



MANCHESTER-BY-THE-SEA

CONSERVATION COMMISSION • TOWN HALL
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Telephone (978) 526-4397 FAX (978) 526-2001

Conservation Commission Meeting

June 25, 2019

Town Hall, Room 5 ♦ 6:30 PM

MINUTES

I. Call to Order

Members Present: Steve Jaworski, Olga Hayes, Henry Oettinger, Joe Puopolo, Sari Oseasohn, David Lumsden and Conservation Agent, Chris Bertoni.

Members Absent: Steve Gang

Conservation Vice Chairman Mr. Jaworski opened the meeting at 6:30 pm under the Wetlands Protection Act and Town by-law. He announced that it was being recorded by the Commission.

II. Recess for Public Hearings under Wetlands Protection Act and Local Wetlands By-Law (Mr. Jaworski)

III. Request for Determination of Applicability

21 Forest Street (map 11, lot 5), David Sabatini – construction of a single family house on an existing foundation, and a detached garage within the 100' buffer to Bordering Vegetative Wetland
New **2019-0011**

David Sabatini, homeowner, presented. The previous house was removed and the new house will be constructed. The 100' Buffer runs through the house. The new house will be built right on top of the existing foundation. He will take it from the first floor deck and go up. There was no extra excavation in the wetland area. He had met with the Zoning Board of Appeals the previous night. A one car garage is being added outside the buffer zone. Ms. Bertoni did a site visit. She informed the Commissioners that this site is elevated above the wetlands. She is satisfied that the activity at this elevation will not alter the wetlands or buffer. There are two existing concrete pads that previously supported a hot tub. The (removed) deck was on sonotubes currently on town property. The pads and sonotubes will be removed. Erosion controls are installed. Ms. Bertoni would like a building permit be in place so the foundation is stable and can be used to support the new construction.

Vote: To issue a Negative 3 Determination of Applicability with conditions.

Motion: Mr. Jaworski

Second: Ms. Hayes

Actual Vote: 6-0

IV. Notices of Intent

225 Summer Street, Edward Snyder & Emily Baluta – install a cobblestone driveway apron, a patio and landscaping within the 30' NDZ, 50' NBZ, and 100' Buffers to Bordering Vegetated Wetland
Continued from 6/4/19 **DEP File #39-0807**

Andrea Nilsen Morse of Nilsen Landscape Design LLC presented. Isaac Rowe of Araneo Landworks Inc. in attendance. The proposed project is to install a cobblestone driveway, apron, patio and landscaping. A site visit

by the Commission occurred and revised plans were submitted. This project is design solutions for stormwater runoff issues that create a wet, slippery, and icy condition in front of the house. In the drainage plan the water runoff is routed to a proposed rain garden on the east side of the property. There will be a boulder wall around the rain garden to connect to an existing boulder wall. A more livable outside area is proposed on the west side of the property uphill and away from the wetlands. Some trees will be removed and there will be an increase in lawn and increase of the existing brick patio. The changes were made to the original plan. There is a correction to the plan where the grassy path is properly located on the west side. Ms. Nilsen Morse prefers to split the River Birch grove so new River Birch trees may be planted in pockets at the 30' Buffer. The no-mow line at the edge of the wetland will let the existing vegetation advance. This is 275-300 sq. feet of mitigation carved from existing lawn. The straw wattle erosion controls will be extended to have limit of work to the south (the applicant worked with the abutter).

Vote: To close the hearing.

Motion: Ms. Hayes

Second: Ms. Oseason

Actual Vote: 6-0

Town Public Roadways: Ocean Street (Route 127 to Black Beach); Raymond Street (Route 127 to town line); and Magnolia Avenue (Route 127 to Overledge Road), Charles Dam for Manchester DPW – for replacement of an existing water main located within paved roads within Riverfront area; Land Subject to coastal Storm Flowage; the 30' NDZ, 50' NBZ, and 100' buffers to Coastal Bank; and within the 100' Buffer to Bordering Vegetated Wetland

New

DEP File #39-0809

Mike DeRosa of DeRosa Environmental Consulting presented. Nate Desrosiers of the Manchester DPW in attendance. This project is the replacement of an existing water main. The areas affected are Magnolia Avenue, Raymond Street and half of Ocean Street. Wetlands have been flagged. Raymond Street will tie into Magnolia Avenue all the way to Summer Street. A 4-5' trench will be saw cut and excavate the material out. 150-200' of the trench will be excavated a day. Good material will be put back in and rejected material will be taken away. It will be filled to grade each day. There will be temporary bituminous pavement poured on the trench at the end of each week and shored up each day. There will be work on Magnolia Avenue to 40-50' of Overledge Road. It will be all street work. On Ocean Street, 1/3 of the street was done last summer and will now finish the remaining 2/3 of the street. Ocean Street will tie into Summer Street and go almost to the existing culvert. It will tie into a valve on the White Beach side of the culvert. Pipes will be replaced with C900 plastic pipe along the beach. The fittings are stainless steel and wrapped in wax tape. Old pipes will stay in place. All work will be done within the width of the pavement. Any stockpiling will be placed on the high side. If there is any stockpiling overnight erosion controls will be placed around it. The work is to begin in August and be completed by the fall. They will start with Magnolia Avenue and after Labor Day work on Ocean Street and Raymond Street. Final trench paving will occur in the spring. Clive Hughes of 6 Raymond voiced concern regarding the age of the pipes coming from the houses. He was informed that the Town is only responsible for the water main and the homeowner is responsible to replace the service at his home. The Commission received the waiver request and alternative analysis. Ms. Bertoni feels it meets bylaw requirements.

Vote: To close the hearing.

Motion: Ms. Hayes

Second: Mr. Jaworski

Actual Vote: 6-0

V. Reconvene Regular Meeting (Mr. Jaworski)

VI. Old/New Business

Manchester Bath & Tennis Club: Whitey Baun, House Chairperson, presented. Bill Dodge, President, and Clive Hughes, Vice President were in attendance. They came before the Commission to discuss the use of a

dust suppressant on a hard packed gravel parking lot. The brand is called Dustkill and it is a 100% plant based dust suppressant made from soybean oil. It is 100% biodegradable and non-toxic to humans. He brought a sample. The reason for this product is a neighbor's complaints about the dust and to keep the dust off of cars. It will be applied by hand using a pump sprayer. The guidelines state that it must be 75 degrees or higher, it bonds to gravel, it is not to be applied before or after rain, and it is not to be applied directly over a stream. In the past the Club has used calcium chloride but it can't be used anymore. One application of Dust Kill will last for one year. They will hire a handyman to apply it. There may be a smell of soybean oil for a few days. Ideally they would like to apply it to the whole parking lot but if they are only allowed to apply it on a portion of the parking lot they will apply it to the area away from the ocean (100' away from the seawall) and at the entranceway. Speed control is very important in controlling dust. If the cars drive slowly very little dust is kicked up. The Club will install signs for a 5 mph speed limit. The alternatives are to spray a lot of water, paving is not ideal, and if they were to use a larger stone instead of gravel it would be very expensive and a little late in the year to look into it. Ms. Bertoni suggests trying a test patch, if all goes well then other areas could possibly be considered. The permitting could be a letter permit from the entrance to the end of the tennis courts. Mr. Oettinger's concern is that new dust will come up onto the treated surface. Mr. Dodge pointed out that the Bath & Tennis Club is only open 12 weeks and the plan is to do this application again next year. The Commissioners agree to a letter permit for the test area.

Town Meeting Warrants: There are 3 town-owned parcels of land that were identified previously for a Conservation Restriction. The Manchester Western Woods Study has been completed a few additional parcels listed in the study have been identified for protection. They are in the water shed area to Gravelly Pond and have some restrictions such as access. The Open Space Committee discussed it. The Conservation Commission needs to take responsibility of it to have them protected. There are areas back there that have pristine soils. Ms. Hayes would like feedback from the Town Administrator and the Finance Committee. The Commissioners would like to move forward with these parcels.

Trees in the Town Common: A number of people came to the Board of Selectmen's meeting regarding the removal of trees in the Town Common. The Board of Selectmen tabled the discussion to a future meeting. The consultant will build a small architectural model for viewing. There was also a good deal of discussion about the design of the Veteran's Memorial to be installed in the Town Common.

MACC Dues: Ms. Bertoni informs the Commissioners that the annual MACC dues invoice arrived and the cost is \$574 which includes access to the handbook and membership for 1 year.

Vote: To pay the MACC invoice.
Motion: Ms. Oseasohn
Second: Ms. Hayes
Actual Vote: 6-0

Fiber-optic Cable: Ms. Bertoni received a notice that there will be fiber-optic cable going through Manchester territorial waters. It will also be going from Lynn, through Salem, Rockport and Beverly. A Notice of Intent will be filed in the fall. The Environmental Notice form (ENF) is available at the Conservation Office and by PDF.

Beaver Dam: Water was backing up on Atwater Avenue and School Street. Beaver fencing may be put up. It was discovered that Supat of Supat Landscaping busted up a beaver dam and released enough water that flooded the golf course and other properties. He has recently gone out to bust up the dam again. Ms. Bertoni explained to Supat he could not do this. The Health Department is also involved. DPW is also aware of the issue.

10 Brookwood Avenue: Ms. Bertoni informed the Commissioners that an arborist cut down several trees adjacent to an intermittent stream and BVW. Ms. Bertoni did a site visit and will contact the arborist to get his side of the story. She initiated a Cease and Desist letter and my follow up with an Enforcement Order.

Manchester Memorial School: Work has started on the school. The DEP has required a truck wash. It is a self-contained washing area that gets filtered before it goes into any storm sewers. The Commission may want a peer reviewer to do site visits throughout the summer. Ms. Bertoni did a site visit and they had already excavated the back.

VII. Orders of Conditions

225 Summer Street – Commissioners discussed conditions.

Vote: To issue an Order of Conditions with conditions.

Motion: Mr. Jaworski

Second: Ms. Oseasohn

Actual Vote: 6-0

Manchester Roadways: Ocean St., Raymond St., Magnolia Ave. – Commissioners discussed conditions.

Vote: To issue an Order of Conditions with conditions.

Motion: Ms. Oseasohn

Second: Ms. Hayes

Actual Vote: 6-0

VIII. Minutes

3/12/19 – no corrections

Vote: To accept the minutes as written.

Motion: Mr. Jaworski

Second: Mr. Oettinger

Actual Vote: 6-0

4/2/19 – no corrections

Vote: To accept the minutes as written.

Motion: Mr. Lumsden

Second: Mr. Oettinger

Actual Vote: 6-0

IX. Adjournment:

There being no further business, a motion was made by Mr. Oettinger to adjourn the meeting at 8:40 pm. This motion was seconded by Mr. Jaworski and voted in favor 6-0.

Submitted by,

Eva Palmer

X. Meeting Documents (6/25):

- NOI – Ocean Street, Raymond Street and Magnolia Avenue for water main replacement submitted by the Manchester DPW.
- NOI – 225 Summer Street for hardscaping submitted by Andrea Nielson of Nielson Landscaping.
- RDA – 21 Forest Street for house addition and septic_system upgrade submitted by Lee Delicker.
- Soybean Oil Spec & GIS Map – 27 Raymond Street for dust control application submitted by Whitey Baun.