

**MINUTES – CONSERVATION COMMISSION
TUESDAY, JULY 26, 2016 7:00 p.m., HEARING ROOM 3
TOWN HALL, 870 MORaine ST., MARSHFIELD, MA**

Members present: Robert Conlon, Chairman (RC), Frank Woodfall (FW), Chad Haitsma (CH), Bert O'Donnell (BO'D), James Kilcoyne (JK) and Jay Wennemer, Conservation Agent (JW).

RC motioned to open the meeting at 7:00 p.m., FW second, motion passed 5-0-0.

MINUTES 5-10-16, 5-10-16 ES, 5-24-16 - RC motioned to accept the minutes as revised, FW second, motion passed 5-0-0.

BUSINESS

- Approve, vote & sign Orders of Conditions for closed hearings: (none)
- Scheduled Meetings: Tuesday, August 16th and Tuesday, September 6th
- Dr. John Rockwood, Chief Environmental Scientist at EcoTec, Inc., was present to discuss the restoration on the property of Mrs. Adrienne Skala, 39 Eagle Road. Mrs. Skala was also present. A driveway was put in on the property without permits and has impacts to the wetlands. Mr. Rockwood has submitted a restoration plan created by David Kelley
Put up some erosion controls, removed compacted road base, will add loam if necessary, proposing to vegetate with native shrubs. Monitoring for two years to make sure the area is doing what it's supposed to do. This area is located in priority habitat – had to file with MESA for turtles. Dr. Rockwood and Mrs. Skala here tonight so the Commission can look at the plan. It's approximately a 4,000-4,500 square foot area. "seepy hillside" Dr. Rockwood said. RC asked if the driveway was staying; it is coming out. Waiting for Natural Heritage's response. Twelve saplings and plantings are planned. JW suggested holding off on planting until mid-September, and he also noted that Mrs. Skala has been very responsive and cooperative in addressing this problem.
- Dr. Arthur Lage is interested in joining the Commission. He has been before this Commission for his own property on E Street. RC suggested inviting him to the next meeting.

EXECUTIVE SESSION

ENFORCEMENT ORDERS

Bizzozero, 2 East St. – wanted him to move material that wasn't beach compatible. He said he would but has not done that, just covered it over with sand. RC asked if a NOI should have been done; JW said no. He put in gravel, not really what you should be putting on the beach. Asked him to take that out and make a nice ramp so people could walk down to the beach. As of this time, Mr. Bizzozero has not complied.

REQUESTS FOR CERTIFICATES OF COMPLIANCE

Backburner: (until problems are resolved)

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
7. 1318 Darman, Chestnut Hill Trust, Holly Road
8. 2546 Hutchinson, 499 Union Street

Current:

SE42-2346 Browne, 11 Ice House Lane	OK JW recommends.
SE42-2389 Spruill, 4 Damon's Point Drive	NO

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SE42-2541 Badore, 86 Macomber's Ridge NO, Need As-Built
SE42-2567 Wallace, 35 Water Street Hold, work not finished
RC motion to issue Certificate of Compliance for 11 Ice House Lane, FW second, motion passed 5-0-0.

REQUESTS FOR DEVIATION

REQUESTS FOR EXTENSION

SE42-2122 O'Flaherty, 70 Carolyn Circle – JW recommended issuing the Extension. RC motioned to issue extension for 2yrs, FW second, passed 5-0-0.

NEW BUSINESS

PUBLIC HEARINGS

7:00 2617 Chace, 2 Minot Street – Applicant's representative has requested moving the hearing to September 20th. RC motioned to re-scheduled for 8/20/16 @ 7:00 p.m., FW second, motion passed 5-0-0.

7:00 2591 McGillicuddy, 64 Foster Ave. – Dick Rockwood present. A new plan was delivered to the Conservation office today. JW reminded Mr. Rockwood that Conservation's policy is that materials be turned in to the Conservation office the Friday before the public hearing. Commission will not look at new plans tonight. RC motioned to re-scheduled for 8/16/16 @ 7:00 p.m., CH second, motion passed 5-0-0.

7:10 2606 Harvey, 37 Acorn St. - Applicant has requested a continuance. RC motioned to re-scheduled for 8/16/16 @ 7:00 p.m., CH second, motion passed 5-0-0.

7:10 2616 Sealund, 1454 Ferry Street – RC read notice of public hearing. Kevin Grady, Grady Consulting, and Mr. Sealund present. Septic repair, existing house, also known as Grandview Ave.; leaching pit is failing and they need to comply with Title 5. Resource areas are salt marsh, coastal beach and coastal bank. The house is right up against the front property line. Only area remaining for the system is directly behind the house. Presby 1500 gallon septic tank, Board of Health approved the plan last night. Several set back waivers required and granted. They did raise the system a ½ foot to meet groundwater with Title 5. Proposing silt sack erosion control and concrete or stone retaining wall at rear of property. Proposing to repair little bit of wall and will have additional erosion control. CH asked if there is going to be a new deck; Kevin said it is currently disturbed lawn where the deck is now. Need four new sona tubes in the lawn area; not an impervious area. JW talked to Peter Falabella in the Board of Health regarding the septic tank design change. JW said the plastic tank they are proposing does have DEP approval; plan shows slightly different septic tank. Only thing this septic design doesn't do a good job of is reducing the nitrates. CH asked if this should be mentioned in the Special Conditions; JW didn't think it was necessary. Tom Anderson, whose mother owns marshland between the subject property and the River was concerned if more building would be done on the property. CH motion to close, JK second, passed 5-0-0.

7:15 ____ Norris, 36 Nathaniel Way - Rick Servant, Stenbeck & Taylor presented. Proposing a new farmer's porch on existing home. The property is abutting salt marsh and has been flagged. Proposed porch will be going on sona tubes. Not in a flood zone; Zone X. 32' to wetlands at closest point. FW asked if a 10' setback is required; from the concrete foundation Rick said. JW okay with that but has a little issue in the back right corner, where the deck touches flag #9, that area is mowed to access the creek. Would like to see that not mowed or cut anymore. Maybe just a path. We still don't have a file number from the DEP. FW motioned to continue to 8/16 at 7 p.m. for #, CH second, motion passed 5-0-0.

7:15 ____ Mahaney, 46 Preston Terrace – Applicant has requested a continuance to 8/16/16 while waiting to hear from the DPW and for a file number from DEP. RC motion to continue to 8/16 at 7:15 p.m., FW second, motion passed 5-0-0.

7:20 ____ Vu, 10 Howes Brook Road - Mr. Vu & Dave Klennert, Collins Engineering present. RC read notice of public hearing. Applicant is asking for a pervious paver patio within the 75' buffer. It was decided there should be some design drawings to show impact to the back of the house area. New plan shows closest area to wetlands –

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silt fence at 51' off BVW, rail fence with signs would be 52' off the wetlands, 3 to 1 slope from there to flatten out the slope. Raises the site about a foot and a half. Won't be a lot of fill – most will be dug out from where the patio is going to go. Any material that's brought in can be stockpiled out by the road. Less than 30 cubic yards. Would only be about a foot and a half at the deepest part. Going to continue the silt fence from the street down to the limit of work as close as 51' from the wetlands. 800 sq. ft. patio and walkway behind the garage about 200 sq. ft. JW noted his concern that this patio represents a structure and does it set a precedent. RC asked if they will need a variance; JW said they would.

Mr. Klennert asked that the hearing be continued so Atty. Guard could have this discussion with the Commission. Have to continue anyway because there's no file number from the State. RC motion to continue to August 16th, at 7:15, FW second, motion passed 5-0-0

7:25 _____ Martin, 10 Craddock Circle - Rick Servant, Stenbeck & Taylor present. The proposed project is to reconstruct in similar footprint with small second story addition. Zone X – not in the flood zone. House now on concrete blocks, proposing a crawl space 3' x 11' with concrete foundation matching existing floor elevations. JW stated this shouldn't be allowed since the Conservation Commission denied the project right next door. What about trading some deck? Rick made the deck a little smaller on revised plan. Might just be easier to square off and get addition right out of the marsh area. FW asked the proposed utilities be shown on the new plan. RC motion to continue to 8/16/16 at 7:20 p.m. for new plan and file number from the State, FW second, passed 5-0-0.

7:30 _____ Claffey, 57 Concord Street - RC read notice of public hearing. Rick Servant, Stenbeck & Taylor, presented. Existing house built in the 1930's. Proposing to raze and build new house. Located on Barrier Beach, in a flood zone. Proposed house would be on driven wooden open piles, 9.2 feet, 3' above grade. Going before Zoning Board in August. In AE 9 for entire site. This is a "significant improvement" and they are complying with the Regulations and Performance Standards. FW suggested gutters be tied into drywells. FW asked if a driveway is planned; Rick said no designated parking area on this site. FW motion to continue to 8/16 at 7:30 for file number from the State, RC second, passed 5-0-0.

RC motioned to adjourn at 9:00 p.m., FW second, motion passed 5-0-0.

Respectfully submitted,
Lois Keenlside
Marshfield Conservation Commission

Jay Wennemer, Conservation Agent
Robert Conlon, Chairman
Frank Woodfall
Chad Haitsma
Bert O'Donnell
James Kilcoyne