



# TOWN OF WINTHROP

## CONSERVATION COMMISSION

Town Hall 1 Metcalf Square Winthrop Massachusetts 02152 Telephone: (617) 539-5821 Fax: (617) 846-5458  
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### MINUTES OF MEETING 7:30 P. M. – October 13, 2010 Joseph Harvey Hearing Room Winthrop Town Hall

**Members in Attendance:** Mary A. Kelley, Chairperson, Stephen Machcinski, Brian Corbett, Norman Hyett, David J. Girard, Kristine E. Dow

**Cottage Park Yacht Club** - Meeting with Representative, Attorney James Rudser to discuss Violation Notice and fine issued to the club. Mr. Rudser stated the club believed that they did not have to file a Notice of Intent for work performed. They have realized their error in not filing. Mr. Rudser asked that the Conservation Commission reconsider the fine and reduce from \$6,500.00. Meeting was taped for the record. Chairperson Mary Kelley, Members Stephen Machcinski, Norman Hyett and David Girard stated for the record they are also affiliated with the Cottage Park Yacht Club.

Discussion was made regarding previous meeting held with Town Manager, James McKenna; Attorney James Rudser; Mary Kelley, Chairperson and Marsha Allen, Secretary for the Commission. At this meeting, Mr. Rudser agreed to submit a letter asking the Commission to reduce fine from \$6,500.00 to \$3,500.00 and in addition it was also suggested that the additional \$3,000.00 be suspended for Three (3) years, but was to be paid if the CPYC violated the Wetland Protection Act during the three years. Paperwork was to be submitted for the Town Attorney to approve then on to the Commission for signature. Commission stated that letter has not been received as of today. Mr. Rudser stated that he was asked by the CPYC Board to speak with the Commission asking to reduce fine. Further debate ensued. Mr. Rudser asked that the fine be lowered to \$500.00

Motion by Member Kristine Dow to postpone further discussion until Mr. McKenna is available to speak with everyone. Member Stephen Machcinski, 2<sup>nd</sup>. Motion was voted on, Ms. Dow and Mr. Machcinski in favor, Mr. Corbett, Mr. Hyett and Mr. Girard against. **MOTION NOT PASSED**

Members and Mr. Rudser held further discussion. Member David Girard made a final motion to settle fine for \$3,500.00 with \$3,000.00 suspended for Five (5) years in case of any further violation by the Club. Member Stephen Machcinski, 2<sup>nd</sup>. Attorney Rudser agreed to submit proposal in writing for the Conservation Commission review with Seven (7) days. If not received with the Seven (7) days, this agreement is null and void. **UNANIMOUS VOTE**

### **Discuss new submittal material/Vote to Close hearing for the following applicants:**

- a. Winthrop Boat Yard, Pleasant Court Rear – Attorney James Cipoletta & Engineer Richard Salvo representing the owners attended meeting. Discussion regarding new plans, Planning Board decision and MWRA M8 permit application submitted into record. Discussion regarding how property to be

used; per Mr. Cipoletta, as a boat yard this would be just seasonal not year round. Must check with Fire Dept., Board of Appeals & MWRA for any further required permits.

**VOTE** to Close Hearing with constraints – Applicant must have all required permits from MWRA, Board of Appeals, Building Inspector and Fire Dept. **UNANIMOUS VOTE**

- b. **Robert Corolla, Corolla Enterprises, 120 Banks Street** – New material submitted was discussed. Member David Girard would like the applicant to submit additional elevation figures as previously requested. Hearing not closed until new information received.

**Fishermen's Bend site visit** – Discussion on site visit held with Members, David Girard, Stephen Machcinski and Norman Hyett. Many Winthrop residents were also in attendance. All went very well with many good ideas for this area being suggested, such as, clean-up; parking; benches, and a Kayak ramp. Discussion was made regarding Peter Lombardi, Town of Winthrop Grants Administrator, and how he was coming along with a grant proposal for Fishermen's Bend due November 1, 2010. The Grant application is on time and will be submitted by deadline date.

**MINUTES OF MEETING** – **VOTE** to accept September 22, 2010 minutes of meeting. – Unanimous vote.

**General Business** –

1. Discussion regarding clean-up at Snake Island – clean-up went very well. Member Norman Hyett asked the Commission if they had a problem with a clean-up/removal of the Sumac Trees. The Commission does not have a problem with this work being done.
2. Approve Addendum letter giving DCR approval to make a change in their Notice of Intent for Short Beach project. **VOTE**: Approved – Unanimous Vote; Chairperson Mary Kelley signed letter.
3. Discussion regarding letter from Pleasant Park Yacht Club – Project complete, final As Built Plans Submitted along with a "Request for Certificate of Compliance". Member Brian Corbett will conduct the required site visit and discuss at next scheduled meeting. If all approved, a "Certificate of Compliance will be signed at that meeting.
4. Discussion regarding Commission contact person for the Winthrop Board Yard project – Member Kristine Dow agreed to be contact person.
5. Member Kristine Dow asked to change next meeting on October 27, 2010, from 7:30 pm to 7:00PM- Members agreed.
6. Discussion regarding a violation of Wetland Protection Act – yellow apple tree debris in marsh area adjacent to 8 Winthrop Street was observed by the Commission. Also observed, 8 Winthrop Street had similar tree. Letter is to be mailed to owner of 8 Winthrop Street to remove debris. Non-removal of debris within 30 days could be subject to a fine.

MEETING ADJOURNED 9:45 P.M.

Winthrop Boat Yard, LLC  
C/o Boston Development Ventures  
550 Pleasant Street, Suite 109, Winthrop, MA 02152  
**PROJECT LOCATION:** Pleasant Court Rear, Winthrop

**DEP FILE #NE 082-0359**

**Final Approved Plans and Other Documents**

**TITLE**

**SIGNED STAMPED/DATE**

**Received August 16, 2010**

**Prepared by Engineering Alliance, Inc.**

Figure 1-USGS Locus Map	June 8, 2010
Figure 2-Ortho Photo	June 8, 2010
Figure 3-Natural Heritage Map	June 8, 2010
Figure 4-Fema Flood Map	June 8, 2010
Figure 5-Soils Map	June 8, 2010
NRCS Soils Description	August 13, 2010
Proposed Site Improvements Narrative	August 13, 2010
Best Management Practices Maintenance Plan	August 13, 2010
Plan of Land	Richard A. Salvo, P.E. 6/29/2010

**Received August 17, 2010**

Quitclaim Deed	April 7, 2005
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**Received September 17, 2010**

Updated plan entitled - “Plan to Accompany Notice of Intent”	Richard A. Salvo, P.E. Revised 9/9/2010
Fire Hydrant Figure	September 13, 2010

**Received September 17, 2010**

Letter from Fire Dept., Captain William Hazlett, Fire Inspector Issue: Suitable water & hydrants for Fire suppression	September 16, 2010
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**Received September 21, 2010**

Comment letter from Friends of Belle Isle Marsh	September 21, 2010
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**Received September 28, 2010**

Board of Appeals Decision Case #1-2005 for RCG LLC, Somerville RE: Atlantis Marina, 550 Pleasant Street (owner of Pleasant Court Rear) submitted by Building Inspector)	June 1, 2005
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**Received October 13, 2010**

Plan of Land-Revision

Richard A. Salvo, September 9, 2010

**Received October 13, 2010**

Letter to Board of Appeals from VL Realty LLC/RCG LLC,  
Somerville (owner of Pleasant Court Rear) RE: Atlantis Marina,  
550 Pleasant St. Construction Parking Plan at Pleasant Court Rear.

November 17, 2005

**Received October 13, 2010**

Winthrop Planning Board Decision of Special Permit (SP-3)  
VL Realty LLC/RCG LLC, Somerville (owner of  
Pleasant Court Rear) RE: Atlantis Marina, 550 Pleasant St.

February 24, 2005

**Received October 13, 2010**

Copy of MWRA Application for 8(m) permit  
For VL Realty LLC/RCG LLC, Somerville (owner  
of Pleasant Court Rear) RE: Atlantis Marina, 550 Pleasant St.

November 1, 2010

**Received October 19, 2010**

Letter from Board of Appeals to Attorney James Cipoletta  
Re: Atlantis Marina – requesting site parking plan as  
Stated in BOA decision June 1, 2005.

October 19, 2010

Robert Corolla, Corolla Enterprises LLC  
15 Bates Avenue, Winthrop  
**PROJECT LOCATION:** 120 Banks Street, Winthrop, MA

**DEP FILE #NE 082-0358**

**Final Approved Plans and Other Documents**

**TITLE**

**SIGNED/STAMPED/DATE**

**Received August 16, 2010**

Locust Map	August 16, 2010
Quitclaim Deed	June 24, 2010
1-Assessors map	
10 photos project site	August 16, 2010
Land Title Survey	Joseph M. Small 7/2/2010
1set(10)-Existing Commercial/Office Building- Reference Photograph packet, Exterior Elevations	April 16, 2010

**The following prepared by Charles E. Bamberg-**  
**Phase One/Construction**

August 10, 2010

1set (3)- Proposed site improvements & envelope renovations  
to an existing Commercial/Building includes:  
1-Project overview, Proposed site improvement plan &  
general notes – Plan #S.1  
1-Misc. site improvement construction details – Plan #S.2  
1-Proposed south & west exterior elevations improvements-  
Plan #A.1

**Received September 14, 2010**

**Prepared by EBI Consulting**

Phase I Environmental Site Assessment	May 21, 2010
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**Received September 17, 2010**

**Prepared by Engineering Alliance, Inc.**

September 15, 2010

Stormwater Report

**Prepared by Charles E. Bamberg**

Proposed Site Improvements Plan #S.1, includes  
Proposed site elevations

Richard A. Salvo 9/15/2010

**Received September 21, 2010**

Comment Letter from the Friends of Belle Isle Marsh

September 21, 2010

**Received September 22, 2010**

Project overview, site improvements' plan and  
General notes

Richard A. Salvo, August 10, 2010