

TUESDAY, MAY 4, 2021 6:30 P.M., ZOOM VIDEO CONFERENCE (HELD REMOTELY)

MARSHFIELD TOWN HALL, 870 MORaine STREET, MARSHFIELD, MA

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

MEMBERS NOT PRESENT – None

CALL TO ORDER – BO motions to open the meeting at 6:30 PM. SC second. Approved 6-0-0.

MINUTES

- The minutes of the April 6, 20, and 22 meetings were presented for approval. BG received suggested changes to the April 6 and 20 minutes and updated them accordingly. No further changes were made on the floor.
- CH motions to accept the April 6, 2021 minutes as edited. SC second. Approved 6-0-0.
- CH motions to accept the April 20, 2021 minutes as written. JR second. Approved 6-0-0.
- CH motions to accept the April 22, 2021 minutes as edited. AL second. Approved 6-0-0.

CHAIR'S ADDRESS

- In the absence of former Chair Jim Kilcoyne, who was elected to the Select Board on May 1, 2021, Vice Chair Bert O'Donnell will stand in until a new Chair is installed.
- 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 Commission recently voted to modify the hearings procedure to allow applicant/representative to speak after start of Commissioner deliberations to (1) offer new and not previously known information, or (2) correct statements the Commission has misunderstood. Applicants should not rehash their presentation at such times. Since in most cases, the Commissioners have already visited the property and reviewed the submission at length in advance of the hearing, and have listened to applicant or their representative's presentation prior to the start of deliberations, CH feels that the need for applicants to interrupt should be infrequent.

BUSINESS

B1 Conservation Commission Reorganization – Bill Grafton & Commissioners

- Vice-Chair BO notes that Chairman James Kilcoyne (JK) has resigned as Chair due to his election to the Select Board. BO thanks JK for his efforts and wishes him luck in his new role. This will require the appointment of a new Chair to the Commission. BO is unable to make the time commitment that being Chair requires, so he opens the floor to nominations.
- AL nominates CH for Chair; PC concurs.
- AL motions to nominate CH as Chair of the Conservation Commission. JR second. Approved 5-0-1, CH having abstained.

At this point, BO turns over the meeting to Chair CH. CH thanks all for their vote and promises to do her best in her new role. CH also thanks JK for his service to the Town and Commission.

B2 Policy and Procedure Guide review & ratification (Sections 3, 4 & 7) & Complete Guide – Commissioners

- The Commission discusses the ratification of Sections 3, 4, and 7 of the updated Policy and Procedure Guide; Sections 1, 2, 5, and 6 were ratified in previous meetings. Consultant William Finn (WF) recommends that the Commission adopt these remaining procedures with the understanding that the entire document will need some minor edits that have no bearing on the procedures themselves. CH's understanding is that this is a living document that will be revised as needed.
- CH asks for Commissioner Comments or questions. JR sent written comments to BG regarding suggested spacing and minor edits; BG acknowledges receipt and states these will be incorporated.
- CH motions that the Commission ratify Sections 3, 4, and 7 of the Policy and Procedure Guide with minor edits forthcoming. PC second. Approved 6-0-0.
- After the vote, BG suggests that sections of the guide, including the Certificate of Compliance checklist and fee schedules, be posted to the Commission Web site. WF agrees that the Commission can elect to post excerpts of the guide where it may be beneficial but does not feel the entire guide need be posted. BG will confer with WF and EF as to which sections to post.

B3 Enforcement Order Ratifications – Bill Grafton & Commissioners

a. 271 Oak Street-Perry [257 Oak Street/Weymouth-unpermitted fill, alteration and removal]

- BG notes that at the previous meeting it was decided to issue an EO for past fill, alteration, and removal activities while permitting applicant's current project. BG suggests that the Enforcement Orders go out as soon as possible, before the spring planting season ends.
- CH notes that there will be an opportunity to assign responsibility between the two parties during the Discovery phase of the process.
- CH motions to direct the Conservation Administrator to prepare enforcement orders for 257/271 Oak Street. AL second. Approved 6-0-0.

b. 458 South River Street-Zeigler [505 South River Street/White-unpermitted alteration and removal]

- BG indicates that he and EF met with Eversource regarding their cutting practices near the South River, and they are willing to provide plantings for a portion of the area that was cut near the road.
- CH motions to direct the Conservation Administrator to prepare enforcement orders for 458/505 South River Street. JR second. Approved 6-0-0.

B4 Blue Fish Cove Conservation Land/Salt Marsh and Road to Be Signed with No Disturbance Conservation Markers – Bill Grafton & Commissioners

- The Commission discussed the installation of 11 “do not disturb” signs, on posts provided by DPW, to prevent expansion of the sand road into the salt marsh. BG notes he has received complaints regarding this issue from area residents for several years, and came up with this solution working with DPW and Commissioners AL and JK. The Commission has obtained agreement to post markers on private property where needed, and will be posting four markers on town-owned Conservation land.
- CH motions to install red and white “Wetland - do not disturb” signage on town-owned conservation land parcels N05-05-04 and N05-06-04, Blue Fish Cove. SC second. Approved 6-0-0.

B5 Subdivision Progress Reports Adelaide and John Sherman Estates – Bill Grafton

- With respect to the Adelaide subdivision, BG notes that outstanding issues include a mitigation planting plan due by June 1, establishment of a final location for the proposed footpath, and completion of the remaining wetland delineation. Greg Gibbs (GG), owner of builder Spectrum Homes, indicates he is aware of the June 1 deadline. Work on the footpath is finished on their end, as Stenbeck & Taylor has surveyed the property and shifted the trail to ensure it remains outside the 75 ft buffer; it is now ready for Conservation workers to start putting posts up. Delineation has been a challenge due to weather conditions. After some further discussion, all agree to a July 1 deadline for the delineation.
- Regarding John Sherman Estates, BG indicates that the most challenging lots are lots 9-11, with issues ranging from lack of erosion control and the installation of “Water Resource Protection District” (WRPD) signage and Conservation markers. Sedimentation in the street has been observed from several of the lots. BG also needs to work with project engineer Greg Morse (GM) regarding erosion control around the stormwater basins and implementation of the conservation restriction on the designated open space parcels. A factor in many of these delays is the fact that lots 9-11, along with others in the subdivision, have already been conveyed to private owners and the issues can’t be directly addressed by subdivision applicant Paul Driscoll. BO suggests that the Commission coordinate with the Planning Board and make them aware of these outstanding issues, as they are holding a surety bond from the builder. BG concurs, but notes that every house in the subdivision currently has multiple liens on it, time is of the essence in resolving these issues.
- BG notes for future reference that the Commission has the authority to require surety bonding from builders, and this could potentially avoid situations where the Commission has to follow up with multiple homeowners regarding implementation of subdivision conditions of approval.

B6 DE Minimis Activity Roll/Review/Ratification – Eric Flint

a. 560 Spring Street – Verni Tree pruning to prevent roof damage

- EF indicates that the homeowner Rick Verni (RV) is requesting permission to prune tree limbs overhanging his property back to the tree line to prevent damage to his house and yard. Given a prior history with the Commission, EF suggests that the conditions of approval specify that Branch pruning should be limited to branches overhanging the house or driveway on trees no further than 20 ft away from the house. No native trees, saplings, woody shrubs, or herbaceous plant species are to be cut.
- CH motions that the Commission ratify a *de minimis* activity for the pruning of hazardous branches at the property with special conditions as noted. JR second. Approved 6-0-0.

b. 1001 Ocean Street – Fornier Tree removal in LSCSF – Eric Flint

- The proposed activity is the removal of an aged and damaged ornamental tree in AE9 flood zone, which has no performance standards. BG recommends ratification with no special conditions.

- CH motions that the Commission ratify a De Minimis activity for the removal of a single tree at the property. AL second. Approved 6-0-0.

c. 26 Littles – Easement Vegetative Management Minchello – Eric Flint

- Applicant Michael Minchello (MM), 49 Littles Lane, requests permission to perform vegetative management in the 190 to 300 ft zone of an access easement to the North River at 26 Littles Lane. EF recommends ratification with special conditions that applicant provide evidence of approval from the homeowner at 26 Littles Lane and the North River Commission prior to the start of work.
- CH motions that the Commission ratify a *de minimis* activity for vegetative management in the access easement at 26 Littles Lane, with special conditions as noted. PC second. Approved 6-0-0.

d. 1184 Ferry Street – Stairs, Overhanging Deck and Planting Mitigation – Eric Flint

Commissioner PC recuses from the discussion and voting.

- Applicant is requesting approval of two changes to the OOC for SE42-2684 be approved as De Minimis activities, the first being an after-the-fact staircase constructed to comply with a Building Department requirement for two ways of egress, and the second being the addition of a 10'x20' rear deck on cantilevered beams. EF recommends ratification with special conditions to include no construction of new structures without written approval from the Commission and implementation of the new and previously approved planting plans during the spring 2021 planting season, with two years of annual monitoring reports due December 1, 2022 and 2023.
- BO asks if the building department has been informed of these changes; EF is uncertain. BO would like to make sure Building is okay with these activities. BG suggests an additional special condition requiring homeowner to obtain all subsequent permits, which will include the Building Department.
- CH motions that the Commission ratify the stairway and rear cantilevered deck construction as *de minimis* changes to the existing orders of conditions SE42-2684, with special conditions as noted. AL second. Approved 5-0-0.

PC rejoins the meeting after the vote.

PUBLIC HEARINGS

Prior to the start of the hearings, BG advises the public regarding the scheduled continued hearings.

21-06 Oak Street 315-Milkowski (ATF cutting).....NEW (Susan)

- CH reads the legal ad. Hearing Officer SC confirms administrative requirements are complete.
- John Zimmer, South River Environmental, presents for applicant. The filing is an after-the-fact RDA for cutting and vegetative management in the 75 to 100 ft buffer to BVW. There was some cleanup inside the 25 ft buffer, but no vegetation was removed. New homeowner was not aware of the regulations or presence of the BVW. JZ has delineated the resource areas and prepared a site plan which will include the installation of four conservation markers along the property line/25 ft buffer; the area behind the markers will be allowed to revegetate. Applicant would also like to re-establish a historic lawn area north of the existing driveway without expanding of the lawn.
- EF notes that he and BG observed the activity while on a site visit at a neighboring property and advised homeowner to file; EF and SC made a follow-up visit on 4/28 and observed no issues at the site.
- SC asks for comments from the Commissioners and public; none.
- The standard conditions of approval will apply plus a special condition requiring the posting of four (4) conservation markers, as depicted on the site plan, within 30 days.

- SC motions to close the hearing and issue a determination of applicability pos 5, neg 3, with special conditions to be drafted by BG. PC second. Approved 6-0-0.

21-07 Kelly, 895 South River Street (ATF tree cutting & drainage alteration).....NEW (Rick)

- CH reads the legal ad. Hearing Officer PC confirms administrative requirements are complete.
- John Zimmer (JZ), South River Environmental, presents for applicant. The filing is an after-the-fact RDA for tree cutting and vegetative management in the buffer to BVW. JZ states the activity was intended to alleviate issues with stormwater from Cohasset Ave running down the resident's gravel driveway. To that end, several trees along the edge of the driveway were taken down, and applicant would like to construct a trench along the edge of the driveway leading to an existing drainpipe that extends beyond the house. They are willing to install two conservation markers and plant five sweet pepperbush and five highbush blueberry as mitigation.
- BG and EF visited the site on 4/12/21 in response to a complaint from a neighbor, and advised that a filing was necessary for the work. EF visited the site on 4/28 and found no issues with the wetland flag placement and site conditions. BG is also aware of the drainage issues on Cohasset Ave, which stem in part from the fact that it is not paved and not maintained by the Town.
- BO asks whether the work was in the existing driveway; BG indicates it was just outside the driveway footprint, and involved removal of several trees and underbrush. Rick Casey (RC), who performed the work for the elderly homeowner noted that they also trimmed some tree limbs overhanging the house. RC also states that the runoff from Cohasset Ave is causing significant drainage issues on the property, including erosion on parts of the lot, that necessitated this work. BG notes that he has no issues with the trimming of the overhanging branches and advised RC and homeowner on how to do so without harming the tree which is right along the 100 ft buffer line. RC also asks about a drainage pipe for Cohasset Ave not installed by the Town; BG suggests that RC contact DPW for more information.
- PC asks for comments from the public; none.
- The standard conditions of approval will apply along with special conditions regarding the posting of two conservation markers as depicted on the site plan and planting of five (5) sweet pepperbush and five (5) highbush blueberry in accordance with a planting plan to be prepared by South River Environmental.
- PC motions to close the hearing and issue a determination of applicability, Pos 5, Neg 3, with special conditions drafted by EF. AL second. Approved 6-0-0.

21-08 Harbormaster, 100 Central Street (borings).....NEW (Susan)

- CH reads the legal ad. Hearing Officer SC confirms administrative requirements are complete.
- Tim Magalhaes, Foth Infrastructure/Environment, presents for Harbormaster Mike DiMeo. The proposed activity is 7-10 exploratory test borings in Green Harbor and along the shoreline, in preparation for a larger project for dock and parking improvements. 2 of the borings will be on land and 5 to 7 will be in the harbor; all will have about 10 ft rock cores. TM states that the activity will not cause a significant or cumulative adverse effect to the surrounding resource area, and the technique used will minimize water runoff from the porthole. Mud tubs and filter socks will be used as needed. The larger filing for the dock/parking work is forthcoming.
- EF visited the site with SC on April 26 and concurs that any impacts will be minor and temporary.
- PC asks how long the work will take and if it will disrupt activity in the harbor. TM doesn't believe the work will be disruptive as it will be conducted outside the major navigation channels. The work will happen over the next several months and should take about a week to complete.
- SC asks for comments from the public; none.
- The standard conditions of approval will apply plus a special condition requiring that the Conservation Office be notified two weeks in advance of the start of work

- SC motions to close the hearing and issue a determination of applicability, Pos 5, Neg 3, with special conditions drafted by EF. PC second. Approved 6-0-0.

21-09 Duxbury Construction, 99 Webster Street (Septic).....NEW (Susan)

- CH reads the legal ad. Hearing Officer SC confirms administrative requirements are complete.
- Freeman Boynton, Duxbury Construction, presents for applicant. The proposed activity is the installation of a new septic system in buffer zone to a BVW. Wetlands on the property were delineated by Brad Holmes ECR, and perc testing was done on site with Board of Health observation. The new system will be gravity-based and mostly located outside the 100 ft buffer. The work in the buffer will mostly involve the emptying and filling of the old cesspools, which are located inside the 50 ft buffer, with new fill.
- EF visited the site with SC on 4/26, and had no issues with the delineation; they observed green waste dumping in the wetlands to the rear of the property that should cease. Historical aerals from the site suggest that substantial tree cutting may have taken place between 2012 and 2014. EF suggests that four conservation markers be posted along the rear of the lot to prevent future dumping and encroachment; BG concurs.
- SC agrees with the suggestion to post conservation markers and requests that FB work with her and EF to place them in the field, and then submit an updated site plan to the Conservation Office by noon on Friday. FB agrees.
- SC asks for comments from the public; none.
- The standard conditions of approval will apply along with special conditions regarding the posting of four conservation markers in the field and submission of an updated site plan to the Conservation Office.
- SC motions to close the hearing and issue a determination of applicability, Pos 5, Neg 5, Neg 3, with special conditions drafted by EF. JR second. Approved 6-0-0.

2922 McDonough-Rooney, 8 Foster Avenue (paver parking).....NEW (Craig)

- CH reads the legal ad and, as Hearing Officer, confirms administrative requirements are complete.
- Rick Servant (RS), Stenbeck & Taylor, presents for applicants, who would like to expand their parking area and reconstruct a walkway leading from the parking area in front of the house; only about 13 sq ft of the proposed walkway is inside the 100 ft buffer to the coastal bank. The walkway would be converted from brick to pervious pavers, and the expanded parking area would also be constructed with pervious pavers.
- BG visited the site with JR, and noted that the existing driveway is very narrow. BG has no issues given the very small work area within the 100 ft buffer and the use of pervious pavers. There will likely be some grade changes associated with the parking expansion, but he does not anticipate this will have significant, cumulative, or adverse effects on the buffer zone or coastal bank. BG also thanks RS for providing a detailed paver cross-section with the site plan.
- BO asks whether this project could have been permitted as an RDA; BG suggests the volume of earth to be removed to expand the parking area justifies its being a NOI, but the Commission has discretionary authority to decide. RS indicates they filed as a NOI to be on the safe side. PC asks where the new pavers will be going; they will be going over the existing walk, as well as some existing planting/lawn area in the front yard.
- CH asks for comments from the public; none.
- The standard conditions of approval will apply.
- CH motions to close the hearing and issue Orders of Conditions with special conditions drafted by BG. SC second. Approved 6-0-0.

2923 Tedeschi, 162 Bay Avenue (raze & rebuild).....NEW (Rick)

- CH reads the legal ad. Hearing Officer PC confirms administrative requirements are complete.

- Dana Altobello (DA), Merrill Engineers, presents for applicant along with Attorney Adam Brodsky (AB). The subject lot is located in barrier beach, coastal dune, and FEMA AE flood zone, elevation 11 on the seaward side of the lot. Part of the front of the lot is located within the 200 ft riverfront area to the Cut River, across Bay Avenue. Applicant is proposing to tear down the existing SFH and construct a new house elevated on wooden piles to 19.3 feet; this will result in an 814 sq ft in impervious area on the lot. The new house will be located 7 ft further away from the Cut River but closer to the coastal beach. ZBA has reviewed and approved the project as proposed.
- BG notes that the additional riverfront filing fees had been received. BG first asks whether the existing paver driveway has been figured into the impervious table for the site? DA indicates it is not, as they are pervious pavers. BG thinks the pavers are in fact impervious given how closely they are fitted but is open to testing to determine their functionality. BG would also like to know if there are any plans for patios or walks that might increase the impervious surface on the lot. DA indicates that the pervious paver driveway will be taken out for utility connections and then replaced in kind with the same materials. He is unaware of any other plans for walks or patios. BG asks that DA provide a cross-section of the pavers including underlying material.
- BG also notes that the Town and state GIS maps suggest that the existing house may be built beyond the property line, and asks DA for clarification. DA indicates that because the land on the lot is accreting, the way the deed was drawn up, it was given the additional land inside the existing seawall to the rear of the property. A legal determination by the firm Delaney and Muncey confirms this and gives additional detail on the deed history. DA states that the ZBA determination presumably took the lot information into consideration, but BG would like an independent legal determination as to the actual property lines. BG points out that although the impervious surface on the lot is decreasing, the coverage is increasing considerably, from 843 to 3278 sq feet, but CH feels the impervious surface decrease outweighs the coverage increase. BG also notes that no mitigation plantings are proposed, but there are natural areas of struggling beach grass and rosa rugosa that may benefit from a mitigation area. BG talked to Town Counsel, and the fact that the structure is moving closer to the coastal beach may trigger a requirement for mitigation and a variance request.
- In response to queries from PC, DA confirms the new house will be moving 7 ft further away from the riverfront but 15 ft closer to the coastal beach; the replacement of the paver driveway will be part of this filing. PC notes that the Commission generally requests mitigation of some fashion when structures move closer to a resource area. DA notes that the house is already in resource area as opposed to moving closer to it. BO states that if the entire driveway can be taken up and made pervious, as opposed to just the utility area that, along with some plantings behind the seawall, would be satisfactory mitigation to his view. Applicant Brian Tedeschi (BT) states it was not his intention to pull up the whole driveway, but he is willing to do so to ensure it functions as a pervious surface. All parties discuss how to test the existing substrate for perviosity.
- PC asks DA and BT about adding some native plantings to the area in front of the seawall? BT is concerned that the plants would be trampled by his grandchildren and is not sure what purpose they would serve, as there is no erosion on the property. CH feels the elevation of the house and pervious driveway are sufficient mitigation.
- PC also asks about the ambiguity as to the property line. BT states that Attorney Kathleen Muncey researched the title and drafted a brief on the matter that he would be willing to send to the Commission. A Land Court case regarding Burke's Beach holds that residents in the area own out to the high water mark. BO is familiar with this case and thinks the matter is more of a legal than conservation question. AL would like to know BG's position on the matter. BG thinks ZBA was unaware of the ambiguities around the property line, and suggests a continuance so he can check with Town Counsel and prior permitting for clarification. AB states it is unclear to him how the property line question relates to Commission jurisdiction; under the doctrine of accretion, the property line moves with the accreted

land such the owner assumes ownership of and benefits from the accreted land. AB states this is an established legal concept and feels it is not relevant to the Commission's deliberation. BG notes that the Town and state GIS information are in conflict, and it would be beneficial for there to be additional clarity on the matter, as the Commission cannot permit work performed on somebody else's property. AB states that the 1933 SJC Case *Burke v. Commonwealth of Massachusetts*, 283 Mass. 63 specifically addresses the accretion issue along Green Harbor beach caused by the 1898 construction of the jetty at the entrance to Green Harbor, and he is confident that his client has title over the work area based on the research by Attorney Muncey. CH does not want to delay the permitting based on a legal issue that is not jurisdictional to the Commission. AB suggests a special condition to the effect that if Town Counsel determines there is a question regarding title, applicants must obtain an amendment to the Order of Conditions from the Commission. BG recommends a continuation but states the Commission has the ultimate authority to close if it wishes. After further discussion, it is decided to close with a special condition stating issuance of the OOC is pending Town Counsel review of title; applicants will reappear before the Commission if TC raises an issue regarding title.

- The standard conditions of approval will apply in addition to a special condition stating "in the event that Town Counsel identifies an issue with the title to the property, the applicant will file a request for amended OOC."
- CH motions to close the hearing and issue Orders of Conditions with special conditions to be drafted by BG. BO second. Approved 6-0-0.

2921 O'Donnell, 32 Surf Avenue (raze & re-build of SFH, driveway, utilities).....NEW (Joe)

- CH reads the legal ad. Hearing Officer JR confirms administrative requirements are complete.
- Rick Servant (RS), Stenbeck & Taylor, presents for applicant. The proposed activity is a raze and rebuild, demolishing the existing home and constructing a new one elevated on concrete walls with flood venting and 15.1 first floor elevation. The lot lies in LSCSF, AE9 flood zone, and 100 ft buffer to a BVW which was delineated by Brooke Monroe (BM), Pinebrook Consulting. The new home will increase the impervious area on the lot by 558 sq ft. A pervious paver driveway is proposed.
- BG has no issue with the wetland delineation. A couple of willow trees in back of the lot may be worth saving. An open pile foundation is not required at this location and the proposed elevation more than accounts for the local Bylaw and projected sea level increase.
- BG & JR thank RS for his detailed cross-section but ask about any plans for patios or walkways given the increase in impervious space? RS's understanding is what is shown on the plan is what is proposed. He knows of no ground-level patios or walkways, and any future patio or walkway will require an additional conservation permit. BO also thanks RS for the detailed site plan and asks if it includes contour lines; it does, but the site is very flat.
- RS asks about how to account for sea level rise per Town bylaw Chapter 505 Section 204.1, as going 2.8 feet above the projected sea level rise may not be possible at all properties? BG suggests going 1.8 ft above the FEMA sea level requirements but notes the Bylaw is subject to Commission interpretation.
- JR asks for comments from the public; none.
- The standard conditions of approval will apply.
- CH motions to close the hearing and issue Orders of Conditions with special conditions to be drafted by BG. AL second. Approved 6-0-0.

2917 Last, 13 Brewster Road (Construction of single family home).....cont from 4/6/2021 (Bert)

- Continued hearing; BO hearing officer. A written withdrawal request was received at the Conservation Office.

- CH motions to accept the withdrawal of NOI SE41-2917 and authorize preparation of the withdrawal letter to the applicant, copying MassDEP, Town Counsel, and Commission Chair. BO second. Approved 6-0-0.

CONTINUED HEARINGS

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

- The hearing is continued until the next public meeting of the Marshfield Conservation Commission on May 18, 2021, per written request of applicant's representative.
- CH motions to continue the hearing to May 18, 2021. BO second. Approved 6-0-0.

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

- The hearing is continued until the next public meeting of the Marshfield Conservation Commission on May 18, 2021, per written request of applicant's representative.
- CH motions to continue the hearing to May 18, 2021. BO second. Approved 6-0-0.

2916 Lawson 62 Marginal Street (dock, pier, ramp & float system).....cont from 4/6/2021 (Rick)

- The hearing is continued until the next public meeting of the Marshfield Conservation Commission on June 1, 2021, per written request of applicant's representative. BG notes that the site walk required under the dock project procedures has been completed; all should be in order by June 1.
- CH motions to continue the hearing to June 1, 2021. BO second. Approved 6-0-0.

2915 Cutter, 10 South Street (elevate single family home).....cont from 4/6/2021 (Bert)

- The hearing is continued until the next public meeting of the Marshfield Conservation Commission on May 18, 2021, per written request of applicant's representative.
- CH motions to continue the hearing to May 18, 2021. BO second. Approved 6-0-0.

2920 Calcagni, 167 Planting Fields Road (single family home).....cont from 4/6/2021 (Art)

- The hearing is continued until the next public meeting of the Marshfield Conservation Commission on May 18, 2021, per written request of applicant's representative.
- CH motions to continue the hearing to May 18, 2021. BO second. Approved 6-0-0.

REQUESTS FOR CERTIFICATES OF COMPLIANCE & EXTENSIONS

2710 Brown, 7 Branch Street [EXT]

- Applicant has requested a three-year extension. BG and EF were in touch with applicants; they are aware of the change in flood zone from AE16 to AE12. There are no changes to the approved plans.
- CH motions to issue an EXT to the COC for the property for a date not to exceed three years, 7/19/2024. JR second. Approved 6-0-0.

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 – CH makes a motion to close the hearing at 9:02 PM. PC second. Approved 6-0-0.

Respectfully submitted,
Liz Anoja, Conservation Administrative Clerk

Marshfield Conservation Commission
Bill Grafton, Conservation Administrator
Eric Flint, Conservation Agent
Craig Hannafin, Chair Bert O'Donnell, Vice Chair
Arthur Lage Joe Ring
Rick Carberry Susan Caron