

Manchester-By-The-Sea ~ Minutes of the Conservation Committee

February 25, 2025, 6:32pm; Hybrid Meeting

Town Hall Meeting Room 5/Zoom; Meeting ID: 831 9054 4434 Passcode: 980723

Members Present Online: Dr. Henry Oettinger, Dr. Olga Hayes, Dr. Jeff Bodmer-Turner, Gordon Turner, David Lumsden

Members Absent: Steve Gang, Sari Oseasohn

Staff Present: Marc Resnick, Bethany Barstow

Call to Order/Welcome

Dr. Oettinger called the meeting to order at 6:32. The Commissioners welcomed Bethany Barstow as the new Conservation Agent. They also announced that the Chair and Vice Chair were unable to attend the meeting.

Notice of Intent

Public Hearing 39 Coolidge Point Ave DEP File # 039-0922 (continued)

This item was noted to have been an error on the agenda. It was confirmed that the hearing for 39 Coolidge Point had been closed and conditions were voted on at the previous meeting. Ms. Barstow noted that the Order of Conditions has been recorded at the Registry of Deeds.

Public Hearing 48 Central St DEP File # 039-0926

Mike DeRosa from DeRosa Environmental presented on behalf of the applicant. He shared updated plans following a site visit, which included:

- Addition of four flood vents to the proposed garage
- Inclusion of pavement along the shared easement for vehicle maneuverability
- Reductions in impervious surfaces in all zones (0-30, 30-50, and outer 100)
- Total reduction of 1,189 square feet over existing conditions
- Retention of the proposed mitigation plan

Commissioners and members of the public raised several concerns:

- Dr. Hayes stated that she had not had enough time to read all the abutters letters about the project.
- Mr. Turner questioned the stated reduction in impervious area from what was previously approved at the site. Mr. DeRosa noted that the filing reflected existing conditions, and that in fact the updated proposal does reduce impervious surfaces. Mr. Turner also asked

if there has been an engineering project about storm flowage. Mr. DeRosa's assistant Latisha explained that steps have been taken through regrading that creates larger storage area for storm flowage. Mr. Turner shared concerns about winter storms and impact of ice during winter flooding event. Latisha further noted that the Net Volume of Filled Flood Plain was in fact 7.5 cubic ft, not 39.5 cubic feet as noted on the plan. They acknowledged the mistake on the plan.

- Christine DiLisio remarked that the Commission had not announced the project at the beginning of the segment.
- Lisa Martinez (15 Central Street) objected to the meeting, stating the abutters weren't given enough notice to review new plans. She also stated she was not in favor of the project and asked if the Commissioners had received the letter from her attorney. Dr. Ottinger stated that the Commission was in receipt of the letter from her attorney.
- Richard Mastranzi (46 and 44 Central Street) and also expressed concerns about not having time to review the new plans and building in a no-build zone.
- Kim Hofeld (42 Central Street) raised concerns that she had not been able to review the new plans and concerns about building in a no-build zone without some sort of hardship. She expressed serious concerns about water displacement around the proposed garage.
- Mike Storella (119 Pine Street) raised concerns about the intensity of flood surges in the area. He stated that flooding will get worse, and that building in a no build zone would create long term problems.

Dr. Hayes mentioned that she remembered a previous filing for 48 Central and was curious if other alternatives for a garage such as a carport or under-house garage had been considered.

Mr. Turner asked if the applicant had given alternatives analysis to the Commission, and Mr. DeRosa responded that they had. He noted that the project had reduced the size of the garage from a 2 car garage to a single car garage. He noted that he would speak to the applicant about the concerns raised by abutters in the meeting and asked to be provided with the abutters letters. Bethany Barstow will have them forwarded to Mr. DeRosa.

After discussion, the Commission decided to continue the hearing to March 18.

Dr. Ottinger moved to continue the hearing for 48 Central Street, DEP file number 39-926 to the March 18, 2025 meeting. Dr. Hayes seconded. The motion passed unanimously.

Request to Extend Existing Order of Conditions

17 Proctor St DEP File #039-0864

It was confirmed that this item had been voted on at the previous meeting and did not require further discussion.

15 Eaglehead Rd DEP File #039-0821

Marianthe Mewkill was present, and the Commission reviewed a letter requesting a one-year extension.

Dr. Hayes moved to issue a one-year extension for 15 Eaglehead Road, DEP file 39-821 to March 31, 2026. Mr. Lumsden seconded. The motion passed unanimously.

189-193 School St DEP File # 039-0861

The Commission reviewed a letter from Alden Drake requesting an extension for Cornerstone Church. Despite no representative being present, the Commission decided to grant the extension. Dr. Oettinger stated that the applicant had noted in his letter that they have a design team to assist them.

Dr. Hayes moved to issue an extension for 189-193 School Street, DEP file 039-0861 to February 23, 2026. Dr. Ottinger seconded. The motion passed unanimously.

Request for Certificate of Compliance

1 Bigwood Rd DEP File #039-0917

Mike DeRosa presented an as-built plan for 1 Bigwood Road. The project involved removing gravel around the house and replacing it with grass, with some areas remaining as gravel.

Commissioners raised concerns about the use of AI-generated images in the presentation, and Mr. DeRosa attested that in fact the photos used in the presentation are accurate. Mr. Lumsden raised concerns about other filings and the issue raises serious concerns about AI generated content.

Dr. Oettinger moved to grant a Certificate of Compliance for 1 Bigwood Road, DEP 39-917, with amendment from Mr. Lumsden, that this Order of Conditions becomes the new as-built and any further changes will have to come before the commission, including the removal of any further gravel. Dr. Hayes seconded. The motion passed unanimously.

Enforcement Issues

Potential Violation – 59 Pleasant St (continued)

The Commission discussed the need for follow-up on this issue. It was noted that the applicant had submitted three photographs after the previous meeting. Bethany was encouraged to conduct a site visit to assess the situation, particularly regarding potential filling in the swamp area and parking of commercial vehicles. Dr. Hayes stated that she was expecting Ms. Santos to work with the Land Use Office. Mr. Resnick stated that Ms. Santos had submitted three photographs of the driveway area in concern, and that he will bring the photos to the next Conservation Committee meeting.

New/Other Business

The Commission discussed the need to follow up on 68 Pine Street, as no response had been received to their certified mail. Dr. Hayes was reminded to attempt to make contact at the property and Mr. Resnick stated that he would add it to the next agenda.

Correspondence

Christine DiLisio inquired about obtaining an abutters list for the Central Street project. She stated that she had sent an email to the Town Planner (Mr. Resnick) requesting a list of the abutters list for 48 Central St, but had not received a response. Ms. Barstow provided her email to Ms. DiLisio and said she would help. Mr. Resnick responded that he had received the email and that he was looking into previous filings for 48 Central. Marc and Bethany assured her they would look into it and provide the information. Ms. Delisio asked if she should do a public records request because the response was taking a long time and asked if her request was being taken seriously. She asked if there was a file at Town Hall that she could look at, and asked if she needed to do a public records request for the list of abutters. Mr. Lumsden stated that it would be better to be patient. Ms. Delisio then stated that she would do a Public Records Request for the abutters list.

Other Items Not Foreseen

Mr. Lumsden asked if the new meeting calendar had been issued; the Commission suggested that the calendar had been finalized. Mr. Resnick said that the new calendar would be posted on the Town website. He also suggested that if there need to be adjustments, that the Commission can do so later on in the year.

Mr. Turner asked Mr. Resnick if he had made any progress with getting the Commissioners access to the Town's Sharepoint drives. Mr. Resnick responded that it will be possible, and that it should get done. He stated that the file system is currently disorganized, and that soon there will be one folder for the Commissioners. Ms. Barstow noted that she is currently "un-archiving" previous agents' emails and organizing files for background on continuing projects.

Approval of Minutes

There were no minutes to approve.

Adjournment

Dr. Hayes moved to adjourn the meeting. Dr. Ottinger seconded the motion.

The motion passed unanimously, and the meeting was adjourned at 7:35 PM.

By: Shannon Bianchi