



MANCHESTER-BY-THE-SEA

CONSERVATION COMMISSION • TOWN HALL
Manchester-by-the-Sea, Massachusetts 01944-1399
Telephone (978) 526-4397 FAX (978) 526-2001

Conservation Commission Meeting

April 19, 2022

Zoom Virtual Meeting ♦ 6:30 PM

MINUTES

I. Call to Order

Members Present: Steve Gang, David Lumsden, Sari Oseasohn, Olga Hayes, John Judge, Ashley Ochs, and Conservation Agent, Chris Bertoni.

Members Absent: Henry Oettinger

Conservation Vice Chairperson Ms. Oseasohn opened the meeting at 6:32 p.m. under the Wetlands Protection Act and Town by-law. She announced that it was being recorded by the Commission. This was a virtual meeting.

II. Recess for Public Hearings under Wetlands Protection Act and Local Wetlands By-Law

III. Notices of Intent

102 Bridge Street, Rebecca Campbell – to grade, remove invasives species, and landscape a steep area in a back yard within the 100', 50' No Build Zone, and 30' No Disturb Zone Buffers to Bordering Vegetated Wetland

New

DEP File #39-0873

Dan Ottenheimer of Mill River Consulting presented. There is a large, steep drop off area in the backyard where Mr. Ottenheimer believes was cut out when the septic tanks were installed (1-2 years ago). There is a retaining wall, but the homeowner feels the area is unsafe. The proposed plan is to fill in the dug-out spot at the retaining wall to the same height as the yard on the left and right, to bring it back to the grade it was. He also proposed manually removing clusters of non-native species in three areas and replanting with native species in the 30' NDZ Buffer. This work will not disrupt the functionality of the septic system. The manhole covers will be raised to meet the new grade. The grading is on the wetland side of the wall. Mr. Gang suggested grading from upgradient of the wetland by removing some grade. Ms. Bertoni notes that fill may have been added previously and that should be looked into. The Commissioners requested a site visit, and one was scheduled for Saturday, April 30th at 10:00 a.m.

Vote: To continue the matter to the 5/10/22 meeting.

Motion: Ms. Oseasohn

Second: Dr. Hayes

Actual Vote: 6-0

IV. Requests for Determination of Applicability

113 Summer Street (Sweeney Park), Manchester Public Works and Parks & Recreation Departments – repair and resurface an existing paved area of the abandoned Town skate park into four new pickleball courts for public use within the 100' and 50' Buffers to Bordering Vegetated Wetland and Riverfront Area Resource

New

2022-0007

Nate Derosiers, Manchester DPW Engineer presented. This project was proposed and will be funded by the CPC. Currently it is 120 square foot paved area. The proposed plan has the asphalt being pulverized and used as a base, another base of pavement will be added, topped with sports court material, white line courts, and install 4 or 6 nets. There will be additional work of trimming back brush and growth from around the fence and perimeter. All done with hand tools. The existing bench will be replaced. In addition, a Longevity bench is proposed (separate project). If drainage work is needed it could be tied in with the Sweeney Park upgrades project, otherwise it would need a Notice of Intent. Mr. Judge suggested a bike rack. Dr. Hayes suggested another Longevity Bench for the existing bench to be replaced. Conditions were discussed.

Vote: Issue a Negative 2 and Negative 3 Determination of Applicability with conditions.

Motion: Mr. Judge

Second: Dr. Hayes

Actual Vote: 6-0

Old School Street Town-owned parcels, Patrice Murphy, Manchester Essex Conservation Trust (MECT) – installation of monitoring wells within Riverfront Area Resource

New

2022-0008

Patrice Murphy of MECT presented. The proposed plan is a monitoring well installation. This will be used to monitor the flow direction of the groundwater. This is an answer to some studies in the Whitten-Horsely Report. This will also help understand more fully what will happen with the Wastewater Treatment Plant or the Storm Water system proposed for the new development. The wells will be visible. There is a flyer in the kiosk explaining them. The Commissioners thought this project very worthwhile. Annual reports were requested while wells are in use. Conditions were discussed.

Vote: Issue a Negative 2 and Negative 3 Determination of Applicability with conditions.

Motion: Dr. Hayes

Second: Mr. Lumsden

Actual Vote: 6-0

V. Reconvene Regular Meeting

VI. Requests for De Minimis Change

8 Sandpiper Lane, David Bell – replace an existing septic system within 100' and 50' No Build Zone Buffers to Bordering Vegetative Wetland Bordering Land Subject to Flooding

New

DEP File #39-0849

Chuck Johnson of CJ Johnson presented. Mr. Bell in attendance. The septic system was replaced in the Fall. Instead of the approved stockade fence Mr. Bell would like to use five existing granite curbing and place inside property line and add Blue Stem grass closest to Sandpiper Lane. Also, instead of the proposed moving of the existing fence at 9 Sandpiper to Mr. Bell's property, line six granite curbing along that property line and add Blue Stem grass. Ms. Bertoni felt it was De Minimis. The Commissioners thought it was a sensible alternative. Conditions were discussed.

Vote: To issue a De Minimis Change with conditions.

Motion: Dr. Hayes

Second: Mr. Lumden

Actual Vote: 6-0

20 Ocean Street, Terri Lee Aftandilian – construction of a new addition, deck extension, and staircase; implementation of a restoration plan and a storm water management plan within the 100' Buffer to Bordering Vegetated Wetland

New

DEP File #39-0787

Mike DeRosa of DeRosa Environmental Consulting, Inc. presented. John Morin of The Morin-Cameron Group in attendance. There was an Order of Conditions issued for a garage addition and a mudroom addition both of which are mostly finished. There are drainage elements that still need to go in. The De Minimis Change is to include piping and drainage for the roof water runoff. This is a two-part system where some roof runoff will be directed to an infiltration area and the other part of the roof runoff will go to a discharge chamber then to the existing catch basin. All work is underground. All adjacent to the driveway in already disturbed areas. A waiver request was filed since a portion of the work is in the 30' NDZ. The area is still a construction site so a trench will be dug. A Ditch Witch would be used, and other areas hand dug. This work should be done in a day. Ms. Bertoni did a site visit and noted that the erosion control was no longer working and needed to be replaced. She also requested photo documentation of the pipe connections.

Jack Burke of 16 Ocean Street informed the Commission that a considerable amount of water has come on his property and there is still standing water that has not dried out. He wondered if groundwater had been changed forever and would the drainage system help? Mr. DeRosa pointed out that the drainage system would pick up roof water and move it downstream. There was also a question of a broken well on site and Mr. DeRosa had no information on that. Conditions were discussed.

Vote: To issue a De Minimis Change with conditions.

Motion: Dr. Hayes

Second: Ms. Ochs

Actual Vote: 6-0

VII. Requests for Certificates of Compliance

25 Forest Lane, Thomas Palazzola – construction of a single-family house, masonry steps, and well within the 100' Buffer to Bordering Vegetated Wetland

New

DEP File #39-0471

Jesse Blanchette of Griffin Engineering presented. The homeowner received an Order of Conditions in June 2004. The site is stabilized. There was a minor deviation where the front walkway is in a smaller footprint and further away from the resource. Ms. Bertoni did a site visit and noted that area is stable. There is a small amount of erosion along the edge of the driveway but is captured in the stone area. There is trash near the well head which the owner will remove. The conditions in perpetuity were read into the record.

Vote: To issue a Certificate of Compliance with perpetual conditions.

Motion: Dr. Hayes

Second: Ms. Ochs

Actual Vote: 6-0

50 Summer Street, SC 50 Summer Street LLC – improvements to the parking area, remove gravel storage area, construct a pocket wetland, invasive species and debris removal, native species planting

New

DEP File #39-0818

David Kelley of Meridian Associates presented. Mr. Kelley and Ms. Bertoni had a site walk. The work was constructed to plan. All handwork. Additional plantings were added near the pocket wetland. The site is functioning as it should. Some plastic trim pieces were added between the mulch and stairs and some stones were added to the pocket wetland to assist with flow. The landscapers inadvertently mowed the long grass in the 30' NDZ. Mr. Kelley asked for a partial Certificate of Compliance to let areas grow back in.

Ms. Bertoni informed the Commissioners that the site was stable but pointed out there were some small erosion areas that should be addressed. There was pooling onto pavement and re-grading the large stones

there may correct that. Markers for the 30' NDZ were suggested so that the grass would not inadvertently be mowed again. Ms. Oseasohn suggested continuing the meeting so the Commission could see the vegetation and have markers added.

Vote: To continue the matter to the 5/31/22 meeting.

Motion: Ms. Oseasohn

Second: Dr. Hayes

Actual Vote: 6-0

VIII. New/Other Business

40B: The Planning Board is moving ahead and reviewing the information.

Essex County Club: Their Annual Report to the Planning Board is coming up. Ms. Bertoni asked for a copy of the presentation. Mr. Gang had sent a letter to the County Club regarding the pump in the pond he had discovered.

21 Proctor Street: A possible fill complaint. Mr. Gang informed the Commissioners that it appeared that a sizeable amount of sand had been added and rolled with a heavy roller just above the rack line. This area is in Conservation Commission jurisdiction. Ms. Bertoni would look into it.

Erosion at Elementary School: Ms. Ochs informed the Commission that it appeared there was some erosion at the Elementary School site going into drains and into the wetland. There were significant downslopes and suggested Ms. Bertoni do a site walk. Ms. Bertoni would look into it.

Letter Permit:

11 Hidden Ledge Road: For installation of S4 monitoring well. It is outside the 50' NDZ. Same conditions apply as other monitoring wells.

IX. Orders of Conditions: None

X. Approval of Minutes

2/15/22: Commissioners reviewed the minutes. Ms. Oseasohn requested the Town Planner's power point presentation be added.

Vote: To accept the minutes as written.

Motion: Ms. Oseasohn

Second: Dr. Hayes

Actual Vote: 5-0 1 not available

Ms. Ochs left the meeting at 8:20 p.m.

3/8/22: Commissioners reviewed the minutes.

Vote: To accept the minutes as written.

Motion: Mr. Lumsden

Second: Ms. Oseasohn

Actual Vote: 4-0 1 not available

XI. Adjournment:

There being no further business, the meeting was adjourned at 8:21 p.m. The motion was presented by Mr. Lumsden and seconded by Dr. Hayes and approved by acclamation.

Submitted by,

Eva Palmer

X. Meeting Documents:

- Request for De Minimis Change – 8 Sandpiper Lane submitted by David Bell.
- Request for De Minimis Change – 20 Ocean Street submitted by Terri Lee Aftandilian.
- Request for Certificate of Compliance – 25 Forest Lane submitted by Thomas Palazzola.
- Request for Certificate of Compliance – 50 Summer Street submitted by SC 50 Summer Street LLC.
- Notice of Intent – 102 Bridge Street submitted by Rebecca Cambell
- Notice of Intent – 27 Old Neck Road submitted by Kenneth & Dorota Keverian
- Request for Determination of Applicability – 113 Summer Street submitted by Manchester DPW and Parks & Recreation Department.
- Request for Determination of Applicability – Old School Street submitted by Patrice Murphy, MECT.
- Essex County Club Annual Report 2021.