

MEMBERS PRESENT – James Kilcoyne (JK) Chair, Bert O'Donnell (BO) Vice Chair, Art Lage (AL), Rick Carberry (PC), Eric Goodwin (EG), Bill Grafton, Conservation Administrator (BG)

MEMBERS NOT PRESENT – Frank Woodfall (FW)

CALL TO ORDER JK motions to open the meeting at 7:00 pm. EG second. Approved 4-0-0. Commissioner Lage arrives at 7:02pm.

Chairman address: Conservation Commission Reorganization / Meeting Procedures

- JK advises all present that this is his first meeting as Chair of the Commission, and thanked the Commissioners for their time and energy, noting that they were volunteers who put in a lot of time to prepare for meetings and make good decisions. PC thanked JK for taking on the role of Chair.
- JK notes he has received feedback that meetings can run very long; he would like to increase the cadence of meetings and encourage more concise comments so that applicants can be heard quicker. JK would like just one person to speak at a time so that person can be heard. He also wants to ensure that the Commissioners ratify all motions and continuances. All questions should be fielded to either the Hearing Officer or Chair.
- JK proposes the following general outline for public hearings: 5 minutes for presentation of project by applicant or representative; 1 minute for comments from BG; 10 minutes discussion between Commissioners and applicant. If the Commission is not ready for a vote at this point, JK suggests that a Commissioner make a motion for an additional 10 minutes of discussion. After discussion between Commissioners and applicant is completed, the Hearing Officer will ask for public comment, with no specific time limit. The matter before the Commission will then be voted on.

PUBLIC HEARINGS

- JK reads the list of continuations prior to the start of the hearings to September 17th including:
 - 795 & 887 Plain Street, Smith & Sons/SE42-2814 written request received.
 - 176 Beach Street, Sullivan/SE42-2793 written request received.
 - 1327 Union Street, Digan/SE42-2824 written request received.

On / After

19-22 Masse, 110 Elm Street (Repair Driveway).....cont from 7/30/19 (Rick)

- Continued Hearing. Hearing Officer PC confirms administrative requirements are complete.
- PC comments that the proposed activity is the repair of an existing driveway as well as the filling in an old septic system underneath the driveway and installing a new septic system in a different location.
- Applicant Bob Masse (BM) comments that the new septic system will be located in front of the house, outside the 100 ft buffer. Once the new system is complete, the old system will be filled in and the driveway repaired. BM feels that the new driveway will prevent runoff from going into the wetland.
- BG comments that applicant has been cooperative and proactive in communications. Applicant is claiming an exemption allowing for the repair of an existing and lawfully located driveway. BG notes that since the septic system is outside the 100 ft buffer, it only requires his sign-off on the permit from the Board of Health.
- PC asks for comments from the public; none.

- PC motions to issue a DOA, Pos. #5, Neg. #5 and Neg. # 3 with special conditions drafted by BG. AL second. Approved 5-0-0.

19-27 Estabrooks, Corn Hill Lane & Ferry Street/Sea Street (Historic signage).....NEW (Rick)

- JK reads the legal ad. Hearing Officer PC confirms administrative requirements are complete.
- PC comments that the proposed activity concerns the restoration of historic signage concerning shipbuilding along the North and South Rivers.
- Applicant Caleb Estabrooks (CE) notes that the overall restoration project encompasses ten signs in five area towns. Three of the signs to be restored are in Marshfield. They are taking the cast iron signs down for restoration and cleaning and re-painting off-site. New posts will be required for two of the signs, which will require some excavation. One sign is located at the corner of Ferry and Sea Street; its location will be shifted about 20 feet so it is easier to see and read. The other sign will be relocated to the area of 299 Corn Hill Lane, near a public park; they have received permission from the owner for this shift. CE believes the old posts can be removed without incursion into any resource areas.
- PC adds that applicant has been in touch with DPW; BG suggests that applicant notify the police and DPW before the start of work; he will write this in as a condition.
- BO hopes the project hasn't been unduly held up by the permitting process. CE comments that the projected was permitted through an RDA in most other towns except for Hanover, which granted a minor activities permit, and Pembroke, which granted an administrative approval.
- PC asks for comments from the public; none.
- PC motions to issue a DOA, Pos. #5 and Neg. # 3 with special conditions drafted by BG. BO second. Approved 5-0-0.

19-26 Dowling, 181 Bay Avenue (Shed).....NEW (Art)

- JK reads the legal ad. Hearing Officer AL confirms administrative requirements are complete.
- Richard Burchill (RB), Minot Construction, presents on behalf of applicant. The proposed activity concerns the reconstruction of a shed, as the existing shed is falling apart.
- BG comments that he became aware of this activity through a building permit sign-off; applicant has hired Merrill Associates to prepare an engineered plan and Brad Holmes to flag the wetlands. They will provide three conservation markers on posts. BG has no issues with the project as proposed.
- JK asks RB whether the existing shed's floor is concrete; it is a wood floor with a cinderblock foundation. The footings will be big foot footings.
- AL asks for comments from the public; none.
- AL motions to issue a DOA, Pos. #5 and Neg. # 3 with special conditions drafted by BG. PC second. Approved 5-0-0.

19-28 Rhodes, 12 Edward Road (Garage with 2nd story living quarters).....NEW (Rick)

- JK reads the legal ad. Hearing Officer PC confirms administrative requirements are complete.
- PC advises that the filing is an RDA to construct a two-car garage with second story living quarters and breezeway between the garage and existing house; the property is in an AE16 flood zone. Applicant Kaysey Rhodes (KR) adds that the Building Department recommended that they file with the Commission.
- PC visited the site today; he notes that the garage is just outside the 100 ft buffer to an IVW to the right of the property. BG comments that applicants have been cooperative in their interactions with

him, and the project qualifies for the exemption allowing for conversion of existing lawn to accessory structures.

- PC asks for comments from the public; none.
- PC motions to issue a DOA, Pos. #5 and Neg. # 3 with special conditions drafted by BG. BO second. Approved 5-0-0.

2819 DPW, Bryants Ln, Middle St, South St (Brant Rock Seawall Stabilization Phase II).....NEW (Jim)

- JK reads the legal ad. Applicant has requested a continuation until the next public meeting of the Marshfield Conservation Commission on September 17, 2019.
- A resident asks how she can find out about continuations. BG notes that continuations were announced at the beginning of the meeting, and were also posted in Town Hall at the entrance to the building, the hearing room and Conservation Office. Residents can also call the Conservation Office for updates.
- JK makes a motion to continue the hearing to September 17, 2019. EG second. Approved 5-0-0.

2810 SQ Realty, 24 Oregon (SFH-Amended NOI).....NEW (Art)

- JK reads the legal ad. Hearing Officer AL confirms administrative requirements are complete.
- John Zimmer (JZ), South River Environmental, presents for applicant along with architect Joe Fournier (JF), JFF Design. They are requesting an amendment to an existing OOC for the property issued in June. The project concerns the addition of a second story to an existing foundation. When they started the demolition work on the existing structure, they found that the structure had only a partial foundation that would be unable to support a second story; they are now proposing to install a full FEMA-compliant foundation.
- The original foundation had a crawl space, but the new foundation will be set four feet underground and filled to grade, eliminating the crawl space. Applicants contacted BG once the issue with the foundation was discovered, and BG recommended that they amend the NOI. The Building Department and ZBA have approved the proposed modifications.
- BG adds that he had requested the filing to ensure compliance with the Open Meeting law, and that he had received the necessary amended plans. He has no issues with the project as amended.
- AL asks for comments from the public; none.
- AL motions to close the hearing and issue Orders of Conditions with special conditions drafted by BG. EG second. Approved 5-0-0.

2817 Alberts, 1147 Union Street (Garage).....cont from 7/30/19 (Art)

- Continued Hearing. Hearing Officer AL confirms administrative requirements are complete.
- Terry McGovern (TM), Stenbeck & Taylor, presents for applicant. TM advises that based on feedback received from the previous meeting, applicant has agreed to reduce the size of the proposed garage and attach it to the existing house; this will eliminate the need for the access driveway previously proposed. They also propose to place conservation markers wrapping around the garage. TM indicates that the proposed changes reduce the disturbance area from 1510 to 834 sq ft, in existing lawn area nearby the house; the garage location has changed from 27 ft at its closest to the A series wetland line to about 65 ft.
- BG agrees that the new location and addition of 10 conservation markers constitute a considerable improvement on the original proposal. BG also notes that the lot had been disturbed by previous owners and the present owners have made efforts to improve the property overall. He will add a special condition specifying the placement of the 10 markers post-construction.
- AL asks for comments from the public; none.

- AL motions to close the hearing and issue Orders of Conditions with special conditions drafted by BG. EG second. Approved 5-0-0.

2818 Villandry, 23 Third Road (Addition).....NEW (Art)

- JK reads the legal ad. The matter is immediately continued pending applicant response to a request for additional information.
- JK motions to continue the matter until September 17, 2019. PC second. Approved 5-0-0.

2821 Marathas, 328 Ocean Street (SFH).....NEW (Jim)

- JK reads the legal ad. The matter is immediately continued pending abutter notification.
- JK motions to continue the matter until September 17, 2019. BO second. Approved 5-0-0.

2820 Follett, 300 Ridge Rd (SFH on existing foundation & garage addition & deck).....NEW (Rick)

- JK reads the legal ad, Hearing Officer PC confirms administrative requirements are complete.
- PC advises that the filing is a NOI with request for variance.
- Bob Crawford (BC), EET, presents for applicant. BC notes that the subject lot is about 68,000 sq ft with only about 9400 sq ft of upland and the rest being marsh. There is an existing 24 ft by 42 ft foundation on the lot that has been there 8-10 years. The lot is in AE12 flood zone; BC states the actual elevation is 12.82 based on his previous permitting on the property. Applicants are proposing to add a 2 ft by 29 ft extension to the front of the existing foundation and a 4 ft by 24 ft extension to the left side of the foundation, and install decks off the side and back of the proposed house as well as a garage.
- BG met with applicants and suggested the addition of conservation markers and that they request a variance, to which they assented. He also suggested mitigation plantings, but none are shown on the site plan. For purposes of the Bylaw, this is an existing structure and lot.
- PC points out that the garage addition on the north side heads toward the marsh on the west side by 19 ft. The house extension on the left is 18 ft off the marsh, and the deck is 10 ft off the marsh. BC comments at this point that he just received a new foundation plan from applicant's structural engineer this afternoon. The new plan replaces the deck sonotubes with two 2.5 ft diamond pier footings. BG comments that such footings are less intrusive in that they act as a foundation without the need for excavation.
- JK comments that the plans in the Commission's possession now seem to be different than the one applicants will be building to. BC states that applicants felt the update to diamond pier footings would be a more acceptable alternative to digging a foundation for the deck. PC would like more information on the change before he votes. AL comments on the need to see accurate plans, received in a timely manner, before taking a vote. BO agrees that this is a late change but would like to continue the discussion to give applicants guidance on anything additional they need to provide. EG agrees with the need for the right paperwork but would also like to continue the discussion. JK comments that they will need to have an accurate plan set before taking the vote but agrees to additional discussion.
- Applicant Don Follett (DF) comments that the plan set BC has is exactly what they are proposing to do, and that he had suggested the change from sonotubes to diamond piers for the deck. BG points out that the submission deadline for plan sets to be received by the Commission is noon the Friday before the hearing. DF acknowledges there had been a delay in receiving the updated plans from the structural engineer; he would like to know if the proposal in general is acceptable. PC asks what the benefit is to the diamond piers as opposed to sonotubes; DF indicates the piers are non-intrusive in that there is no digging or pipes going into the ground.

- BO points out there is a nearby lot with a long-empty foundation that has been developed with additions similar to what is being proposed here. He has no issue with the garage and additions to the front and side. However, for consideration of the deck off the back, further towards the marsh, the Commission should request mitigation or consider not allowing it; EG agrees with the need for mitigation given the closeness to the marsh. PC has no issues with the addition to the side and front, as well as the garage, but agrees the addition to the back should be offset with some mitigation. AL would like more time to study the plan and decide whether the addition off the back can be offset by mitigation.
- DF is willing to consider mitigation in exchange for the back addition. JK concurs with the other Commissioners that the garage and front additions are approvable, but he doesn't see how there can be adequate mitigation for the deck unless they possibly move the garage forward. BG notes that the entire area is also riverfront, so mitigation cover along the riverfront might be a possibility. JK encourages applicant to try to come up with a strong mitigation plan.
- Richard Udden (RU), 290 Ridge Road, would like to know what "mitigation" means in this context. JK indicates that this would be an offset for the project's impact on the environment; generally the area of disturbance must be offset by a 2:1 ratio. BG adds that it's the role of the Commission to determine if the mitigation being offered for a project is enough to offset any adverse impacts of any activity going closer to the resource area. RU asks whether the Commission has already concluded there won't be any adverse effect by building something closer to the resource area. JK and PC point out that no such conclusion has been reached, and the matter is being continued.
- Mike Corrigan (MC), 310 Ridge Road, would like to know if the proposed diamond footings can withstand flooding, as he has seen flood waters come very close to the existing foundation. JK notes that this is an engineering question, and the Commission relies on plans bearing a Professional Engineer's signature and stamp, by which the engineer attests to their accuracy and viability.
- PC comments that the Commission seems to generally support the additions on the side and front, as well as the garage on the right. It's not clear if there is overwhelming support for mitigation to do the deck on the back because it encroaches closer to the wetlands. BG would like to see if the mitigation being offered is adequate to support the approval of the deck.
- PC motions to continue the matter until the next public hearing on September 17, 2019. AL second. Approved 5-0-0.

2816 Holbrook, 26 Cove Street (Revetment Repair).....cont from 7/30/19 (Jim)

- Continued Hearing. Hearing officer JK confirms administrative requirements are complete.
- Terry McGovern (TM), Stenbeck & Taylor, presents for applicant. TM advises that Paul Brogna (PB), PE, Seacoast Engineering, had visited the site since the last hearing and taken pictures of the area and the nature of the revetments in the area. TM also notes that construction access had been raised at the last hearing; he feels there are three options: A pathway at the end of Cove Street, down the beach from Blackman's point, or up and over the driveway. TM feels the last option is least desirable, as applicant has vegetation by the driveway that is growing back in. They have provided a written access plan.
- TM states that applicant would like the authority to perform ongoing maintenance as needed after smaller storms without having to formally file with the Commission. Applicant understands that damage from larger storms may require a filing.
- JK comments that one of the outstanding issues from the previous meeting concerned ownership of the work area; he notes there is a letter addressing this in the file, but appears to be unsigned. TM comments he has pulled the deeds in the area, and virtually all of them contain vague language referring to "by the cove" or "to low water." JK believes that the Commission has to clearly know who

owns the land on which work is being proposed in order to approve the work. TM believes all owners in the area either own to the cove or low water; then it would be "Commonwealth of Massachusetts."

- BG gives a brief history of the property, noting that there were stones in front of the home that had been maintained in the past, with verbal approvals from prior a Conservation Administrator. When the 2018 winter storms hit, the Knight property next door suffered significant loss of sand threatening to damages to the home and potentially 26 Cove Street. Applicants Holbrook and Knight spoke with BG about jointly doing something to protect their properties, and Holbrook helped repair Knight's property with a valid, extended permit. BG gave Holbrook an Emergency Certification Form allowing him to protect his property, with the understanding that he would file a NOI within 90 days, but this NOI was not filed until just recently. BG has spoken with Holbrook, who indicated he is not seeking a tight, armored revetment wall. BG would also like to see a beach renourishment component, but the lack of clarity of ownership is an obstacle in and of itself as well as the fact that public resources (i.e. dredged sand) can only be put on public beaches not private beaches. BG also wants to make sure that whatever is built doesn't have an adverse impact on neighbors downstream or a nearby lobster rookery in the rocky shoreline.
- AL agrees that ownership of the work area needs to be cleared up. PC would like to clarify whether applicants are simply looking to put back what was there before. BG advises that applicant would like to have more armoring as well as do periodic maintenance. JK would also like to clearly know whether applicant is proposing any work above and beyond simply replacing stones as they are displaced. TM states that Holbrook is not looking to armor the property and the filing is primarily for ongoing maintenance.
- AL would like to know if Holbrook is bringing in any new stones or just re-compiling the existing stones. TM states that Holbrook does not want to create the ramping effect seen to the north of his property, and feels the Commission could place a condition that the same general revetment shape or pattern be maintained; if anything comes loose from Holbrook's existing revetment, he wants to be able to pick it up and put it back. TM feels that a storm requiring the replacement of material would require another filing.
- JK comments that the Commission doesn't seem to be clear on what it is being asked to approve. He would like a clearer indication of what applicant is seeking to do and what they mean by "maintenance," as well as clear information about ownership. BO concurs with the need for a continuance and thinks an opinion from Town Counsel (TC) Bob Galvin as to ownership is in order. TM will consult with TC. BG would also like some cross-sectional illustrations showing the slope, as well as photos of existing conditions.
- JK asks for questions from the public; none.
- JK motions to continue the hearing until October 1, 2019. EG second. Approved 5-0-0.

2812 Ganda, 119 South River Street (Raze & Rebuild).....cont from 7/9/19 (Bert)

- JK reads the legal ad. Hearing Officer BO confirms administrative requirements are complete.
- Terry McGovern (TM), Stenbeck & Taylor, presents for applicant. TM advises that Brad Holmes (BH), ECR, has prepared the mitigation plan requested by the Commission previously, for the previously disturbed back area of the lot towards the wetland; the plan calls for 42 plantings of 8-9 species, from shrubs and small trees, with the idea that the area would later densify. Their most recent plan takes out the proposed stone driveway in the back; part of this area will be lawn, and part is included in the restoration area.
- The proposed new septic is located as close to the street and far away from the wetland as possible, and is compliant with Title V and Board of Health regulations. The system is somewhat elevated for groundwater protection. The proposed house is located farther into the lot and more towards the

northwest property line than the existing house in order to meet the minimum setback to the septic. TM also discusses the grading associated with the septic.

- TM notes that the property line runs down the existing paved driveway; they have pulled in the wall along this line about two feet further into the lot. The location of the house is dictated by setback requirements and the location of the septic system.
- TM adds that they are providing about 4800 sq ft of restoration plantings, and are removing fill and rubble ranging from 1-3 ft depth from the rear area of the lot. There will also be a net lessening of impervious area on the site. The barn, ramp, and accessory structures within the buffer will be demolished and removed, and TM believes this, along with the restoration plantings, will improve the functionality of the resource area.
- BG feels that the new plan is an improvement on the previous one. He characterizes the area as riverfront that had been altered with or without a permit over time, but thinks there is some opportunity to expand the planting area. TM indicates that they intend to grade the area in question, and let it revegetate naturally. BG feels the area was historically a floodplain to Zena's Brook, and noted a lot of wetland grasses (sedges and rushes) trying to establish themselves in the altered area; he feels applicants could speed up this process with some plantings. BO suggests that they redistribute some of the proposed plantings to the area BG is referencing; TM is fine with this, as well as adding some wetland seed mix to the area.
- BO feels there is a discrepancy between the square footage of the restoration area set forth on the restoration and site plans, with the former showing an area of 5165 sq ft and the latter being 4800 sq ft. TM states that BH's plan would control.
- BO also asks about grading in the back of the lot once the barn is removed. TM indicates that the area in back is relatively flat. The ramp leading up to the barn will be removed along with the barn. They are proposing to lower the area to the side to the barn by about 6 inches, to get it back to the original grade pre-filling. BG asks TM about the stones that are part of the ramp; they will be removed.
- BO notes that if they consider the project as being redevelopment in riverfront, applicant is allowed a driveway, house, and septic system, which is what they propose. He is satisfied with the proposed improvements to the rear of the lot. PC would be supportive of additional grass or seed mix plantings as proposed by BG.
- JK would like to know whether the proposed new house would be considered as new construction for purposes of the town bylaw, and thus the 75 ft buffer would apply. BO believes it is not new construction as there is already an existing SFH on the lot; PC agrees with BO. BG notes that the new house moves closer towards the wetland but JK notes they are offering sizeable mitigation. BG requests updated plans from TM and BH incorporating the redistributed plantings and seed mix.
- Jonathan Grabowski (JG), 125 South River St., asks confirmation that the barn in back is being taken down and the previously proposed stone driveway has been removed; TM confirms. JG comments that he is happy with the updated plans as the existing structures are dilapidated, and the new plantings may alleviate the flooding they sometimes get.
- BG would like to add a condition to sequence the mitigation so that the plantings get started before the work on the house. JK asks TM if the time of year will allow for this; TM feels this is probably the best time of the year to get started, and BH is eager to get started. He feels BH would have no issue with the proposed sequencing. JK would like to avoid a situation where there is bare ground over the winter that would displace runoff into the river. BG indicates that the proposed conservation markers can go in at the end of the project. BO feels details can be worked out at the pre-start-of-work visit.
- BO motions to close the hearing and issue Orders of Conditions with special conditions drafted by BG. PC second. Approved 5-0-0.

2772 Snyderman, 26 Littles Lane (Pier, Ramp & Float).....cont from 10/2/18 (Jim)

- Continued Hearing. Hearing Officer JK. Commissioner EG recuses from voting.
- Jed Hannon (JH), Atlantic Coast Engineering, presents for applicant. JH notes there were four issues arising from the previous hearing on July 30. He has given BG a copy of the Division of Marine Fisheries letter. DMF's biggest point was to keep the seasonal float 2.5 ft suspended above the substrate; this has been incorporated into the design. They have also added footing details, which will be 1'x1'x1' concrete pads for each of the four corners of the float as well as 8'x8'x2.5' pressure-treated posts. The requested wetland setbacks were also added to the plan.
- JK comments that his understanding is that setbacks are done from wetland flags and not mean high water, as shown on the site plan, but he is not sure this is germane to the project. Any updated plans should count the setbacks from the wetland flags, as well as show the flags.
- PC asks JH if Harbormaster Mike DiMeo has seen and approved of the plan; he has. In response to a query from BO, BG advises he has heard from the North River Commission and they had approved the use of low-profile bases/shoes.
- JK asks for comments from the public; none.
- BG suggests a special condition that the Commission not approve the wetland lines shown on the site plan for lack of information; this would not have an impact on this project but would impact other work in the buffer zone. Other special conditions include no use of mechanical wheeled or tracked equipment that would damage the salt marsh, no grounding of barge, and no metal chain to be used to secure the float. Post-construction, no grounding of floats or boats on tidal flats or river bottom, and no storing of fuel on dock. Winter storage of float above mean high water.
- JK motions to close the hearing and issue Orders of Conditions with special conditions drafted by BG. PC second. Approved 4-0-0, EG having recused.

2814 Smith & Sons, 795 & 887 Plain Street (Sawmill & Access Crossing Road).....cont from 7/9/19 (Bert)

- The hearing is continued until the next public meeting of the Marshfield Conservation Commission on September 17, 2019 as per the written request received from the applicant's representative.

2754 Hanlan, 72 Bay Avenue (Raze & Rebuild SFH).....cont from 9/11/18 (Bert)

- Continued Hearing; BO Hearing Officer. Commissioner EG recuses from voting.
- Terry McGovern (TM), Stenbeck & Taylor, presents for applicant. The filing is from last year, but has been on hold until the applicant received approval from ZBA. The property sustained storm damage in 2018, and applicant would like to reconstruct and elevate the house on wooden piles. TM notes that nearly the entire lot outside the footprint of the house is concrete. The concrete area under the pilings is being removed, resulting in a net reduction of about 300 sq ft impervious area.
- BO believes at the original hearing last September, they requested that all concrete under the house be removed; PC notes that this has been done.
- JK would like to know if they are adding any impervious area that would offset some of the concrete being removed. TM notes that the new house is slightly bigger and thinks part of the deck is roofed over.
- BG comments that applicants have addressed most of his concerns with the original proposal, and reads the proposed special conditions into the record, noting that Section 217 of the town bylaws, prohibiting attachment of structures to seawalls, will apply. Applicant must ensure that the footprint of the pervious space set forth on the site remains open or covered with pervious materials only as per the approved plan. BG asks TM to provide riverfront calculations, as these are needed as part of the OOC preparation.
- BO asks for comments from the public; none.

- BO motions to close the hearing and issue Orders of Conditions with special conditions drafted by BG. AL second. Approved 4-0-0, EG having recused.

2793 Sullivan, 176 Beach Street (Veg Restoration & Other Activities).....cont from 5/21/19 (Bert)

- The hearing is continued until the next public meeting of the Marshfield Conservation Commission on September 17, 2019 as per the written request received from the applicant's representative.

2824 Digan, 1327 Union Street (ANRAD).....NEW (Jim)

- The hearing is continued until the next public meeting of the Marshfield Conservation Commission on September 17, 2019 as per the written request received from the applicant's representative.

REQUESTS FOR CERTIFICATES OF COMPLIANCE & EXTENSIONS

2778 Comeau, 142 Careswell Street [COC]

- BG reports that homeowner has put in five conservation markers as required under the OOC; there are ongoing conditions to ensure the markers stay in place. All documentation is in good order.
- JK motions to issue a COC for the property with ongoing conditions drafted by BG. PC second. Approved 5-0-0.

2734 Labossiere, 75 Central Street [COC]

- BG reports that homeowner has put in three conservation markers as required under the OOC; she has also put in pervious groundstone cover. Minor changes were captured under a minor deviation approved by the Commission.
- JK motions to issue a COC for the property with ongoing conditions drafted by BG. AL second. Approved 5-0-0.

2337 Brooks, 229 Spring Street [COC]

- BG reports that the permitted work never commenced.
- JK motions to issue a COC for the property with invalid Orders of Conditions by virtue of the permitted work not having commenced. BO second. Approved 5-0-0.

2303 Green, 41 Water Street [COC]

- BG reports that portions of the permitted work never commenced, but applicant did post five conservation markers and pulled back their lawn from the coastal dune, as required under the OOC. BG suggests ongoing conditions to ensure the markers remain in place.
- JK motions to issue a COC for the property with invalid Orders of Conditions by virtue of the permitted work not having commenced and ongoing conditions drafted by BG. EG second. Approved 5-0-0.

2228 Alves, 5 Anderson Drive [COC]

- BG reports that homeowners were cutting beyond their property line into town-owned property. Homeowners were compliant when contacted, removed significant green and household waste, and put up four conservation markers. BG suggests ongoing conditions to ensure the markers remain in place.
- JK motions to issue a COC for the property with ongoing conditions drafted by BG. PC second. Approved 5-0-0.

2579 Dalton, 1735 Main Street [COC]

- On hold until 9-17-2019 pending corrective field work and subsequently revised submittals.

ENFORCEMENT ORDERS

Smith, 38 Liberty Street **(11/19/18 KS will set early Dec visit)**

Drosopoulos, 7 Lady Slipper Lane **(08/15/18 TC Final Notice)**

New Owner, Winslow Avenue Ext.

Mahaney, 46 Preston Terrace **(12/12/18 BG met with TC)**

White, 180 Atwell Circle (Escalation letter in Process)

Bednarz/ Nouza, 65 Ireland Road (Unpermitted Cutting <= 50 ft)

Tamara Macuch, 237 Webster Avenue

Levangie, 3 Cove Creek (Communication in Progress)

Stifter, 102 Bartlett's Island (unpermitted revetment wall)

BUSINESS

177 Ocean Street-Enforcement Restoration Acknowledgment / Commission

- BG circulates a draft letter of acknowledgment to property owner Frank Terlecki (FT) voted on at the July 30 meeting. JK thanks FT on the record for his efforts to remove 22 cubic yards of dirt dumped from his property and other properties onto an adjacent coastal bank, as well as educate through his restoration actions neighbors in the area who were also dumping onto the beach. JK signs the letter. It will be sent to FT pending Michael Maresco's signature.

CPC Proposal

- Robert Shaughnessy (RS), Board of Public Works, would like to do a joint project with the Commission relating to the old Rexhame property, and file an application for CPC funds. BG notes that the matter is not on the agenda. In order to comply with the Public Meeting laws, BG suggests that RS first discuss the matter with him directly during normal office hours. BG will then forward the proposal to the Commission, and the matter will be placed on the September 17 agenda.

B1 Marshfield Airport-GHG Fuel Facility Secondary Drain: Amendment or Minor Deviation / Commissioners

- The airport seeks to add a secondary drain valve at the southeast corner of the tank pad to decrease drain time following heavy precipitation. BG received an amended site plan that includes information about riprap associated with the secondary drain. BG recommended to the airport's reps that they provide the submitted documentation for the Commission's consideration.
- The Commission discusses whether the change requires an amended NOI, or can it be considered a minor deviation captured on the As-Built plans as part of the Request For Certificate of Compliance (RCOC)/WPA Form 8A submittal process. JK believes it is a minor deviation and polls the other Commissioners: AL yes; PC yes; BO yes; EG yes.
- JK moves that the Commission approve the secondary drain as a minor deviation to be included as part of the As-Built plans during the request for COC submittal. PC second. Approved 5-0-0.

B2 915 Ocean Street/ratify enforcement issuance – Commission & Bill Grafton

- JK motions that the Marshfield Conservation Commission approve the issuance of Enforcement Order 18-03 to Joginder S. Sajjan for unpermitted clear-cutting of vegetation at 915 Ocean Street, Marshfield, MA within conservation jurisdictional boundaries. AL second. Approved 5-0-0.
- Later in the meeting, the vote is retaken and Commissioner EG abstains.

- JK motions that the Marshfield Conservation Commission approve the issuance of Enforcement Order 18-03 to Joginder S. Sajjan for unpermitted clear-cutting of vegetation at 915 Ocean Street, Marshfield, MA within conservation jurisdictional boundaries. AL second. Approved 4-0-1; EG having abstained.

B3 1327 Union Street/ratify enforcement issuance – Commission & Bill Grafton

- BG advises that there are indications of new activity having taken place on the property; additionally, the home construction and septic system installation may have taken place within the 100 ft setback of delineated wetlands and these activities had not been approved by the Commission.
- EG asks whether he needs to recuse on the matter. BG notes that the hearing on the matter is closed, but it remains within a Commissioner's discretion to recuse. JK and BG suggest that EG abstain.
- JK moves that the Commission approve the issuance of Enforcement Order 18-04 Issued to Thomas and Mary Anne Digan for unpermitted alteration at 1327 Union Street, Marshfield, MA within conservation jurisdictional boundaries. AL second. Approved 4-0-1, EG having abstained.

B4 46 Bay Avenue/ratify enforcement issuance – Commission & Bill Grafton

- Building Commissioner Jim Folkard (JF) has advised BG that homeowners have reattached a structure to the seawall adjoining their property, in violation of Bylaw 217.
- JK moves that the Marshfield Conservation Commission approves the issuance of Enforcement Order 18-01 issued to Ronald and Susan McCarthy for unpermitted filling at 46 Bay Avenue, Marshfield, MA within conservation jurisdictional boundaries. AL second. Approved 5-0-0.

ADJOURNMENT – JK makes a motion to close the hearing at 9:33 pm. EG second. Motion approved 4-0-0, AL having been absent from the vote.

Respectfully submitted,
Liz Anoja, Conservation Administrative Clerk
Marshfield Conservation Commission

Bill Grafton, Conservation Administrator
James Kilcoyne, Chair Bert O'Donnell, Vice Chair
Art Lage Frank Woodfall
Eric Goodwin Rick Carberry