

Town of Nahant
Conservation Commission
Meeting Minutes

Wednesday, October 19, 2022 at 7:00 PM at the Town Hall

Attendance: Henry Hall, Mark Patek, Eden Reiner, Tom Famulari, Skylar Tibbits, Colleen Collins, and Kristin Kent, Conservation Agent.

Commission Chair Mark Patek opened the Meeting of the Conservation Commission at 7:02 PM.

1. Notice of Intent, Nahant Bay

Eelgrass harvesting for transplantation to Hingham Bay within Land Under the Ocean.

File number has not yet been issued by DEP. No one present on behalf of the Division of Marine Fisheries. Motion to continue made by Famulari, seconded by Reiner, motion passes unanimously.

2. Request to Amend Order of Conditions, 4 White Way (047-0593)

Request to change mitigation measures for work within Bordering Land Subject to Flooding.

The Commission held a site walk with the DPW Director on 9/29/22. A project description was provided by the Applicant, as requested.

Conditions for approval 1) provide as-built, 2) the swale shall remain in perpetuity and be maintained by the homeowner.

Motion to issue an Order of Conditions with the aforementioned conditions made by Tibbits, seconded by Hall, motion passes unanimously.

3. Request for Amended Order of Conditions, 238 Wilson Road (047-0565)

Request to amend existing Order to allow for construction of a two bedroom single family home within buffer zone to Coastal Bank and Land Subject to Coastal Storm Flowage.

Proposing to build a new house on the pre-existing footprint. Requires Zoning approval, but will return to the Commission if there are substantive changes. Requesting amendment to permit proposed house under pre-existing permit for the property.

Conditions for approval 1) conditions regarding vegetation and footprint carry from the previous Order, 2) erosion controls must be installed.

Motion to issue an Amended Order of Conditions with the aforementioned conditions made by Collins, seconded by Reiner, motion passes unanimously.

Other Business

-Review and approval of 7/20/22 meeting minutes

Motion to approve the minutes made by Reiner, seconded by Tibbits, passes unanimously.

- Draft enforcement fines schedule

Will be addressed at the next meeting- draft wasn't ready in time for this meeting.

- 211 Willow Road project update

Work began on the pier installation project, as permitted by a Superseding Order of Conditions issued by the DEP. Work was subsequently stopped on site due to a premature start, followed by a violation of the existing Order. A site visit with DEP was conducted on 10/6, where it was determined the permittee must file a Notice of Intent with the Conservation Commission for permission to conduct the site work via the beach.

Kent indicated that she'd like to see the Commission speed up the hearing process for the project to minimize the amount of time the existing ramp remains in jurisdiction. Commission agreed to hold a site visit on 10/26 at 8 AM, followed by a public meeting on 11/2 at 7 PM.

- Northeastern University project update

NU is appealing the Order of Conditions issued by the Commission based on the last condition in the Order. The condition was included in the previous Order (which wasn't appealed), and in public meeting it was stated that all previous conditions, with the addition of a few agreed upon new conditions, would carry to the new Order- NU had no objections to this.

The cottonwood tree on the campus still hasn't been addressed. Kent has been going back and forth with Tim MacKay from NU trying to get this work done before winter.

Motion to adjourn to executive session to discuss appointment of a Commission chair made by Famulari, seconded by Hall, motion passes unanimously.

Commission discussed whether to appoint a permanent Chairperson or to rotate based on a schedule. Rotation would minimize workload for members. Commission opted to continue with a rotating schedule at this time.

Motion to adjourn at 7:52 PM by Tibbits, seconded by Famulari, motion passed unanimously.

Meeting Minutes prepared by Kristin Kent, Conservation Agent

Meeting minutes approved by Commission on 11/16/22.