

**MINUTES – CONSERVATION COMMISSION
TUESDAY, FEBRUARY 4, 2014 7:00 P.M.
TOWN HALL, HEARING ROOM 2, 2ND FLOOR
870 MORAIN ST., MARSHFIELD, MA**

Members present: Robert Conlon (RC), William Levin (WL), Frank Woodfall (FW), Chad Haitsma (CH), and Jay Wennemer, Conservation Agent (JW). RC motioned to open the meeting, FW second, passed 4-0-0.

MINUTES - Minutes of 1/28/14 meeting

BUSINESS

1. Vote & sign Orders of Conditions for closed hearings (if projects are voted closed and/or the Commission is prepared to vote on Conditions): The Commissioners read the draft orders for Hart, 120 Preston Terrace after the public hearing was held. FW motion to accept orders as drafted, RC second, passed 4-0-0.
2. Scheduled Meetings: Tuesday, 2/4/14; 3/4/14; 3/18/14
3. 941 Summer Street CR – Deed Restriction – A copy of the recorded Deed Restriction has been received from Attorney Ohrenberger. The Commissioners signed both Certificates of Compliance.
4. Boys & Girls Club CR
5. Evans Land donation offer – Norwich St., 1/8 acre next to ConCom land (G12-02-04)
6. Lot 29 Carolyn Circle – The Commissioners agree to hire an outside consultant.
7. Airport Discussion – Hugh Beagan, 10th Road, representing the newly formed group, “Marshfield Citizens Against Airport Pollution” read a letter of their concerns to the Commission. Joe Pecevich, Wilson Road, reviewed the project, that the Notice of Intent was denied by the ConCom, denied by DEP, then the state issued a Variance allowing the project, which then came back to the Commission for bylaw approval. There were seventy-three special conditions in the Order. A Notice of Non-compliance was issued by DEP against the airport. Mr. Pecevich asked that the Commission stay on top of the changes, which should be cc'd to the Conservation Commission.

Mr. Pecevich said the major change was driving piles to support the runway. Independent environmental agent reported 402 wooden piles coated with CCA (copper, chrome, arsenic). An individual has to be a Certified Pesticide Applicator to use this CCA. Another 2,400 piles are planned. Who approved that change? JW stated that the piles were changed from the original plan, to take out unsuitable material and fill, and that he and the Commission were not aware of that change before it was implemented. Have environmental reports – have wetland scientist, turtle monitor and independent observer. Reports go to DEP, we get copies. Some deficiencies of plan changes where DEP talked to consultants about changes but changes were made without updating the plan and receiving written DEP approval. DEP has been very on top of things. Haven't felt Conservation needed to be involved because it was handled before we even knew about it. Some of the changes have been fencing, the pilings. RC – clear cut wasn't part of our purview? Was part of the vegetation management plan and review. Had proposed herbicides – we said no. Airport wasn't in compliance with obstructions over the airspace. Lot more aggressive airspace penetration control – airport a lot more open than it was.

Dave Dineen, Bob Riley, Dave Suffredini and Erik Strand from Gale Associates. Eric – CCA was applied in the factory; piles come pre-treated. MSD sheet – stated that it was the same material that was applied by licensed applicator. JW – these pilings are typical for what we approve for all docks and piers. Anything in contact with the ground is either going to be this type of treatment, or replaced in a few years.

Town DPW has issued contract to start Bass Creek Dredging on the 17th – dredging all linear feet as proposed.

Mr. Beagan – driving pilings and Jay was never notified? CC has to be notified. Where's the lack of communication. To say that these pilings driven into a pier, isn't same system, tide isn't going to wash these. RC – have to in a barrier beach. Mr. B – this is 3,000 piles – different scope. Mr. Riley – these

changes are all acceptable to the DEP. Mr. Strand – ran into ledge, had to change options. GZA is the environmental observer.

John Savini – sheet piles vs CCA. FW - Cold tar epoxy. That stuff is going to sit there and leach for a long time. RC – piles are an accepted building practice. Christine Beagan – CA was not aware of that change before it was implemented – that's the crux of our issue. How are changes made on the project before the Commission is aware of it? FW – all these changes have been vetted out with DEP. JW – the answer is the airport and the contractors are now working closely with DEP who issued a notice of violation. Pretty sure this won't happen again.

Mr. Strand – one of the changes was actually better for the environment and approved by DEP. Crossing was not feasible at 40' wide part of river where planned; environmentally friendly solution at narrower part. JW agreed where it was finally put in (the crossing) was a reduction in impact for the environment.

John Cusick – this engineer mentioned when digging out found ledge – could you explain. Mr. Strand – plan was to drive sheet piles, had to confirm what was under there, found ledge at 25-30'. Mr. Cusick – you don't hit the ledge when you drive the piles? Timber piles work better on friction force rather than bottoming it.

Joe Pecevich – there have been several occasions with failed erosion controls. Please take a look at the vegetation management plan – gave maps with contours. Trees along Plymouth Ave. have been clear cut. Was effective for noise, smell, - no more buffers. Zoning Board was promised.

(Unidentified) There was talk about widening the taxi ways, not removing trees, lengthening runways, etc. What public benefit is there? JW – the Commission denied the project, DEP denied the project, and then Variance was applied for and approved at State level. Public benefit was gone over in detail for the variance– the safety benefits for the residents, police, fire, and rescue. “Baffling how this is happening.”

WL – do members of the community have a place to go to where they can receive information and answers to their questions? Dave Dinneen stated that there is a meeting every Friday at the airport.

Richard Calfran, 11th Road – plan wasn't followed. How did that happen? Was it done without consequence? RC – was a little shocked to see the clear cutting. Was that part of the FAA approval? Access from Plymouth Avenue to do the work is part of that clearing JW said.

Mr. Strand – VMP approved at the State level as well as con com. Protected surface to the runway, starts off at elevation 3 and goes upward and outward. 35' at Plymouth Ave - telephone poles just beneath it. JW – did the cutting that was done conform to the VMP:? Mr. Strand believes it does.

Unidentified – are there plans to replace the vegetation. Mr. S – will put arborvitaes up; plan to dress up end of the street.

John Cusick – mats on Plymouth Ave – watched operation. Did all the work, then put in hay bales to protect the creek. When they got caught then the hay bales went in. Did the elevation grade start at what is officially the runway or the safety area. Mr. Strand – starts 200 feet at end of pavement. Threshold to threshold is 300' Mr. Strand said.

Mr. Dineen – we do have monthly meetings posted on website – can address questions there. The contractor has insurance to cover damages to someone's property due to the pile driving. RC asked the distance of the nearest residence to the piling work – about 400' Mr. Dineen said.

REQUESTS FOR CERTIFICATES OF COMPLIANCE

Backburner:

1. 1658 Heaney, 29 Farragut Road
2. 2324 Wallace, 110 Damon's Point Road
3. 1090 Peterson, 219 Ridge Road

4. 1827 L. L. Smith, 60 Macomber's Ridge
5. REQPC-1925, Cushing Construction (Parsonage St.) Garden Gate
6. 2381 NSTAR, Pine Street

Current:

1. SE42-2439 John DiRico, 12 Hunter Drive – JW suggests Partial CC and returning \$5,000 of the \$10,000.
2. SE42-2449 Donovan, 184 Carolyn Circle - hold

REQUESTS FOR EXTENSION

2322 Town of Marshfield, 249 Bay Ave. FW motion to extend for 3 years, RC second, passed 4-0-0

NEW BUSINESS

This time is reserved for topics that the chair did not reasonably anticipate would be discussed.

PUBLIC HEARINGS

7:30 2492 Hart, 120 Preston Terrace (septic repair)(NEW)(Frank) – Gary Wolcott, Grady Engineering present. RC read notice of public hearing. FW hearing officer. Septic repair. Have a failed system; botanist on site. Salt marsh delineated. 50' buffer zone and 100' buffer zone on plan. Existing leaching pits are in failure; requesting new septic system. Was an existing deck that was taken down for perc testing. Due to the sloped lot we're proposing a system state allows 40% reduction. Will have to do some grading; proposing concrete retaining wall about 3' high. 1500 gallon tank, 1500 pump chamber, 28' x 22' enviro (leaching field). Need to bring grade up to 120. Asking to put deck back to replace previous deck. Proposing silt sock. JW feels the septic repair should proceed as planned, erosion control will be difficult. . FW – Motion to close, WL second, passed 4-0-0. FW – motion to accept orders as drafted, RC second, passed 4-0-0.

RC motion to adjourn, FW second, passed 4-0-0. 8:45 p.m.

Respectfully submitted,
Lois Keenlside
Marshfield Conservation Commission

Jay Wennemer, Conservation Agent

William Levin
Robert Conlon
Frank Woodfall
Chad Haitsma