

## **Conservation Commission Public Hearing Minutes – May 2, 2019**

**Time:** 7:00 pm – 8:49 pm

**Location:** Police Station

**Members Present:** Tom Ruskin, Chair; Toni Bandrowicz, Vice Chair; Collen Hitchcock; Monica Lagerquist; and Randall Hughes (alternate)

**Members Absent:** Jonathan Grabowski; Jennifer Simon; Monica Tamborini; and Laura Spathanas (Selectmen Liaison)

Also present was Marzie Galazka, Director of Community and Economic Development, and representatives for the 40 Carson Terrace and 85 Puritan Lane projects.

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

The public hearing was not video recorded.

### **1. Request for Extension of Order of Conditions – 40 Carson Terrace**

Applicant explained that construction of the single-family house had not been done and so she was requesting another 3-yr. extension on the Order of Conditions, noting that nothing was changed with respect to the plans previous approved by the Commission. The Commission observed that there had been an extension on the original June 26, 2013 Order of Conditions that had been granted in 2016 that expires this June. As it had not expired, and as the project remains as previous approved, the Commission unanimously voted to grant the addition 3-yr. extension.

### **2. Request for Certificate of Compliance – 65 Lincoln House Avenue**

This matter concerns a project that had been completed a number of years ago. The applicant is now planning on selling the property and so needs a Certificate of Compliance. Through email correspondence, the Commission informed the applicant, who lives in New York, that he did not need to be present at the meeting but, if the Commission cannot vote favorably on issuing a Certificate, the request will be tabled to another meeting when he or his representative would have a chance to be present. At the meeting, Mr. Ruskin, who was familiar with the project, recalled that the project had been completed but that a neighbor had then complained about a drainage issue which the applicant had taken care of to the neighbor's satisfaction (paperwork to that effect was provided to the Commission). Mr. Ruskin and other Commissioners at the time did a site visit and he believes that a Certificate had been approved by the Commission. When the applicant went to the Registry there was not one on file, and one was not found in the Commission's files. Given the documentation provided, and Mr. Ruskin's recollection of events, the Commission unanimously approved the Certificate of Compliance.

### **3. Approval of the January 17, 2019 Minutes**

The Commission approved the January 17, 2019 minutes by unanimous vote, with a correction to the time when the meeting adjourned.

### **4. Other business**

**85 Puritan Lane** - Representatives for a proposed subdivision of property at 85 Puritan Lane requested recommendation from the Commission on what filings to make regarding the project. The project has received final approval from the Planning Board, and the appeal period has run on that decision. The owner (who also owns an adjacent parcel of land) plans to have the existing house (which is in disrepair) demolished, do some drainage work on the property, and eventually build a new house on one parcel and sell the other parcel. The owner wishes to demolish the house (which straddles both parcels in this new subdivision) quickly so that he can sell the second parcel this summer if possible. The consultant asked if the owner could submit a Request for Determination of Applicability (RDA) instead of an Notice of Intent (NOI) for the house demolition. After discussion, it was the Commission's recommendation that the owner submit a NOI for both the demolition and prep work on the second parcel that is to be sold (removal of structures and trees, etc.).

**Warrant Article for White Court Easement** – Ms. Galazka discussed the plans of the developers of White Court to expand the existing Blythswood Easement. At Town Meeting there will be a warrant article for the Town to vote to authorize the Board of Selectmen and the Conservation Commission to accept this new easement. She had discussed the matter with the Town's legal counsel who said that, after the Town Meeting vote, then the Commission can take up the matter and vote on it at one if its public hearing (as the Board will also do). The issue of whether the path had to be ADA approved was raised and Ms. Bandrowicz recalled that this issue was raised with respect to the Blythswood Easement at an Open Space meeting and she will forward information to Ms. Galazka as she believed the finding was that the easement did not have to be ADA accessible.

**Conservation Commission Fund** – At last year's Town Meeting, interest from the Wetlands Protection Act (WPA) fees collected by the Commission were to be placed in a special Conservation Commission Fund (as permitted under the WPA) but it apparently this money had been put in an account where the money needed to be spent this year. Steps will be taken to create and put the money in a Conservation Commission fund (for use on trail maintenance, etc., for which the funds for WPA fees cannot be used).

**Construction of Batting Cage at Little League Field** – Ms. Bandrowicz noted that she had been contacted by a new person concerning this construction and she sent him email information

previously give to the Little League and also advised him to contact Gino Cresta, DPW Director, who had visited the site and who had also filed for approval of the dugout at the fields.

It was noted that the Town's recent Adopt a Traffic Island program does not specify use of native plants even though the Commission, Open Space & Recreation Plan Committee, and Swampscott Conservancy had corresponded with the Town about the need to use native planting on Town Property.

A discussion of the Town's Harbor Plan was tabled until Mr. Grabowski could be present.

Noted again that need to take steps to stop having nine copies of WPA filings as most Commissioners view the filings electronically. The Commission's website, etc., should be checked to see if needs to change so that only requiring three copies.

Suggested that the Commission's website also include information on iNaturalist.

The public hearing adjourned at 8:49 pm.

The next meeting is scheduled for June 6, 2019.