**Town of Nahant**

**Conservation Commission**

**Meeting Minutes**

**Wednesday April 21, 2021 at 7:30 PM via Zoom**

1. **Meeting Opening at 7:30 PM**

**Attendance: Kristin Kent, Henry Hall, Tom Famulari, Colleen Collins, Mark Patek**

**Absent: Eden Reiner, Ellen Steeves**

1. **New/Ongoing Business**

**Kristin Kent:** Opened the meeting of the Nahant Conservation Committee on Wednesday, April 21, 2021 at 7:35 PM

* 1. *Continued Notice of Intent, 163 Willow Road (047-0584)*
     1. *Construction of a retaining wall*

**John Dick (Environmental Consultant):** Discussed modifications of the plan. The modifications discuss the salt marsh and relocated drainage pipes to drain towards the town drainage and away from the salt marsh. Discussed existing conditions.

**Kristin Kent:** Discussed shifting the wall landward so that it is completely on the homeowner’s property and away from the salt marsh.

**Dave Aldrich (Resident):** The engineer and land surveyor are monitoring this.

**Kristin Kent:** Shared her screen with picture of the property line. Expressed further concerns about the plan not being consistent with the photos and trying to clarify everything.

**Dave Aldrich:** There is no foundation left in the original seawall closest to Willow Road. Explained what will happen with the boulders to provide a solid foundation for the revetment.

**John Dick:** The main concern is being outside the property line.

**Dave Aldrich:** Asked when he will be able to get going.

**Kristin Kent:** If we can agree to the property line on the plan which keeps you out of mean high water, it fixes a ton of problems and saves you from future headaches. With the conditions that all work remain on property, work be shifted one foot landward to avoid salt marsh, environmental monitor present during work, survey performed after work is complete to ensure it was constructed properly.

**Dave Aldrich:** Agrees with the Conservation Commission’s proposed changes.

**Kristin Kent:** Do I hear a motion to issue an Order of Conditions with the conditions aforementioned?

**Motion:**

**Tom Famulari:** I motion

**Colleen Collins:** Second

**Roll Call Vote:**

**Tom Famulari:** yes

**Colleen Collins:** yes

**Mark Patek:** yes

**Kristin Kent:** yes

**Henry Hall:** recused

* 1. *Request for Determination of Applicability, 78 Willow Road*
     1. *Installation of a pea stone patio, shed, outdoor shower, and landscaping*

**Dev Barnes (78 Willow Road):** There will be no significant regrading for what I hope to do.

**Kristen Kent:** Do I hear a motion to issue a negative determination to allow the project to proceed?

**Motion:**

**Mark Patek:** I’ll motion

**Colleen Collins:** Second

**Roll Call Vote:**

**Mark Patek:** yes

**Colleen Collins:** yes

**Henry Hall:** yes

**Tom Famulari:** yes

**Kristin Kent:** yes

* 1. *Notice of Intent, 25 Phillips Road (047-0586)*
     1. *Seawall Repairs*

**Curtis Cheney (Collins Engineers):** Explained the proposal for the property and the repair needed to be done to the seawall and apron.

**Mark Patek:** How are you using Beach Ln to access the property?

**Kristin Kent:** So you will be limited to low or mid tide?

**Curtis Cheny:** This would have to be done over multiple tidal cycles, probably working every day for a couple weeks. Went into further detail about how the concrete would be poured.

**Kristin Kent:** Requests clean-up kit on site for potential oil spills. Also requested a time frame.

**Nancy Carey (23 Phillips Road**): Supported the seawall

**Dustin Sweazy (30 Phillips Road):** Supported the seawall

**Bill Osbhar (28 Phillips Road):** Supports the seawall

**Kristin Kent:** Do I hear a motion to issue an Order of Conditions for the project with the conditions that there be a spill containment kit on the property, no concrete wash out on the beach, daily removal of the machine be provided and it be surrounded by an erosion control, and there that be at least a week notification to the start of work.

**Motion:**

**Henry Hall:** I so move

**Mark Patek:** Second

**Roll Call Vote:**

**Henry Hall:** yes

**Mark Patek:** yes

**Colleen Collins:** yes

**Tom Famulari:** yes

**Kristin Kent:** yes

* 1. *Request for Determination of Applicability, 5 Howe Road*
     1. *Installation of a hot tub*

**Bruno Andreas (Project Manager):** Trying to install small concrete slab to sit hot tub on and build a deck around the hot tub. All of the water from the hot tub will be drained out to a sump pump inside of the house as well as for the outdoor shower. We will also be installing the sump pump.

**Kristin Kent:** My only condition would be sign off from the town to drain into the town’s sewer system. Do I hear a motion to issue a Negative Determination of Applicability for this project with the condition that the town signs off on the sewer component?

**Motion:**

**Mark Patek:** I move

**Tom Famulari:** Second

**Roll Call Vote:**

**Mark Patek:** yes

**Tom Famulari:** yes

**Henry Hall:** yes

**Colleen Collins:** yes

**Kristin Kent:** yes

* 1. *Request for Determination of Applicability, 131 Castle Road*
     1. *Seaweed removal from the beach*

**Rochelle Capobianco (131 Castle Road):** 3-5 ft. of seaweed piling up. Looking to get a bobcat in there to clean it up.

**Kristin Kent:** What’s the intent for disposal?

**Rochelle Capobianco:** Asking how to potentially compost

**Kristin Kent:** You can compost if you are using a residential vehicle registered to Nahant. This needs to be confirmed with Town Hall. Maybe a condition would be that you sift through to make sure there are no contaminants.

**Rochelle Capobianco:** Why is this part of Doggie Beach not part of the SWIM cleanup?

**Mark Patek:** It is volunteer-based and it is for public beaches.

**Gennaro Anguilo (9 Vernon Street):** Recommends a mini excavator over a bobcat and offered to help with disposal.

**Susan Solomon (5 Wendell Road):** Supports the seaweed removal. Expressed concern for habitat loss for the birds living in the seaweed.

**Kristin Kent:** Requested that signatures be obtained from all neighbors if removal will occur in front of other properties as well.

**Kristin Kent:** Do I hear a motion to issue a Negative Determination for the project?

**Motion:**

**Tom Famulari:** I move

**Henry Hall:** Second

**Roll Call Vote:**

**Tom Famulari:** yes

**Henry Hall:** yes

**Mark Patek:** yes

**Colleen Collins:** yes

**Kristin Kent:** yes

* 1. *Continued Notice of Intent, 430 Nahant Road (047-0580)*
     1. *Construction of a new building on the existing bunker and two new parking areas and associated appurtenances.*

**Dwight Dunk (Epsilon Associates, Inc.):** We received the peer reviewers’ comments and submitted responses to comments. We have nothing additional to present on the project but we are able to answer any questions at this time.

**Colleen Collins:** Asked question about why the current system is “obsolete” after a $6,000,000 grant less than 6 years ago.

**Kristin Kent:** Additional information was provided that I was not able to forward to the Commission in advance of the meeting.

**Mark Patek:** Urged again for a different scale on the plan.

**Tom Famulari:** Also opposes the scale of the current plans.

**Kristin Kent:** Discussed organizing a site visit.

**Colleen Collins:** What is the square footage for this building as it currently stands?

**Bill Maher (Nitsch Engineering):** I will find that for you.

**Kristin Kent:** One of my concerns is maintenance of public access during construction period.

**Bill Mahoney (179 Willow Road):** Discussed concerns about the project.

**Debbie Vanderslice (368 Nahant Road):** Asked the representatives for Northeastern about the size of the building.

**Michelle Capano (29 Ocean Street):** Asked if the site visit is covered under open meeting law

**Kristin Kent:** No, it will not be open to the public and no deliberation will occur. Just a chance for the Commission to see the site and ask questions.

**Susan Solomon (5 Wendell Road):** Expressed her personal concerns about Northeastern’s plans and if they are going to pursue reducing the parking area.

**Christian Bauta (3 Swallow Cave Road):** Commented on a drainage issue on Northeastern’s property.

**Dwight Dunk:** Discussed separating storm water drainage from seawater drainage.

*\*\*Discussion back and forth about the CSI\*\**

**Kristin Kent:** Do I hear a motion to continue this to the next meeting?

**Motion:**

**Colleen Collins:** I move

**Mark Patek:** Second

**Roll Call Vote:**

**Colleen Collins:** yes

**Mark Patek:** yes

**Henry Hall:** yes

**Tom Famulari:** yes

**Kristin Kent:** yes

**Jeff Blake (Town Counsel):** Is there a date certain?

**Kristin Kent:** May 19, 2021

* 1. *Continued Notice of Intent, 430 Nahant Road (047-0582)*
     1. *Replacement of the existing seawater intake lines, pump house and discharge system.*

**Dwight Dunk:** Shared screen with presentation of Northeastern’s Replacement Seawater Intake

**Rick Galat (Tag Engineering):** Talked about his role for this project and explained the new pipes and how they will accommodate biofouling.

**Dwight Dunk:** Explained HDD Installation Methods

**Paul McManus:** Asked question about silt boom/curtain

**Mark Patek:** Made comment about the different lengths of the inflow pipe versus the outflow pipe.

**Alice Cort (7 Valley Road):** Expressed concerns about the size of the pipes and if Northeastern changed the pumps in the future to take in more gallons per minute.

**Kristin Kent:** We can limit Northeastern’s pumping as a condition of the permit. Do I hear a motion to continue to the next meeting on May 19, 2021?

**Motion:**

**Tom Famulari:** I motion

**Mark Patek:** Second

**Roll Call Vote:**

**Tom Famulari:** yes

**Mark Patek:** yes

**Colleen Collins:** yes

**Henry Hall:** yes

**Kristin Kent:** yes

1. **Adjourn**

**Motion:**

**Henry Hall:** I motion to adjourn

**Mark Patek:** Second

**Roll Call Vote:**

**Henry Hall:** yes

**Mark Patek:** yes

**Colleen Collins:** yes

**Tom Famulari:** yes

**Kristin Kent:** yes

Meeting Adjourned on April 21, 2021 at 11:26 PM.

Meeting Minutes prepared by Assistant, Olivia Cooke on July 27, 2021

Meeting Minutes approved by the Conservation Commission on September 15, 2021.