

MEMBERS PRESENT – James Kilcoyne (JK) Chair, Bert O'Donnell (BO) Vice Chair, Joe Ring (JR), Rick Carberry (PC), Craig Hannafin (CH), Susan Caron (SC), Bill Grafton, Conservation Administrator (BG)

MEMBERS NOT PRESENT – Arthur Lage (AL)

CALL TO ORDER – JK motions to open the meeting at 6:30 PM. CH second. Approved 6-0-0 by Roll Call Vote: CH-yes, JR-yes, PC-yes, SC-yes, BO-yes, JK-yes.

MINUTES

- The minutes of the December 15, 2020 and January 5, 2021 meetings were presented for approval. No comments or suggested changes were received for the December 15 minutes; two corrections to typos were made to the January 5 minutes.
- JK motions to accept the December 15, 2020 minutes as written. BO second. Approved 6-0-0 by Roll Call Vote: CH-yes, JR-yes, PC-yes, SC-yes, BO-yes, JK-yes.
- JK motions to accept the January 5, 2021 minutes as edited. JR second. Approved 6-0-0 by Roll Call Vote: CH-yes, JR-yes, PC-yes, SC-yes, BO-yes, JK-yes.

CHAIRMAN'S ADDRESS

- Meetings will be held remotely until further notice as per the Governor's Emergency Executive Order of March 12, 2020, suspending certain provisions of the Open Meeting Law. All votes will be taken by roll call. Commissioners should identify themselves before speaking, and all parties should mute themselves until they want to speak. Polls may be conducted to determine Commissioner views on a particular question.

BUSINESS

B1 John Sherman Estates/Wrights Way Subdivision Special Conditions Discussion – Greg Morse

- Tabled until the next meeting. BG was unable to provide punch list to Mr. Morse.

B2 251 Damons Point Road / Adam Brodsky

- Attorney Adam Brodsky (AB) present for property owner Ed O'Cain (EO) along with Brad Holmes (BH), ECR. EO purchased the property in May of 2019 and removed several dead trees and invasive plants within the buffer zone without a Conservation permit. The matter went to the NRC and was then referred to the Commission, which subsequently issued an enforcement order and, at the January 21, 2020 discussion, voted 5-0-0 for a third party to assist with the restoration plan. Since these discussions, AB states there has been significant natural revegetation.
- A restoration plan was forthcoming from John Rockwood (JR), of Ecotec. AB takes issue with the suggestion that EO was liable for historic activities before he purchased the property. AB also notes that JR's proposal calls for the planting of larger trees and shrubs, and states this will significantly increase the difficulty and cost, up to 10x, as machinery will be required to bring the trees to where they are to be planted. AB also states the plan is inconsistent with restoration plans approved by the Commission in other enforcement orders. They are willing to comply with the restoration plan proposed by BH, but not by JR as proposed.
- JK comments that the Commission is aware of the alteration to the site before EO's purchase of the property, but also that the Commission looks at each site individually, and restoration plans for other

properties should not be looked on as having set precedent. JK also states the plan as proposed by BH replaces mature trees that were removed with shrubs, thus allowing EO to preserve an improperly obtained river view. AB states that the state WPA and local bylaw are concerned with wetland functioning as opposed to river views or lack thereof, and questions JK's characterization of BH's plan. JK notes that the Commission discussed BH's proposal at the January 21, 2020 meeting and found it to be insufficient mitigation for the damage to the resource area. The area has rejuvenated in part because the Commission agreed to delay implementation of plantings to the spring of 2021 due to the drought conditions last fall.

- In response to a query from JK, BG indicates that the Commission voted to ask JR to prepare a planting plan at the November 2, 2020 meeting but has not yet voted to accept the plan. BG also notes that in the Eagle Road enforcement order referenced by AB, the property owner there had cleared shrubbery only and not large trees, as was done at 251 Damon's Point Road. AB states that they are willing to modify BH's proposed plan for greater specificity with regard to locations, if that is the Commission's issue with the plan, but reiterates that the Ecotec plan is punitive financially without providing any greater habitat function or wetland value.
- BH states that he has not received any actionable feedback on his own plan, and would be happy to address any concerns. JK points out that the Commission reviewed the ECR proposal and decided they wanted to see a third party proposal, which is within the Commission's authority. The third-party report has been received but not yet approved, and it is likely that what ultimately will be approved will be different from both proposals. AB indicates they are not looking for a specific decision tonight, and suggests that all parties meet in the field to seek a possible compromise. BG would like JR to have access to the site and be able to work with him and BH to finalize a plan. JK is open to having JR and BH work collaboratively to further refine the plan.
- PC is struck by the differences between BH and JR's recommendations. AB states that John Zimmer (JZ), South River Environmental, reviewed BH's proposal and concurred with its recommendations; he further states he does not believe EO is willing to provide more funding for JR's work beyond what's already been provided. JK points out that in an enforcement order, the Commission has the authority to engage the services of a third party and the homeowner is legally required to pay for it. The Commission is willing to work with BH, but also wants JR to be involved in the process and needs access to the property. JK feels that some additional cooperation from the homeowner at this stage in the process will ultimately save him money. BG indicates that some funding remains in the peer review account but whether it is enough depends on the number of future meetings and activity. JR suggests that he provide comments on a modified version of ECR plan as a way to move forward more economically; AB concurs. JK suggests that BH modify his plan based on JR's previous recommendations, and provide it to JR for comment.
- After further discussion, the matter is tabled to the February 16 meeting to allow JR, BH, and BG to meet on the property. EO notes that he provided his cell phone number to all parties and just needs a couple days' notice before a visit.

B3 Horseshoe Farm Signage DeMinimis Activity vs. Conservation Permit – Horseshoe Farm HOA

- Danielle Voss (DV) and Mandy Sullivan (MS) present for the Horseshoe Farm Homeowner's Association. They would like to add signage to the entrance of Horseshoe Farm Lane and Weir River Lane. In discussions with BG, they also reviewed the open space plan, marked up the site plan to show where the signs would be placed, and taken photos of the location. The Weir River Lane sign site is in the 50 to 100 ft buffer, but the Horseshoe Farm sign site is outside Commission jurisdiction. The signs will be mahogany on 8" by 8" granite posts. They think the installation may qualify for an exemption under 310 CMR 10.02 (2B)(2o), classifying the placement of signs as a DeMinimis Activity.
- BG thanks DV and MS for their cooperation and has no other issues. BO notes that the sign sites are in previously mowed area and likewise has no issues.

- JK motions to accept the placement of the two entrance signs, as proposed, as a DeMinimis Activity. SC second. Approved 6-0-0 by Roll Call Vote: CH-yes, JR-yes, PC-yes, SC-yes, BO-yes, JK-yes.

B4 Marshfield Conservation Commission Suggested Consultant List Addition – Bill Grafton

- McKenzie Engineering of Norwell, MA, has requested that they be added to the suggested list of consultants. The Company has performed well on previous projects, and they are the representative of record for the project at 769 Ocean Street being heard later this meeting.
- JK motions to add McKenzie Engineering to the Commission's suggested list of consultants. CH second. Approved 6-0-0 by Roll Call Vote: CH-yes, JR-yes, PC-yes, SC-yes, BO-yes, JK-yes.

B5 Marshfield Conservation Commission Conservation Permit Form Revisions – Bill Grafton

- BG and Administrative Clerk Liz Anoja (LA) have updated the most recent forms from the MassDEP website to include Marshfield Chapter 294 and 505 along with updates for the Town Order of Conditions; they have also introduced two new Forms based on the MassDEP WPA Form 3: Town Bylaw Only Notice of Intent and Request For Amended Orders of Conditions.
- JK motions that the Commission accept and ratify the updated MCC permitting forms as proposed. JR second. Approved 6-0-0 by Roll Call Vote: CH-yes, JR-yes, PC-yes, SC-yes, BO-yes, JK-yes.

B6 300 Ridge Road- DeMinimis Activity/Conservation Permit/Enforcement – Barbara Follett

- The approved plans for the property referenced a gravel driveway, but applicant constructed a larger paved driveway. A couple of trees also appear to have been planted within the 50 ft buffer to flagged wetlands. BG notes that this increases the impervious surface on the property, which is located within the 100 to 200 ft riparian area, 100 ft buffer to saltmarsh, and a FEMA flood zone. There is also a wooden platform for a generator that is not on the original plan, and the entrance appears to have deviated as well from what was approved. BG states in his memorandum to Commissioners that the Commission can approve the driveway as a DeMinimis Activity, require its removal, or require an after-the-fact RDA or NOI.
- JK notes as well that the lawn in back of the house appears to have been expanded into the buffer zone to the marsh, believes the activity described clearly requires a permit, and is not sure the Commission would have approved the paved driveway as constructed. BO agrees that the changes described are not DeMinimis, and it remains to decide what permit needs to be filed for. BG recommends that the Commission require removal of the driveway and consider mitigation plantings and moving the conservation markers in back up gradient 10 ft.
- JK polls the Commissioners as to whether to continue the matter to the next meeting to allow for site visits and further inspection of deviations. CH continue; SC continue; PC certainly not DeMinimis but continue for more information; JR continue to discover the extent of changes; BO continue.
- Based on the poll results, the matter is tabled until the next meeting to allow for site visits and further inspection of deviations from the approved plans. BG suggests that the property owners set up a meeting with all parties on the site. Property owner Don Follett agrees to the meeting and states they didn't realize that the driveway, as installed, was not permitted, as the plans did not reference pervious vs. impervious surface requirements.

PUBLIC HEARING

Prior to the start of the hearings, JK advises that the hearings for Brewster Rd (2887) Adelaide lots 10-13 (2895), and 35 Falcon (2897) are being continued.

20-38 Aikens, 62 Landing Road (concrete pad, mitigation and plantings).....cont from 1/5/2021 (Susan)

- Continued Hearing. Hearing Officer confirms administrative requirements are complete. BG and several Commissioners observed the concrete pad for a future pergola during a visit to a nearby site, and BG

advised that an after-the-fact filing would be necessary. At a business session during the 12/15 meeting, the Commission voted to require the filing of an after-the-fact RDA for the completed and proposed work.

- Applicant Frank Aikens (FA) advises that he hired a contractor to put in a patio in 100 ft buffer to salt marsh and AE12 flood zone without a conservation permit. He was unaware that the permit was needed. He has since worked with BG and met with Webby Engineering so they could draft a site plan depicting the completed and proposed work. SC notes that revised plans were submitted to the Conservation Office that include more accurate information; the concrete pad is 345 sq ft. FA intends to install a pergola over the pad, and has agreed to remove two areas of asphalt closer to the marsh as mitigation. The respective mitigation areas are 363 and 99 sq ft. A future 10 ft access path will likewise remain pervious.
- SC asks for comments from the public; none.
- BG thanks FA for his cooperation and indicates that the standard conditions of approval will apply.
- SC motions to close and issue a Determination of Applicability, Pos #5 and Neg #3, with special conditions drafted by BG. PC second. Approved 6-0-0 by Roll Call Vote: CH=yes, JR=yes, PC=yes, SC=yes, BO=yes, JK=yes.

20-40 Smith, 82 Genevieve Lane (Replace Deck).....NEW (Susan)

- JK reads the legal ad. Hearing Officer SC confirms administrative requirements are complete. The filing is an after-the-fact RDA for a 12 by 12 addition constructed on a previously existing deck. The work has been completed, as the Building Department approved the permit without Conservation sign-off.
- Contractor Steve Leonard (SL) indicates that the completed activity is a 12' by 12' addition, on helical piles, in the footprint of an existing deck off the back left of the house.
- BG notes that once he was notified that the project was in fact jurisdictional, he requested and received a surveyed site plan with delineation by Brooke Monroe (BM), Pinebrook Consulting. The addition is completed and involved very little disturbance. However, BG noted a barn/shed built circa 2010 with a building permit but no conservation permit, as well as leaf dumping and other storage behind the shed. Further, BG does not agree with the wetland delineation and feels some kind of mitigation for the shed is in order. There are two conservation lands to the rear of the property, and BG recommends (1) placement of red and white conservation markers along the wetland line to the front of the shed (thus allowing its continued use), (2) four green and white conservation markers to demarcate the conservation properties, (3) areas downgradient of the green and white markers be allowed to rejuvenate naturally, and (4) storage and green waste dumping behind the shed should cease.
- BO generally agrees with BG's comments but would like to shift the markers 6-8 feet back to give the owner room to work around the shed. JK agrees with BO that the owners should be able to work on the property, and suggests shifting the markers 10 feet back to allow the shed to be worked on or removed in the future; SC agrees with BO and JK, and notes that placement of the red and white markers will result in the protection of some currently mowed resource area. BG notes that the Bylaw requires a 2:1 mitigation plantings which does not seem feasible on this site, and feels his proposal to allow the area downgradient of the shed to naturally rejuvenate to be relatively generous. SC agrees but also feels the owners need some access to the area behind the shed in order to maintain it.
- SL indicates he has advised the homeowners to clear out the storage behind the shed. The homeowner is aware of the likely need for conservation markers, but will need some access behind the shed moving forward. BG is willing to work with SL and the owner, but would like to prevent encroachment by a future owner. SC suggests that the permit be issued with a special condition allowing access behind the shed, with specifics to be worked out in the field with BG.
- SC asks for comments from the public; none.

- BG indicates that in addition to the standard conditions and above-referenced special condition, an additional special condition regarding the placement of conservation markers will apply, with locations to be determined in the field.
- All parties discuss placement of the red and white markers. BG would like the property lines to be surveyed before their placement, but the intended surveyor John Keefe is out of town until Spring. BO and JK notes there are already dimensions on the plan, and JK suggests that the markers be conservatively placed based on these dimensions. BG suggests that the temporary stakes or markers to be posted now and verified when John Keefe returns from Florida.
- SC motions to close and issue a Determination of Applicability, Pos #5 and Neg #3, with special conditions drafted by BG. CH second. Approved 6-0-0 by Roll Call Vote: CH-yes, JR-yes, PC-yes, SC-yes, BO-yes, JK-yes.

20-41 Montgomery, 56 Cove Street (Landscape around home).....NEW (Susan)

- JK reads the legal ad. Hearing Officer SC confirms administrative requirements are complete. The filing is an RDA for landscape improvements in coastal beach/coastal dune, LSCSF, and barrier beach.
- Landscaper Lee Wills (LW) present for applicant. The proposed activity is the addition of stone walkway materials in the footprint of the existing walkways; in the springtime, they would like to replace all turf on the property with native dune grass.
- In response to a query from JK, LW indicates that the new driveway will be pervious. JK would like to know what the substrate underneath will be, as the wrong materials will cancel out the effect of permeable pavers. LW indicates the substrate will be comprised of layers of gravel of various thicknesses. The driveway will be comprised of reclaimed granite curbing laid on its side; no concrete is being used. LW indicates to SC that the walkway materials will be pervious as well, and comprised of a mixture of bluestone and flat field stone on top of a washed stone bedding.
- LW then shows cross-sections of both the driveway and walkway materials, all of which will be enclosed in permeable filter fabric, as well as a list of proposed plantings, including native beach grasses, rosa rugosa, and sand cherry.
- SC asks for comments from the public; none.
- BG indicates that the standard conditions of approval will apply.
- SC motions to close and issue a Determination of Applicability, Pos #5, Neg #3, Neg #5, with special conditions drafted by BG. CH second. Approved 6-0-0 by Roll Call Vote: CH-yes, JR-yes, PC-yes, SC-yes, BO-yes, JK-yes.

TBL 20-02 O'Connell, 75 Riverside Circle (raze & rebuild SFH).....NEW (Bert)

- Continued hearing. BO Hearing Officer. SC recuses from the discussion and voting.
- Darren Grady (DG), Grady Engineering, presents for applicant, Mathew O'Connell (MO). There is a wetland in the rear left corner of the lot delineated by John Zimmer (JZ) on 10/16/20, as well as an isolated vegetated wetland, under the town Bylaw only. The proposed activity is to tear down the existing house in the northwest corner of the lot and construct a new house which will be 36.4 ft from the wetland. The existing septic system, 60 ft from the wetland, will be replaced with a new system outside the 100 ft buffer. Silt sock erosion control will be utilized along the limit of work and along the downhill property line.
- BO asks DG why the new house was moved closer to the wetland? DG notes that the current house does not meet the front zoning setback; the new house will be in the middle of the lot, in conformance with the Bylaw. In response to a follow-up question from BO, DG indicates that a shed in the backyard will be removed.
- BO also notes that a number of trees on the property are tagged, and would like to know if they are being removed. DG indicates that three trees, 12, 14, and 24 inch trunk diameter, are planned to be

removed. In response to a query from JK, DG indicates that the trees are located in a developed area between the house and the shed. MO indicates the tags were added before they purchased the property; some yellow caution tape referenced by BG and BO are on a neighboring property.

- CH asks if the house could be shifted to remove the corner inside the 50 ft buffer. DG states that he can't do this and meet the zoning setback requirement; a shift to the northerly property line would still leave a portion of the house inside the 50.
- JK is not sure whether this house qualifies for a 25 ft setback under the Bylaw, as it is a new home that is not an addition or staying in the same foundation, which is 90 feet from the wetlands, and would like to see as much of the new house as possible shifted outside the 50 ft buffer. BG notes that Town Counsel advised the Commission in 2018 that movements closer or even lateral to wetlands presented a risk of segmentation ultimately leading to an overdeveloped lot.
- BO points out that shifting the house forward may require relocation of the new septic system closer to the wetlands. BG notes that septic systems are not considered to be structures under the bylaw, and thus are not constrained in their location in the same way, but BO thinks from a conservation standpoint, it is better to have the septic as far away from the wetlands as possible. BG concurs generally, but notes there is an exemption for septic systems under the bylaw that in this case may allow the house to be moved further away from the wetland. DG notes that the Board of Health Bylaw asks for septic systems to be at least 75 ft away from the wetland, which influenced where he placed the house.
- BO asks the Commissioners whether potential mitigation in the back yard could offset the location of the house. PC feels this may be a potential solution, but CH would like to see how much further the house could be moved out of the 50. BO notes that Commission consensus seems to be to request that the house be shifted further out of the 50 ft buffer, but suggests that the area where the shed is to be removed be cordoned off with conservation markers and allowed to rejuvenate. DG is open to the idea of a mitigation area in back combined with a slight shift in the house location. JK suggests that DG try to shift as much of the house as possible outside the 50, and come back with a proposal for mitigation in back; all Commissioners concur.
- BO asks for comments from the public; none.
- The matter is continued pending receipt of an updated site plan.
- BO motions to continue the hearing to February 2, 2021. PC second. Approved 5-0-0 by Roll Call Vote: CH-yes, JR-yes, PC-yes, BO-yes, JK-yes.

SC returns to the Public Meeting.

2832 Amended Kessler, 56 Foster Ave (permeable patio, plantings & gravel drive/parking area.....NEW (Bert)

- JK reads the legal ad. Hearing Officer BO confirms administrative requirements are complete.
- Brad Holmes (BH), ECR, presents for applicant, who would like to amend the existing order of conditions to add a permeable 15' by 15' patio in back of the house, a 25' by 27' gravel parking area in front, and a 3' native planting strip along the existing driveway/access way. This work will increase the native plantings on the site, reduce the lawn, and will not increase the impervious surface on the lot; BH believes the proposed work will be an improvement over existing conditions. All necessary cross-sections have been provided.
- BG notes he has worked with all parties throughout the process, and has no issues. PC comments favorably on the low impacts of the proposed work; CH concurs.
- BO asks for comments from the public; none.
- BG indicates that the proposed changes meet the DEP 85-4 definition of "minor" changes. The standard conditions of approval will apply.
- BO motions to close the hearing and issue Amended Orders of Conditions with special conditions drafted by BG. JR second. Approved 6-0-0 by Roll Call Vote: CH-yes, JR-yes, PC-yes, SC-yes, BO-yes, JK-yes.

2709 Amended Lohe, 1354 Union Street (Amend dock float).....cont 11/17/2020 (Rick)

- Continued Hearing. PC Hearing Officer. CH recuses from discussion and voting.
- PC indicates that new plans were submitted to the Conservation Office on January 5th. The project was originally approved in 2018, but deviations from the approved plans required the filing of a request for Amended Orders of Conditions. The matter was continued on November 17 pending compliance of all paperwork with the Commission dock guidance policy.
- John Cavanaro (JC), representing applicant, notes that the new plan shows approved, as-built, and revisions. They have cantilevered the pier out about 3 feet and adjusted the mounting bracket on the float to effectively move the float out 4' to achieve the minimum required depths under the dock policy guide. They have also received and provided comments from DMF and the Harbormaster. Comments from the Harbormaster indicate that a mooring may need to be moved, which applicant must pay for if necessary.
- BG thanks applicant for his stewardship of the river and JC and Keith Wahlo (KW) for their efforts. PC notes that the new design eliminates the originally proposed helical piles, reducing impacts on the river. JK thanks applicant for his cooperation and feels the project is much improved.
- PC asks for comments from the public; none.
- BG indicates that the standard conditions of approval for docks and piers will apply, including special conditions requiring the posting of red and white conservation markers and no mowing of saltmarsh to remain in perpetuity.
- PC motions to close the hearing and issue amended Orders of Conditions with special conditions drafted by BG. BO second. Approved 5-0-0 by Roll Call Vote: JR-yes, PC-yes, SC-yes, BO-yes, JK-yes.

CH returns to the Public Meeting.

2897 Balboni, 35 Falcon Close (I/G pool, shed, hardscape & landscape).....NEW (Craig)

- JK reads the legal ad. The hearing is continued until the next public meeting of the Marshfield Conservation Commission on February 2, 2021 per applicant representative written request.
- JK motions to continue the hearing to February 2, 2021. CH second. Approved 6-0-0 by Roll Call Vote: JR-yes, SC-yes, BO-yes, PC-yes, CH-yes, JK-yes.

2898 SCM Realty, LLC, 769 Ocean Street (New SFH w/ In-Law Suite, Driveway & Grading).....NEW (Bert)

- JK reads the legal ad. Hearing Officer BO confirms administrative requirements are complete.
- Austin Chartier (AC) and Brad McKenzie (BM), McKenzie Engineering, present for applicant. The filing is a notice of intent for construction of a single-family home. The lot is located within LSCSF, AE flood zone elevation 9, and buffer zone to BVW. The BVW was flagged by Brad Holmes (BH), ECR, in March 2020. An existing commercial building will be torn down. The new structure will be further back from the street so as to meet zoning setback requirements, and will be constructed on piers, with gravel parking area underneath. The existing paved parking lot will be replaced with lawn. They are also proposing a row of sea grass along the part of the lot abutting the wetland, and silt sock erosion barrier during construction. The project will result in a reduction of about 4736 square feet of impervious coverage.
- BG has no issues with the ECR wetland line. The lot is located near Town-owned conservation land and Marshfield Rod and Gun Club property in back. BG suggests that conservation markers be required so as to prevent further encroachment towards the BVW. BG also points out that the new structure goes no closer to the wetland than the existing parking lot, so segmentation is not a concern.
- BO notes that the existing building is dilapidated, and the project will be an improvement over existing conditions, but agrees with BG as to placement of the conservation markers. AC verifies that the new structure will be about 9' above grade, and all living space and utilities will be above that height. They will pull out junk in the wetland area during demolition. PC agrees that the project as proposed will be an improvement over the existing lot.

- James Asadoorian (JA), 777 Ocean Street, asks what will happen to the Town road between his property and this property. AC notes that Heather Road is an unconstructed right of way, and there will be no changes to it as a result of construction. The new structure will be located further back from the right of way than the existing building. Denise Kelley (DK), 39 Eighth Rd, asks when construction will be starting. Applicant James Cashman (JC) indicates it will be sometime this year.
- BG indicates that the standard conditions of approval will apply including special conditions requiring the posting of conservation markers along the edge of the existing asphalt area and submission of an updated site plan showing the location of the markers by 12 noon Friday.
- BO motions to close the hearing and issue Orders of Conditions with special conditions drafted by BG. SC second. Approved 6-0-0 by Roll Call Vote: CH-yes, JR-yes, PC-yes, SC-yes, BO-yes, JK-yes.

2899 Donnelly, 25 Meadow Lane (Elevate SFH).....NEW (Rick)

- JK reads the legal ad. Hearing Officer PC confirms administrative requirements are complete.
- The proposed activity is to elevate an existing single-family home to 13.8 feet, above the FEMA flood elevation. Applicant Tom Donnelly (TD) indicates he will replant the lawn once the house is raised; the driveway will remain as is. He has posted the four conservation markers required under a prior order of conditions and will post (4) four more as part of this proposal, and will post the DEP number now that it has arrived.
- PC asks for comments from the public; none.
- BG indicates that the standard conditions of approval will apply including conditions requiring submission of an elevation certificate and that the surface underneath the house remain pervious.
- PC motions to close the hearing and issue Orders of Conditions with special conditions drafted by BG. CH second. Approved 6-0-0 by Roll Call Vote: CH-yes, JR-yes, PC-yes, SC-yes, BO-yes, JK-yes.

2893 Spectrum Homes Inc., 14 (Lot 9) Adelaide Way (New SFH).....cont from 12/15/2020 (Art)

- Continued hearing. JK acts as Hearing Officer in AL's absence.
- The proposed activity is construction of a home on Lot 9 of the subdivision. JK notes that most issues were addressed on a site walk recently conducted with six of the seven Commissioners, along with builder Greg Gibbs (GG) and representative Terry McGovern (TM), Stenbeck & Taylor. JK believes the only remaining issues are the need for a CMP renewal letter from Natural Heritage and Endangered Species Program and issues concerning construction of the retaining wall. JK confirmed with the Planning Board that the wall is subject to the review of the Building Commissioner and will have to be constructed by a structural engineer.
- TM notes that since the site visit, he has updated the site plan to show drywells at the corners of the house, conservation markers at the 50 ft buffer line, as well as plantings just beyond the line with details provided on a separate sheet. He has also extended the toe of the slope to reduce its steepness. TM has been in touch with NHESP regarding renewal of the permit. Peter Falk (PF), Rivermoor Engineering, is working on the retaining wall.
- JK asks for comments from the public; none.
- The matter is continued pending receipt of the NHESP CMP renewal letter.
- JK motions to continue the matter to February 2, 2021. JR second. Approved 6-0-0 by Roll Call Vote: CH-yes, JR-yes, PC-yes, SC-yes, BO-yes, JK-yes.

2894 Manning, 44 Jayna Way (addition, deck, porch, replace shed, grading, retaining wall, and vegetation removal & replanting).....cont from 12/15/2020 (Art)

- Continued hearing. JK acts as Hearing Officer in AL's absence.
- Terry McGovern (TM), Stenbeck & Taylor, represents applicant. Commissioners visited the site on January 11 and updated site plans have been provided. TM indicates that as suggested by the

Commission at the previous hearing, they have extended the conservation markers in back of the house to cut off a “dog leg” in the easterly back portion of the lot, as mitigation. A planting plan, including removal of invasives, and planting of native trees and plants will be extended throughout the buffer zone in back, and a shed removed and not replaced. The plantings, including cleanup and removal of logs/limbs, will be implemented under the supervision of Brooke Monroe (BM), Pinebrook Consulting. The area inside the buffer will be seeded with wetland seed mix and the area just outside the buffer will be seeded with forage and cover meadow mix. Silt sock erosion control will be installed along the limit of work on the house.

- JK asks for comments from the public; none.
- The standard conditions of approval will apply, including the posting of conservation markers as noted in the plan and 75% planting survival after two growing seasons.
- JK motions to close the hearing and issue Orders of Conditions with special conditions drafted by BG. JR second. Approved 6-0-0 by Roll Call Vote: CH=yes, JR=yes, PC=yes, SC=yes, BO=yes, JK=yes.

CONTINUED HEARINGS

2895 Spectrum Homes Inc., 16, 18, 20 & 22 (Lots 10-13) Adelaide Way (grading & retain wall).....cont from 12/15/2020 (Art)

- The hearing is continued until the next public meeting of the Marshfield Conservation Commission on February 2, 2021.
- JK motions to continue the hearing to February 2, 2021. CH second. Approved 6-0-0 by Roll Call Vote: JR=yes, SC=yes, BO=yes, PC=yes, CH=yes, JK=yes.

2887 Murphy, Brewster Rd (Road impvts. & storm water mgmt facilities).....cont from 10/20/2020 (Bert)

- The hearing is continued until the next public meeting of the Marshfield Conservation Commission on February 2, 2021 per applicant representative written request.
- JK motions to continue the hearing February 2, 2021. BO second. Approved 6-0-0 by Roll Call Vote: JR=yes, SC=yes, BO=yes, PC=yes, CH=yes, JK=yes.

REQUESTS FOR CERTIFICATES OF COMPLIANCE & EXTENSIONS

- None

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); 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; Stifter, 102 Bartlett’s Island (unpermitted revetment wall)

ADJOURNMENT – JK makes a motion to close the hearing at 9:27 PM. CH second. Approved 6-0-0 by Roll Call Vote: JR=yes, BO=yes, SC=yes, PC=yes, CH=yes, JK=yes.

Respectfully submitted,
Liz Anoja, Conservation Administrative Clerk

Marshfield Conservation Commission
Bill Grafton, Conservation Administrator
James Kilcoyne, Chair Bert O’Donnell, Vice Chair
Arthur Lage Joe Ring
Craig Hannafin Rick Carberry
Susan Caron