

**MINUTES – CONSERVATION COMMISSION
TUESDAY, DECEMBER 22, 2015 7:00 p.m.
TOWN HALL, HEARING ROOM 3, 2ND FLOOR
870 MORaine ST., MARSHFIELD, MA**

Approved 3/1/16 4-0-0

Members present: Robert Conlon, Chairman (RC), William Levin (WL), Frank Woodfall (FW), Chad Haitisma (CH), Bert O'Donnell (BO'D) and Jay Wennemer, Conservation Agent (JW).

RC motion to open the meeting, FW second, motion passed 5-0-0. RC motioned to enter Executive Session to discuss pending litigation and to return to Open Session. FW second, passed 5-0-0. Roll call vote – all in favor.

MINUTES 7-7-15; 7-7-15 ES; 7-21-15; 7-21-15 ES; 8-11-15

BUSINESS

- Vote & sign Orders of Conditions for closed hearings
(If projects are voted closed and/or the Commission is prepared to vote on Conditions.)
Cheney, 43 Constitution Road - FW – “e” – minimum 2'-0” clear from bottom of lowest part of structure to the ground surface. RC motion to approve as amended, WL second, passed 5-0-0.
- Maryland Street CR – Trustees of Reservations agreed to hold CR – they're working on it but draft not ready for tonight. No cost conservation restriction.
- Scheduled Meetings: January 5th, January 19th
- Loconte – pilings – razed/new dwelling. Contractor called and said he can't drive pilings – too much rock in the cobble. JW checked around and consensus is (Scituate Bldg. Inspector, Pat Brennan, Mark Stevenson, State) agree either *equipment* is not up to the task or the *operator* is not up to the task. Screw anchor pilings – no ability, no side, they wiggle. Driven piling has a lot of side surface area by bearing on the soil. Screw anchor pilings don't have much lateral stiffness.

EXECUTIVE SESSION

Separate minutes

ENFORCEMENT ORDERS

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. REQ-PCC-1925, Cushing Construction (Parsonage St.) Garden Gate
6. 2381 NSTAR, Pine Street
7. 1318 Darman, Chestnut Hill Trust, Holly Road
8. 2546 Hutchinson, 499 Union Street

Current:

1. 2511 O'Brien, 1215 Ferry Street
2. 2256 JOMAT, Union Street –
RC motion to issue both certificates of compliance, WL second, passed 5-0-0.

REQUESTS FOR DEVIATION

REQUESTS FOR EXTENSION

SE42-2373 Bill Gale, 104 Marginal Street – Approved last meeting – needs signatures
SE42-2433 Richard Doyle, 88 Marginal Street
JW recommends both, RC motion to approve, FW second, passed 5-0-0.

NEW BUSINESS

PUBLIC HEARINGS

7:00 **RDA 15-09 Selectmen**, 2154 Ocean Street (signs)(NEW)(Chad) – RC read notice of public hearing. Susan Caron present. Got permission from DPW to maintain park. The signs were always part of the original plan. Susan marked the places on the plan where the signs were to be placed. Hoping to put them in before the frost, but may be in the spring. Still designing logo. CH – what are the signs made of? Susan – plastic. CH recommends closing hearing and issue a Negative #3 Determination. FW second, passed 5-0-0.

7:00 **2598 Lucchetti**, 132 Oak Street (sfh & restoration).....(NEW)(Frank) cont from 12/8 RC read notice of public hearing. Mr. Lucchetti and Chris Sanderson of Merrill Associates present. Construction of a three bedroom house. Wetlands found on property – did clear and grub lot before knowing there are wetlands. EO was issued, Merrill stabilized the site with silt socks, hay mulch, etc. Septic is located in the front, well outside 100' buffer. Footprint is within buffer 75.5 feet from the wetlands to closest point of the house. When construction is complete, restoration will be done – native plants, list included in submittal. Also proposing conservation posts at the 50' no disturbance zone. Mr. Lucchetti – didn't realize there were wetlands, had taken some trees down. RC – part of Natural Heritage?

Yes, entire NOI sent to NHESP. Haven't heard back yet. Also before Board of Health. No comments from DEP. JW – no issues with what's proposed, generous set backs. Erosion was carefully removed and the site has been stabilized. Showing roof drains and broad buffer strip between lawn and wetland. Can go forward as proposed. Comments: natural buffer, infiltrate downspouts, etc. all on the plan. JW recommended waiting for NHESP and BoH. CH motion to continue to January 5th at 7:00, RC second, passed 5-0-0.

7:00 **2589 Leatherbee**, 22 Acorn Street (septic & ret.wall).....(Frank)cont to January

7:05 **2599 Zaha/Gauger**, 56 Cove Street (revetment).....(NEW)

Bob Crawford and Jill Zaha present. Bob Crawford – properties on either side has rip rap; this property had stones out in front previously. Lost 60% of the protective stone. Showed photos in 2008 and present. Neighbors have revetment and she now has an end whirlpool effect. Bob – good portion of the area is VE elevation 18. 1½ slope revetment. Resource areas impacted are coastal bank, beach and dune. CH – asked if the boulders to be placed will be consistent with the neighbors. Bob said yes they will be. JW – one of the things happening out there – Mr. Arsenault's wall is being cut behind by the erosion going on at Zaha's property. By filling in gap will help eliminate that. JW – should get something from DPW giving permission to work on their property – will ask Rod. BOD – if it's on town land, you won't expect the town to maintain this. Jill – they would maintain it, not the town. Mr. Arsenault present, had no comments.

Wait to close for letter from DPW. FW motion to continue to 1/5 at 7:05, WL second, passed 5-0-0.

RC motioned to continue Leatherbee, Wallace, McGillicuddy, Vacirca and Roderick to 1/5/15, and Mananey to 1/19/16.

7:10 **25__ Mahaney**, 46 Preston Terrace(Frank) cont to January

7:15 **2567 Wallace**, 35 Water St.(raise/deck/add'n).....(Chad) cont to January

7:20 **2591 McGillicuddy**, 64 Foster Ave (garage, add'n).....(Rob) cont to January

7:25 **2565 Vacirca**, 20 Wilson Road (driveway/fill).....(Rob) cont to January

7:30 **2566 Roderick**, 2104 Ocean St.(auto repair/coffee shop).....(Rob) cont to January

Respectfully submitted,

Lois Keenlside

Jay Wennemer, Conservation Agent

Robert Conlon, Chairman; William Levin; Frank Woodfall; Chad Haitsma; Bert O'Donnell