.

FORRESTER *Request for a determination of applicability.* Construction of a single-family residence and related activities. Doug Hoehn present for the applicant. Project is in Zone 2, more than 200-feet from the wetlands. There is a road between the proposed location of the house and the wetlands. Hoehn said that the house is too far back to be visible from the water. After some further discussion, Province made a motion to issue a negative determination of applicability with the condition that all the Ponds District regulations – such as the limitation on lawn size - must be adhered to. Lollis seconded the motion. Unanimously approved.

HOULAHAN (1 & 2) NOIs for new piers on lot 1 and lot 5 in the new Houlahan subdivision. (Lots 2 and 4 already have piers.) Mr. Hoehn noted that the MVC approved subdivision with no conditions relating to walkways or piers, which they believed could be handled by the town. Applicant has a letter of approval from his neighbor, Danzinger. Hoehn noted that a chart was done showing the average spacing of piers in the area. The spacing of these piers is considerably larger than piers to both the north and south for quite some distance.

A shellfish study was done, which indicated that there was no shellfish in the area. There is little or no navigation in this area.

Sean Murphy, attorney for Houlahan, said that the plan was run by the Planning Board, who said they would rather see a 9-lot subdivision with piers than a 14-lot subdivision.

Lollis noted that almost all the lots to the south have piers, and the lots are quite a bit smaller.

Mr. Hoehn noted that Natural Heritage is very involved with the landscape work on the property. After some further discussion, it was agreed to continue the hearings for review by the Marine Advisory Committee.

Continuations:

GOODSILL/AUERBACH. NOI for guesthouse and related site improvements. Richard Barbini representing applicant. A report of the site visit was given. Most of the construction is in the local buffer zone. There were few concerns. Province made a motion to approve the project as presented. Carlson seconded the motion. Unanimously approved. Condition: efforts should be made to buffer any noise from the generator.

LIGHTHOUSE BEACH MARINA. NOI to expand and reconfigure pier, dredge 300 cubic yards. Richard Barbini representing applicant. MAC has approved the project. Division of Marine Fisheries would like a condition that any dredging take place between August and January to avoid the winter flounder. Dredge spoils will be placed on Lighthouse Beach. Lollis made a motion to approve the project with conditions. Brown seconded the motion. Conditions to include all lights off by 10 p.m. and during the off-season when the marina is not in use. Unanimously approved.

ROOSEVELT NOI subsequent to enforcement order – view channels and plantings. Mark Manganello of LEC and Terry Small from Sourati Engineering were present for the applicant. Revised plans were submitted showing the limit of the landscaped areas and the locations of all wetlands on the property. Cross-section of the footbridges were also submitted.

Mr. Manganello noted that all the woodchips have been removed from the paths and the mowing schedule for the meadow clarified (mowing will be done two times per year.) .

The view channels were apparently cut without a permit, and they are currently cut to ground level once per year. Generally, the Commission does not permit ground-level mowing of view channels. The standard protocol is to prune and thin the vegetation rather than mow it all down. The agent noted that there is really nothing but invasives in the view channel and suggested that some replanting with small native meadow plants with a low-growing habit would be beneficial. Carlson suggested that the channels be

maintained by periodic hand pruning, rather than mowing. Prune invasive, plant some low growing species - introduce.

The agent said that the introduction of native wildflowers and grasses, such as sweet fern and bearberry, would also be acceptable in the view channels. Applicant to submit additional planting plan for review by the agent.

After review, the Commission decided that the footbridges could remain as is. Agent will give the applicant a list of all plantings that need to be removed in areas b and c, as well as a list of acceptable plants.

Province made a motion to issue and order of conditions. Carlson seconded the motion. Unanimously approved.

Other Business:

Commission voted unanimously to allow the Board of Trade to use a portion of the Mini-Park for a fundraiser to benefit the Red Stocking Fund.

There being no further business, the meeting adjourned at 6:50 p.m.

Approved: _____