

Conservation Commission Public Hearing Minutes – May 14, 2020

Time: 7:34 PM – 10:13PM **Location:** Remote

Members Present: Tom Ruskin, Chair; Toni Bandrowicz, Vice Chair; Colleen Hitchcock; Jonathan Grabowski; Monica Lagerquist; Monica Tamborini

Members Absent: Randall Hughes (alternate); Laura Spathanas (Selectmen Liaison)

The public hearing of the Conservation Commission was called to order at 7:34 pm.

The public hearing was video recorded.

AGENDA

1. Request for Notice of Intent: DEP #071-0324 (22 Northstone Road) – filed by Chris Casey for a proposed addition of a pool and patio area within the 100' buffer zone of a top of a coastal bank (22 Northstone Road, Map 31, Lot 47A). Tobin Shulman, architect, Chris Casey, applicant, Katy Finkenzeller and Peter Ogren, engineer, were present for the application.

Mr. Shulman clarified prior to starting that the abutter notices were correctly sent, as there were questions from some members of the public at the last meeting.

Mr. Ogren presented updated plans to the Commission, which included an alternative location for the pool. The main issues as he sees them are 1) the potential for blasting, 2) bank stability, and 3) erosion. His team dug auger holes to determine if there was enough ledge to warrant blasting and he does not believe there is; pictures are included in the report.

In terms of issues #2 and #3, his analysis of the proposed pool including vertical load and hydraulic pressure do not indicate that it would have a negative effect on the bank. However, he did not that there is erosion that has happened.

In looking at the alternative pool location, Mr. Ogren recommends that a retaining wall be constructed with a deflection cap for protection for the pool and the house. This would also include some reinforcement of the existing seawall area. The vertical load pressures remain the same. He also looked at the issue of wave run up, which does cause erosion and potentially damage to the house which is why a deflection cap would serve to protect both.

T. Bandrowicz asked if work would need to be done on the wall regardless of the pool location. Mr. Ogren said yes, he would recommend that.

T. Ruskin expressed concerns about the seawall and potential failures as it is a smooth vertical wall. He and Mr. Ogren discussed multiple examples of other seawalls around Swampscott.

T. Bandrowicz asked if there were concerns about the second pool location, which is closer to the seawall/bank than the original. Mr. Ogren states that he has no additional concerns with that location beyond adding the retaining wall protection, which would better protect the pool and the house.

T. Bandrowicz asked if climate change and sea level rise were taken into account in the analysis. Mr. Ogren stated his calculations are based on FEMA mapping and standards.

T. Bandrowicz asked about the fencing that was proposed. Mr. Shulman replied that the fence will move back from the edge of the property depending on the location choice. The Commission members had a discussion about fence location.

C. Hitchcock asked about the design responding to state best practices for storm smart design. Mr. Ogren responded that the location is back from the revetement and not on top of it, and it is above the mean high water mark.

Public comment was opened.

Peter Rosen, a representative hired by the abutters, gave a powerpoint presentation his concerns and questions about the project. Mr. Rosen is a coastal geologist with experience in this area. He believes there is a tremendous stability issue with the bank that could be exasperated by this proposal. He also believes that this area is a regulatory coastal bank, which would be a different classification than that was applied for. He also believes it may be considered Land Subject to Coastal Storm Flowage. He presented some video footage of prior storms taken by existing residents showing how the water runs up the seawall. He stated that he believes there are wetland resource issues here.

T. Bandrowicz asked Mr. Rosen if he also believes that wall repairs are necessary. He replied yes.

Mr. Ogren and Mr. Rosen discussed some of the matters that were raised.

Mr. Phillips clarified for Ms. Casey that Mr. Rosen was hired by six abutters who live across the street who have concerns about the project.

Mr. Shub, Northstone Point condo resident, noted that the condos had to repair the seawall in 2018 after the large storms that year. He expressed concerns about the vibrations from the waves.

T. Ruskin noted that vibrations are a large part of living near the ocean, and that there are other examples of homes and/or pools and other structures being built close to the bank in Swampscott.

Mr. Ogren asked if the applicant and neighbors should hold a meeting. T. Ruskin replied that it would be a good idea, although the Commission members cannot organize that – it is between the two parties themselves.

MOTION: T. Bandrowicz to continue the NOI to next Commission meeting on June 11th. Seconded by M. Lagerquist; unanimously approved.

2. Presentation on MVP Project by Kleinfelder – Nasser Brahim, consultant from Kleinfelder, gave a brief presentation on the Beach Access and Resiliency project which is being funded through the state's municipal vulnerability preparedness grant program. The project will complete to 100% design and construction of beach entrance improvements to Cassidy Park and Phillips Beach.

Commission members were supportive of additional kayak storage at Cassidy Park.

Commission members asked for more information about native plantings proposed for Phillips Beach and encouraged any invasive removal where possible as a part of the project.

5. Other Business

c. Approval of meeting minutes

MOTION: T. Bandrowicz to approve meeting minutes from April 16, 2020. Seconded by M. Tamborini.
Unanimously approved.

Meeting adjourned at 10:13 p.m.