

## **Conservation Commission Public Hearing Minutes – January 30, 2020**

**Time:** 7:45 p.m. – 8:09 p.m.

**Members Present:** Tonia Bandrowicz (acting Chair), Tom Ruskin (Remote), Colleen Hitchcock, Jon Grabowski, Monica Lagerquist

**Members Absent:** Monica Tamborini, A. Randall Hughes (alternate)

**Others present:** Molly O’Connell (Town Planner), Alex Weisheit (KP Law)

The public hearing of the Conservation Commission was called to order at 7:45 p.m.

The public hearing was video recorded.

### **1. DEP #71-286, COC for 22 Northstone Road –**

T. Ruskin gave a brief history of the item, which should already have a Certificate of Compliance but may have gotten lost due to the Commission not having administrative assistance at the time. It was significant repairs to the seawall in front of the property, which was heavily monitored by members of the Commission and there was a final inspection. The applicant was compliant with all conditions. Ms. O’Connell conducted an additional inspection in December 2019.

MOTION: M. Lagerquist to approve the COC for 22 Northstone Road. Seconded by C. Hitchcock, unanimously approved.

### **2. Minutes from October 3, 2019**

MOTION: C. Hitchcock to approve the October 3, 2019 meeting minutes. Seconded by M. Lagerquist; unanimously approved.

### **3. Other business –**

C. Hitchcock had noted that snow piling was occurring in the wetland areas near the parking lot at Stop & Shop. When the Commission provided a negative determination in 2018 for the work being done, one of the conditions was that snow piling may not occur in the wetland resource area. Ms. O’Connell drafted a letter for the Commission to review, which will be edited and then sent out to the property owner as a reminder of the condition.

Ms. O’Connell gave the Commission an update on the Forest Stewardship Program. The Town has received approval to participate in DCR’s cost-share program with will provide reimbursement for part of the Forest Stewardship Plan for Harold King Forest. Ms. O’Connell also reported that the Town has received significant funding from the state’s MVP program to continue beach entrance and resiliency work.

C. Hitchcock brought up the sand movement on Fisherman's Beach and the property that appears to have used sand from the beach to fill large sandbags on the property line. The Commission and Ms. O'Connell discussed contact and enforcement procedures.  
Future meeting dates.

**4. Executive Session:**

T. Bandrowicz read the following:

**Town of Swampscott Conservation Commission VS David Ratner, et al.**

**Executive Session pursuant to G.L. c. 30A, Section 21(a)(3)** to discuss strategy with respect to litigation if an open meeting may have a detrimental effect on the litigating position of the public body. Specifically, the Commission will discuss and take appropriate action with respect to the matter of Town of Swampscott Conservation Commission v. David Ratner, et al, Essex Superior Court Docket No. 1977CV01439 regarding the Town's property located at Assessors Map 23, Lot 41, Forest Avenue, Swampscott, Essex County, Massachusetts and the Chair so declares that having a discussion in open session would have a detrimental effect on the Town's litigating position.

**Meeting will not reconvene in Open Session after Executive Session**

MOTION: T. Ruskin; seconded by M. Lagerquist; unanimously approved by roll call.