

MEMBERS PRESENT – James Kilcoyne (JK) Chair, Bert O'Donnell (BO) Vice Chair, Arthur Lage (AL), Joe Ring (JR), Susan Caron (SC), Rick Carberry (PC), Craig Hannafin (CH), Eric Flint, Conservation Agent (EF); and Bill Grafton, Conservation Administrator (BG)

MEMBERS NOT PRESENT – None

CALL TO ORDER – JK motions to open the meeting at 6:30 PM. CH second. Approved 7-0-0.

MINUTES

- The minutes of the March 2 meeting were presented for approval. No comments or suggested changes were received, and none were made on the floor.
- JK motions to accept the March 2, 2021 minutes as written. SC second. Approved 7-0-0.

CHAIRMAN'S ADDRESS

- BG requests an opportunity to speak. JK approves. BG welcomes Eric Flint to the Conservation Department.
- 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.
- The Commission has reinstated the "three continuance" policy whereby "should an applicant request three continuances or should they fail to properly address questions of the Commission for three hearings, then on the third date the Commission, at their discretion, may open the hearing and deny without prejudice for lack of information." Applicant will be able to reapply when they have all the necessary information to proceed, without having to wait the two year period.
- The procedure for hearings is that applicants or their representative(s) will have 5 minutes uninterrupted to present their project. This will be followed by BG's comments (1 minute), Commissioner comments/questions (10 minutes, with extensions by motion and vote), public comment, and vote. Public comments are to be addressed to the Chair or Hearing Officer. Pre-vote polls may be conducted to gain the perspective of the Commission.
- The updated Chapter 505 Draft Marshfield Wetland Protection Regulations have been posted on the Town and Commission Websites. A public hearing to approve the regulations will be held on Thursday, March 18.

BUSINESS

B1 251 Damon's Point Road Restoration Plan Finalization – Bill Grafton & Brad Holmes

- John Rockwood (JR), Ecotec, present along with Brad Holmes (BH), ECR to discuss restoration plan progress and remaining tasks. JR and BH met on the site to discuss various issues, including the area to be considered part of the restoration area and plant species and sizes. BH submitted a revised restoration plan the following week which JR feels is a significant improvement over the original plan but lacks detail regarding heights and species. JR also feels the number of shrubs proposed is somewhat higher than necessary. JR documented this feedback and recommendations for modifying the plan, including that larger saplings but smaller shrubs be spread throughout the restoration area. He has not received a further response from BH. JR characterizes the violation is a significant cut through the buffer zone to the river and feels it warrants a serious restoration plan with significant plantings, and feels applying his recommended plantings to the ECR plan would result in an approvable plan for the Commission.
- Attorney Adam Brodsky (AB), representing homeowner Ed O'Cain (EO), states that ECR's first restoration plan was developed consistent with other restoration plans for similar violations in Town. AB characterizes ECR's revised restoration plan as an attempt to compromise and address JR's recommendations; the labor and material cost to implement the revised plan was approximately \$11,400. All plants on ECR's revised plan were sized such that they could be planted by hand so no machinery would be required in any of the resource areas. JR's latest recommendations increase the size of the saplings and shrubs such that this would no longer be possible, and

increases the labor and materials cost over 3-fold, to \$39,430. AB contends there is no additional environmental benefit to JR's latest recommendations, just a significantly greater cost, and requiring these modifications would be arbitrary and capricious based upon what the Commission has approved for similar violations.

- BH states that the goal of the EO issued by the Commission was that the area achieve 75% surface coverage after two years of monitoring; his latest plan would exceed this plant density immediately after planting, and goes beyond the typical restoration plans he has prepared for the area. After the meeting with JR, BH significantly increased the size of the plants, as well as the associated labor required to plant them, in an effort to achieve the Commission objectives.
- JK asks AB if they would like to try to modify their plan further to try to meet JR's recommendations? AB indicates that his client is willing to compromise with the Commission but does not believe JR's current proposal is a reasonable compromise. They are willing to meet JR and the Commission somewhere in the middle cost-wise.
- With regard to the need for machinery to plant, JK notes for the record that property owner used heavy equipment and machinery to cut down the trees that were originally in the buffer. JK feels the Commission is not required to take restoration plan cost into consideration and notes that the value of the old trees that were taken down would be difficult to value. JK also notes that the North River is the only river in the state designated under a Scenic River Protection Act, and this cutting was an egregious violation, so a more robust planting plan is in order. AB notes that the North River Commission had approved the revised plan submitted by ECR. JK replies that the NRC can make its own decisions and asks AB if they would accept JR's proposal to allow the Commission to see JR's plantings overlaid onto the ECR plan; AB doesn't see what that would accomplish as the Commission already has ECR's site plan and both planting tables in its possession.
- JK asks JR to further explain his feedback and recommendations. JR notes that the ECR planting plan doesn't specify where the various-sized saplings and shrubs are going; without this detail, the larger plants could be tucked into corners and the smaller plants planted in the center of the area, effectively preserving the view. Thus, JR feels this detail is essential in order for the Commission to evaluate the ECR proposal. JR also states that his own planting plan doesn't propose anything larger than the largest plants on the ECR proposal, so if machinery is required for JR's plan, it will also be required for the ECR plan. PC agrees with JR that knowing where the plants will be going is an important detail; AL, CH, and SC agree; Commissioner JR would not object to a better-detailed plan but is willing to have some flexibility as to location.
- BO thought the purpose of the meeting in the field was to reach a compromise on the planting plan, and would like to hear BG's thoughts as to whether the ECR planting plan was a sufficient compromise. BG states he told JR and BH to work together and come up with a plan based on the science. He also let them know he would like to see some additional herbaceous plantings in an additional part of the yard that was also cut. BG agrees with JR and the Commissioners that they need a clear plan in terms of plant locations, size, quantity, names, and symbols, as this helps the Commission monitor the plan implementation. BG feels that overlaying JR's plantings onto BH's plan would result in an acceptable restoration plan, and thought the two parties were closer than it appears now. BG also feels that tree cost is a reasonable factor for the Commissioners to consider based on his own experience as a commissioner in Hingham and Norwell. BG states that a respected qualified wetland scientist told him he estimated the replacement cost of a fully mature tree at \$100,000.
- AB indicates they are willing to provide additional detail as to plant locations, and thinks the disagreement is regarding the mix and sizes of plants; their position is that the cost of the plantings in JR's proposal far exceeds what has been asked by the Commission at other properties, but they are still willing to reach a compromise if possible. JK feels that JR and BH could meet again to finalize a plan if one isn't accepted by the Commission tonight.
- JK polls the Commissioners as to whether they are able to make a decision this evening based on the information currently provided: AL-like to see JR plan overlaid on BH plan, CH-like to see coordinated plan between BH and JR with more detail, JR-like to see more detail but could also make decision tonight. PC-like to see compromise plan with some of JR's suggestions and specifying location, SC-like to see plan reflecting what done in field, BO-agrees with PC, JK-yes.
- JK asks if there are sufficient funds remaining to allow JR and BH to work together. BG indicates more funds would be needed. BH objects to the suggestion that ECR apply JR's plants to ECR's plan on the grounds that it would no longer be ECR's design. JK suggests the solution may be for both sides to work further towards a compromise plan; the alternative would be for the Commission to vote on a solution tonight based on one of the two options. AB is willing to speak to his client and BH to see if there is a way around the impasse. JK feels a compromise that reduces

the cost but addresses the Commission concerns may be possible if the sides continue to work together; this will likely require additional peer review funds. AB states he will consult with his client and asks that the matter be placed on the April 6 agenda.

B2 Phillip's Farm-Bog Boards (*de minimis* Activity vs. Conservation Permit) – Owen Grey

- Owen Grey (OG) present for Wildlands Trust, which owns Phillip's Farm on Highland Street, across from Corn Hill Woodland, and serves as a connector to New England Forestry Foundation's Nelson Memorial Forest. They have received complaints from hikers about a section of trail that seasonally gets wet, and would like to install a 100 ft section of bog boards, 4' by 10' pressure-treated boards on posts, over this stretch. The boards are portable, not affixed into the ground, and can be removed when the site dries up.
- BO has no issue with the work but would like to receive a sketch and narrative describing the work to be done.
- BG indicates that Wildlands has already provided a sketch plan and narrative, and apologizes for not providing it to the Commissioners sooner. BG has no issues with the work, characterizing it as low impact; the same type of thing is done at Wompatuck State Park.
- JK motions to allow installation of the bog boards as a *de minimis* activity. BO second. Approved 7-0-0.

B3 2217 & Amended John Sherman Estates/Subdivision Special Conditions Review – Greg Morse & Paul Driscoll

- BG and AL met via Zoom with Paul Driscoll (PD) and Greg Morse (GM), Morse Engineering, on March 9 to discuss outstanding special conditions. With regard to Special Condition H, PD has agreed to do regular street sweepings starting in April. BG and GM will work further with regard to Special Conditions D, F, and I, covering erosion control and stormwater control vegetation including grass seedings. Regarding plantings around lots 10 and 11, PD noted that he no longer owns those properties; the Commission needs to decide who to follow up with PD or Lot 10 & 11 homeowners. GM has provided a site plan that addresses issues regarding placement of conservation markers along the 50 ft buffer and the Water Resource Protection District signage required by the Planning Board. Condition J, specifying no use of certain chemicals or herbicides, should become an ongoing condition. Condition K requires a conservation restriction on the two open-space properties in the subdivision; per Planning Board requirements, these parcels are to be transferred to the care and custody of the Conservation Commission through documentation to be submitted to Town Counsel. BG would like to see short-term conditions (including Conditions D, F, H, and I) satisfied within 60 days, mid-term goals (planting plans) within 180 days, and long-term goals (including Conditions J and K) in 360 days or less, and suggests that the Commission vote to establish a schedule before granting any extension to the Orders of Conditions.
- GM concurs with BG's comments and notes there are some outstanding administrative issues with respect to recording the conservation restrictions and implementing of the plantings on Lots 10 and 11. They have posted cash bond with the planning board to ensure these and other outstanding issues will be resolved. GM is willing to update the site plan he provided to show the Lot 11 conservation markers if required by the Commission.
- JK agrees that some of the remaining issues are complicated to resolve, but would like a specific schedule as to what issues are going to be resolved and when. JK also notes there is a planting plan for the subdivision, but also that individual lots have been sold since the subdivision Order of Conditions was issued, making it difficult for PD and GM to implement the plantings required by the Commission. He is unsure the Commission can issue a Certificate of Compliance until all of the conditions of the OOC have been satisfied, and hopes PD and GM can prevail upon the individual lot owners to allow the required plantings to be made. JK further states there is not a schedule in writing for the Commission to consider and vote on. BG states this was provided as a draft in a spreadsheet to the Commissioners in January. JK polls the Commissioners as to whether they feel a sufficient schedule has been provided for them to vote on: AL-no, agrees with BG's general guidelines but needs to see them in writing; CH-no, JR-no, PC-no, SC-no, BO-no.
- PD states that he and GM have put significant time into addressing the remaining issues on the property. Regarding a previous NHESP designation on the property, PD states that NHESP gave him a "no take" letter before they decertified the property, and the letter has been provided to the Commission. PD further notes there are four lots on the property that have been conveyed to private owners but not built upon, and a fifth lot is being conveyed in April. Even allowing a year for houses to be constructed on these lots, PD feels some of the long-term conditions may not be satisfied on these lots within 360 days. Lots 10 and 11 have been conveyed to private owners along with the rights and liabilities that go with it; the owners have been apprised of the need for mitigation plantings and

fencing, and PD states that they are responsible for its implementation. JK is not sure where the ultimate responsibility lies with regard to lots 10 and 11, but wants to avoid a situation where the Commission is chasing after multiple lot owners to fulfill the conditions of approval of the subdivision.

- JK asks GM to provide a schedule, specifying when the various outstanding conditions will be satisfied, for the Commission to approve at the next meeting; GM agrees. BG will assist PD and GM with drawing up the schedule.

B4 2217 & Amended John Sherman Estates [EXT] – Commissioners

- BG notes that the existing OOC expires on April 7. The previous extension was for six months, but PD states that by the time the request was granted, just 4.5 months remained. Applicant is requesting an 18 month extension; BG recommends granting 9 months.
- JK polls the Commissioners as to how long of an extension to grant: AL-6 months; CH-1 year, hard to say without the schedule; JR-3 months pending resolution of the schedule; PC-1 year; SC-1 year; BO-1 year, JK-1 year.
- JK motions to extend the Order of Conditions for SE42-2217 for 12 months. JR second. Approved 7-0-0.

B5 Land Donation/Essex Avenue (Parcel Id No: G12-07-01)/Approve or Waive – Bill Grafton

- BG states that Town Administrator Mike Maresco reached out to him about the subject property, an approximately 5000 sq ft vacant lot on the corner of Norwich St and Essex Ave in Marshfield Center, and whether he would be interested in having the lot transferred to Commission care and custody. BG recommends that the Commission accept the donation, as it abuts and is near multiple small lots already under Commission control. The treasurer advised on the final tax balance, it appears about \$3000 is outstanding.
- JK motions to accept the donation of parcel G12-07-01 to Commission care & custody. PC second. Approved 7-0-0.

B6 Adelaide/Webster Subdivision discussion about foot path – *de minimis* activity vs. Conservation Permit – Gregg Gibbs & Terry McGovern

- AL states that BG, TM, GG, and he have come to an agreement regarding the location of a footpath connecting to the trail system on adjacent conservation land; the Planning Board has approved the necessary ANR in the area of the footpath. This will resolve Special Condition O of the subdivision order of conditions (SE42-2650).
- JK motions to accept the deviations associated with the proposed footpath location consistent with the Planning Board ANR and kiosk trail signage a *de minimis* activity. AL second. Approved 7-0-0.

B7 232 Oak Street Luchetti EO Dissolution Letter review and ratification – Bill Grafton & Eric Flint

- The subject EO was issued by previous Conservation Administrator Jay Wennemer in 2015; BG visited the property as part of the request for COC, worked with the homeowner's consultant ECR for years, and confirms the plantings are intact and the work completed as approved, and recommends issuance of a Dissolution Letter. BG thanks EF for preparing the dissolution letter.
- JK motions to ratify issuance of a Dissolution Letter closing out the 2015 enforcement order. BO second. Approved 7-0-0.

PUBLIC HEARINGS

Prior to the start of the hearings, JK advises that the hearings for 41 Prince (2910), 257 Oak (2908), 300 Ridge (2820 Amended), 0 Brewster (2887), South River (2905), and 624 Webster (no DEP #) are being continued.

2912 Grannis, 44 Old Beach Roach, (front porch, garage overhand, hardscape & landscape).....New (Craig)

- JK reads the legal ad. Hearing Officer CH confirms administrative requirements are complete.
- The subject filing is a Notice of Intent for construction of a new front porch, garage overhang, hardscape, and landscape on a lot in coastal beach, coastal bank from the seawall, LSCSF (VE19/AO flood zones). Brendan Sullivan (BS), Cavanaro Consulting, presents for applicant. The property abuts the seawall at the end of Old Beach Road; the VE19 elevation goes through the middle of the house. Most of the open area of the lot is currently gravel with some scrub brush. They are working with Seoane Landscaping on plants for several planting beds, lawn in the front yard, enhanced plantings in the back yard, and a step-stone walkway in between the house and the seawall. An existing fire pit on the north side of the lot will be enlarged with pervious pavers.

- BG visited the property with Commissioner Caron and notes that it currently has many attractive natural and permeable elements, including beach grass in the back yard near the costal beach and a pervious driveway in the front yard. Applicant and representative was very responsive to his request for a cross-section, and the submission is very detailed.
- CH was also impressed with the landscaping features and permeability of the lot. CH asks for comments from other Commissioners; none.
- CH asks for comments from the public; none.
- BG indicates that the conditions of approval will include two years of monitoring reports by a qualified wetland scientist, with 75% planting survival after two years.
- CH motions to close the hearing and issue Orders of Conditions with special conditions to be drafted by BG. SC second. Approved 7-0-0.

2911 Williams, 49 Mayflower Lane, (replace deck with porch).....NEW (Rick)

- JK reads the legal ad. Hearing Officer PC confirms administrative requirements are complete.
- Homeowner Tim Williams (TW) experiences technical difficulties with audio, PC and BG provide background.
- PC indicates that subject filing is a Notice of Intent for replacement of a 10' by 10' deck with an 11' by 11' screened-in porch, which will sit on two sonotubes. The house and work area are outside the 100 ft buffer to nearby wetlands but the lot is in an AE9 flood zone.
- BG has no issues with the project and notes that applicant provided ample details with his submission including flagging.
- SC visited the site with BG and agrees that the proposed work is very straightforward and clearly outside the 100 ft buffer; CH concurs.
- PC asks for comments from the public; none.
- BG indicates that the standard conditions of approval will apply, including submission of an elevation certificate and ensuring the footprint of the subsurface remains pervious.
- PC motions to close the hearing and issue Orders of Conditions with special conditions to be drafted by BG. CH second. Approved 7-0-0.

29XX Green Harbor Golf Course, 624 Webster Street, (club improvements, new driving range, Title V septic, parking, addition).....NEW (Rick)

- JK reads the legal ad. The hearing is continued until the next public meeting of the Marshfield Conservation Commission on April 6, 2021. DEP number and abutter notification is pending. Applicant will not be charged with a continuance under the "three continuances" policy.
- PC motions to continue the hearing to April 6, 2021. BO second. Approved 7-0-0.

21-03 Owerka, Lot 10 Wrights Way (driveway).....NEW (Art)

- JK reads the legal ad. Hearing Officer AL confirms administrative requirements are complete.
- Paul Gunn (PG), Morse Engineering, presents for applicant. The proposed activity is installation of a 200-220 ft access driveway and subsurface utilities on the lot, which is currently undeveloped. There is an isolated vegetated wetland on site, and the lot is jurisdictional under the Town Bylaw only. The driveway was allowed under a variance granted for the subdivision OOC, SE42-2217 Amended, and has a 12% slope. The closest point of work from the wetland is 31.8 feet away from the IVW, and close to the left lot line as allowable under Marshfield zoning. The dwelling, septic, and subsurface drainage systems are outside the 100 ft buffer. A post and rail fence with Water Resource Protection District signage required by the Planning Board will be placed as close along the 100 ft buffer as practicable as well as eight (8) conservation markers along the 50 ft buffer zone. Erosion control will be installed along the limit of work, and all disturbed areas will be stabilized with loam and seed post-construction. Per the original subdivision OOC, they will also be providing an enhanced planting area in the northwest section of the lot, between the IVW, the driveway, and Wrights Way.
- BG suggests that applicant consider installing the fence, water district signage, and conservation markers prior to the work starting. Implementation of the planting plan will become part of this Order of Conditions. BG also suggests that the Commission consider reducing the paved part of the driveway. Regarding the question of whether the

conservation markers would be duplicative of the PB signage, BG states that the subdivision OOC and final approved site plans specify that both need to exist.

- AL would like pervious pavers to be used on the driveway, as gravel may wash out due to the grade, and asks the other Commissioners their thoughts on the issue. CH is not comfortable with significant impervious cover this close to the wetland. JK notes that applicant has a right to have a driveway under the variance to the subdivision, but the composition of the driveway and the conditions under which it is built are subject to Commission regulation. JK agrees with BG that the fencing, signage, markers, and plantings should be done prior to the construction of the house, as this will prevent the Commission from having to follow up on these conditions later. JK notes that a paved driveway was allowed on Lot 11, but that applicant offered a significant amount of land mitigation to offset it. JK would be willing to consider an impervious driveway on this lot if the conservation markers were moved up to the 75 ft buffer, or require that the section of driveway within 75 ft of the wetland be pervious. BO notes that no information about the planting plan was provided with this submission and questions if it is needed. BO further believes the area beyond the split rail fence required by the Planning Board is to not be disturbed, and questions if the signage required by the PB at the 100 ft buffer makes the posting of markers duplicative; AL thinks Conservation markers should be posted in addition to the PB signage so as to avoid ambiguity. BO suggests that if the area behind the fence is not to be disturbed per the PB, that the conservation markers be posted on the fence alongside the PB signage. JK and BG would find this an acceptable trade-off for an impervious driveway; AL is concerned about having the markers on a fence as opposed to posts, but BG points out that the Commission does allow markers to be posted on fences, as was done at 2000 Ocean Street. AL polls the Commissioners as to whether to allow the conservation markers to be posted on the fence or on separate posts: CH separate posts; SC separate posts; JR separate posts; BO on fence, which has to be maintained in perpetuity, and is something the Commission has allowed in the past; PC separate posts; JK not opposed to fence but will agree to separate posts per majority of Commissioners. Greg Morse (GM), Morse Engineering, notes that the PB requirements include construction of a post and rail fence at the 100 ft buffer with Water Resource Protection District signage. The OOC for the subdivision requires conservation markers on posts specifically along the 50 ft buffer, and GM believes to move the markers out to the 100 ft buffer would require the subdivision OOC to be amended; BG feels that since the markers would move upgradient, away from the wetland, the relocated markers would still satisfy that condition of the subdivision OOC.
- AL polls the Commissioners on whether to allow an impervious driveway or require pervious pavers: CH, prefer pervious pavers, don't think gravel would work on the slope; SC, prefer a portion be pervious; JR, partial impervious partial pervious; PC, impervious in exchange for moving up the markers; BO impervious in exchange for moving up the markers, steep driveway; JK, impervious in exchange for moving up the markers and early planting plan implementation/marker posting, acceptable tradeoff. CH asks if drains could be built into an impervious driveway. GM states that a pervious driveway would not be desirable for this lot given the slope and generally feels they should only be used with grades of less than 3%; given this is a 12% slope, there would be relatively little infiltration through the surface. GM further notes that the driveway as proposed would drain to the street, where any runoff would go through a full treatment stream, and thus a pervious driveway would have no benefit to the IVW. BG agrees that the slope of the driveway is a valid consideration and feels the stormwater treatment system for this street can handle the runoff. GM indicates they would be willing to add an asphalt berm between the edge of the driveway and the IVW to steer the runoff to the street.
- AL asks for comments from the public; none.
- BG indicates that the conditions of approval will include implementation of the mitigation planting plan required by the subdivision OOC SE42-2217, SE42-2217 Amended, and final approved plans, posting of Water Resource Protection District signage on post and rail fencing at the 100 ft buffer, and posting of nine (9) conservation markers on posts along the 100 ft buffer prior to the start of the proposed work. An additional special condition requires receipt of an updated site plan at the Conservation Office by noon, March 19.
- CH motions to close the hearing and issue Orders of Conditions with special conditions to be drafted by BG. JR second. Approved 7-0-0.

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

- Continued hearing; AL hearing officer. AL asks BG to provide an update regarding the filing.
- BG notes that there have been several site visits since the last hearing. Since then, he has received a plan for the retaining wall bearing a structural engineer's stamp and comment letters from the Board of Health and Building

Commissioner in favor of the plan. BG also notes that applicant has requested NHESP sign-off on Conservation and Management Plan revision and begun work on turtle habitats; BG thinks this issue can be addressed through proper conditioning, as NHESP has been slow to respond during the pandemic. He does not think there is a need to tie fulfillment of the Subdivision special conditions to the Order of Conditions for this lot, and recommends approval. AL concurs with BG's assessment.

- AL asks for comments from the public; none.
- BG indicates that the standard conditions of approval will apply plus special conditions requiring submission of the revised Conservation and Management plan from NHESP; use of stormwater controls and coverage of ground surfaces with jute netting or quick-setting seed during construction; and posting of five (5) conservation markers on posts as depicted in the Final Approved Plans and planting of native species detailed in the Final Approved Plans post-construction, with two years of monitoring reports by a qualified wetland scientist and 75% planting survival after two years.
- AL motions to close the hearing and issue Orders of Conditions with special conditions to be drafted by BG. SC second. Approved 7-0-0.

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

- Continued hearing; AL hearing officer. Terry McGovern (TM), Stenbeck & Taylor present along with applicant Gregg Gibbs (GG). AL asks BG to provide an update regarding the filing.
- BG notes that the unresolved Special Conditions remaining under the subdivision OOC/SE42-2650 include Special Conditions E, F, G, H, I, J, K, L, N, O, P, R, and S; applicant has made progress towards resolving several of these, including the footpath discussed at the earlier business session. Applicant has requested relief from the SE42-2650 special condition requiring individual filings for the lots that are the subject of this filing. BG would like to attach the longer-term unresolved conditions, such as those concerning planting, to this order of conditions or request a bond from the builder. His suggested special conditions include, before start of the proposed work, (1) preparation of a mitigation planting plan that emulates that for Lot 9 and (2) \$40,000 cash bond as a surety that the remaining special conditions under SE42-2650 will be completed within 12 months of the last home construction. The special condition requiring individual NOIs for lots 10-13 will be lifted if the bond is posted. During construction, the use of stormwater controls and coverage of ground surfaces with jute netting or quick-setting seed is required.
- GG feels the bond requirement may be duplicative, as bond money is already required with respect to implementing the plantings, and would prefer that implementation of the planting plan be linked to this order of conditions. GG also believes the markers are all up, though some may need to be replaced. BG is okay with linking implementation of the planting plan to the OOC in lieu of another bond; JK also has no issues.
- AL asks for comments from the public; none.
- AL motions to close the hearing and issue Orders of Conditions with special conditions to be drafted by BG. JR second. Approved 7-0-0.

Scheduled Continued Hearings:

2910 Farrell, 41 Prince Circle (garage, addition two porches, & septic relocation).....cont from 3/2/2021 (Craig)

- The hearing is continued until the next public meeting of the Marshfield Conservation Commission on April 6, 2021 per applicant representative's written request.
- JK motions to continue the hearing to April 6, 2021. SC second. Approved 7-0-0.

2908 Weymouth, 257 Oak Street (addition & septic relocation).....cont from 3/2/2021 (Joe)

- The hearing is continued until the next public meeting of the Marshfield Conservation Commission on April 6, 2021 per applicant representative's written request.
- JK motions to continue the hearing to April 6, 2021. AL second. Approved 7-0-0.

2820 Amended Follett, 300 Ridge Road (driveway, walkway, landscape & accessory).....cont from 3/2/2021 (Joe)

- The hearing is continued until the next public meeting of the Marshfield Conservation Commission on April 6, 2021 per applicant representative's written request.
- JK motions to continue the hearing to April 6, 2021. JR second. Approved 7-0-0.

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

- The hearing is continued until the next public meeting of the Marshfield Conservation Commission on April 6, 2021 per applicant representative's written request.
- JK motions to continue the hearing to April 6, 2021. CH second. Approved 7-0-0.

2905 Dewey, South River Street (New SFH).....cont from 2/2/2021

- The hearing is continued until the next public meeting of the Marshfield Conservation Commission on April 6, 2021 per applicant representative's written request.
- JK motions to continue the hearing to April 6, 2021. JR second. Approved 7-0-0.

REQUESTS FOR CERTIFICATES OF COMPLIANCE & EXTENSIONS

579 Lynch, 25 Billings Road [COC]

- BG observed incomplete special conditions and recommend that the request be tabled pending additional information from applicant's representative.
- JK motions to table the matter pending receipt of additional information. CH second. Approved 7-0-0.

2687 Kelley, 0 Main Street [EXT]

- BG advises that the extension request was timely received, but the orders of conditions were not recorded until after they expired on March 12 of this year. The MassDEP Circuit Rider advised that the orders should have been recorded prior to their expiration date.
- JK motions to deny the extension request based on the Order of Conditions not having been recorded prior to their expiration date. JR second. Approved 7-0-0.

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 9:28 PM. AL second. Approved 7-0-0.

Respectfully submitted,
Bill Grafton, Conservation Administrator

Marshfield Conservation Commission
Liz Anoja, Conservation Administrative Clerk
Eric Flint, Conservation Agent
James Kilcoyne, Chair
Arthur Lage
Craig Hannafin
Susan Caron

Bert O'Donnell, Vice Chair
Joe Ring
Rick Carberry