

MEMBERS PRESENT – Craig Hannafin (CH) Chair, Bert O'Donnell (BO) Vice Chair, Susan Caron (SC), John O'Donnell, Joe Ring (JR), Ken Dodge (KD), David Good (DG), Mike Seele, Conservation Agent (MS), Bill Grafton, Conservation Administrator (BG)

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

MINUTES

- The minutes of the April 14, October 5, and October 19 meetings were presented for approval. No comments or suggested changes were made on the floor. CH notes that the April 14 meeting occurred before Commissioners JO, KD, and DG had joined, and suggests they abstain from the vote. Commissioner SC abstains from voting on the October 19 minutes, as she was not present.
- CH motions to accept the April 14, 2022 minutes as written. JR second. Approved 4-0-3.
- CH motions to accept the October 5, 2022 minutes as edited. BO second. Approved 7-0-0.
- CH motions to accept the October 19, 2022 minutes as written. JR second. Approved 6-0-1.

CHAIRMAN'S ADDRESS

- Pursuant to Chapter 20 of the Acts of 2021 date June 16, 2021, An Act Relative to Extending Certain COVID 19 Measures Adopted During the State of Emergency regarding suspending certain provisions of the Open Meeting Law, G. L. c. 30A §18, Commission meetings will be conducted both in-person and via remote participation. Members of the public may attend in-person or may participate remotely. While an option for remote attendance and/or participation is being provided as a courtesy to the public, the meeting/hearing will not be suspended or terminated if technological problems interrupt the virtual broadcast, unless required by law.
- CH congratulates SC and MS for obtained Massachusetts Association of Conservation Commissions certification and encourages all commissioners to seek this credential.
- CH notes that this will be BG's last meeting as Conservation Administrator, as he is leaving at the end of the week to take a job much closer to home. CH thanks BG for everything he has done for the town, noting that he maintained an open-door policy for residents that is not available in many towns. BG notes he has always tried to be fair and balanced, and have an outreach policy. The Conservation Office is in capable hands with MS, the Commissioners, and Administrator Liz Anoja. It was an honor to serve the Town and he wishes everyone well.

BUSINESS

B1 *de minimis* activity Roll/Review/Ratification

a. 22 Fourth Street – Robinson (Generator Stand) – Commissioners

- The proposed activity is installation of a generator stand on a wood and concrete platform, elevated by concrete blocks. Building Commissioner Andrew Stewart approved the stand as is, but any future work would require a new, more elevated stand.
- CH motions to approve the proposed activity as *de minimis*. DG second. Approved 7-0-0.

b. 22 Nathaniel Way – Warner (concrete pad for propane tank) – Commissioners

- The proposed activity is installation of a 3' by 3' concrete pad for a propane tank in existing lawn area located next to an existing propane tank. MS recommends approval with the standard conditions.
- CH motions to approve the proposed activity as *de minimis*. JR second. Approved 7-0-0.

B2 Marshfield Airport Update/two new projects – Bill Finn & Commissioners

- Consultant William Finn updates the Commission on two upcoming projects at the Marshfield Airport about which he had recently briefed them in writing. The first involves vegetative management in certain areas outside the perimeter fence (the area inside is mowed annually) that may include removal of a number of 10-15'

birch trees in an area cut in a previous maintenance activity. WF plays video footage from a drone flying over the area that shows the area of birch trees and then the NHESP turtle habitat on the airport property; any cutting in the turtle habitat will be by hand and be very limited. Cutting on the eastern edge of the property will extend towards Plymouth Avenue and may include some larger trees on land that was more recently acquired by the Airport. Most of the eastern perimeter is cut on an annual basis. The video then pans over the wildlife fence to show the vegetation growing on both sides of the fence.

- The second project involves reconstruction of the aprons and taxiways off the runway; this work is necessary to comply with the variance Order of Conditions issued by DEP in 2013; one of its conditions required this work to take place when funding became available. The work will include the addition of several bio-retention basins, in an area of BVW behind the hangars, for stormwater treatment; currently stormwater from this part of the airport is not treated. An access road leading to the runways will be relocated. The total project cost for this piece is about \$6,700,000; the Town's share is 5%, and this funding was recently voted at the Special Town Meeting. The remaining cost will be paid at the state and Federal level. The Notice of Intent for this project will be filed sometime in December.
- BG asks if the BVW area behind the hangars is natural or manmade, as this is important to know. WF suspects it is manmade, probably created when the driveway was put in place. BG notes that the BVW can be turned into a basin if it is manmade but not if it is natural.
- WF suggests that the Commissioners take a site visit prior to or at the time the projects are filed. CH thanks WF for his presentation.

B3 Town Owned Land under Care & Custody of Conservation Commission (Parcel Id B13-01-19)- Land Use/Outdoor Education Courses and Access – NSRWA & Commissioners

- North and South Rivers Watershed Association Executive Director Samantha Woods present along with consultant Rick Halverson; CH notes for the record that she is on the Board of the NSRWA but will remain present as this is a business discussion.
- SW advises NSRWA is interested in use of land under the care and custody of the Commission. The parcel, known as the "Messer Preserve," (phonetic) is located on the North River and abuts land at 375 Union Street that is being donated to them. They are hoping to host outdoor programs and activities, possibly including kayaking expeditions and youth programs; this could involve use of the MP for "nature-based passive use." They would like to know about the process for receiving permission to utilize the MP, and what the Commission might want in exchange for such permission. They want to gauge community interest and concerns before proposing specific uses.
- CH notes that there is currently no access to the MP from Union Street. SW points out the location of the two parcels on an aerial map, noting there is a gazebo on the 375 Union property they are hoping to use as part of any programming. There is also a residence on a part of 375 that the donors would like to continue to occupy in a life tenancy. BG asks if NSRWA intends to maintain the house after the donors pass; SW doesn't know yet.
- BO asks for more detail about what they would like to do with the two parcels, noting there are no trails or other facilities on the MP. SW doesn't believe they will need to create trails in order to access the river through the MP as they envision. They are not proposing any cutting as part of their plans. RH adds that the two parcels were one property in the past, and there are already trails between the two properties. There is also a CR that applies to both properties; CH recommends that SW check with Wildlands Trust as to its nature and provisions. DG asks if any utilities would be brought onto the property and what size groups they anticipate. SW indicates that anything they bring in will remain on their property. They are working with Town groups, including the Commission, ZBA, and Planning Board to determine the proper scale of future events. SC asks if they would use the MP for river access; SW indicates they can access the river through 375 Union. BO would like to walk the two properties with NSRWA to see what the possible uses are; CH and SW agree, noting that most Commissioners have not yet been to the property. CH opines it would be nice to open the MP to some degree of public use.
- BG has seen the Gazebo on the property and it needs work; BG recommends that NSRWA repair and maintain it if they wish to eventually use it in programming, as they will lose the ability to have a structure there if it is in Commission jurisdiction and falls into excessive disrepair. It would be a good location for small groups once repaired.

- CH suggests that SW set up a site visit with the Commissioners and research the CR held by Wildlands to ensure the uses they envision are permitted; SW will ask them for a letter of confirmation but notes they are not ready to make a specific proposal at this early stage. BG suggests that both parties work together, as a collaboration would further connect protected lands along the North River.
- SW thanks BG for his cooperation and support for conservation causes over the last six years.

B4 76 MacCombers Ridge (Crary) DMA or RAOOC Site Plan Revisions, Debris Update, ATF Deck & Addition of Veg Management- Doris Crary & Commissioners

- The Order of Conditions SE42-3005 was issued on October 5 for a septic upgrade, with conditions requiring cleanup of debris in the back yard and placement of three conservation markers in the field with Conservation staff. At a site visit in late October, BG and MS observed that the debris has been significantly cleaned up, but also noted the presence of a deck for which they were unable to locate a Conservation permit despite a Building permit being issued; at the time, the building permit would have been hand-reviewed by the Conservation Administrator prior to its delivery to the applicant, so BG suggests that the deck could be permitted as a *de minimis* activity to be captured on the As Built Plans for this OOC. Applicant would also like to be able to do some vegetative management of two areas of Japanese Knotweed, which BG believes also could be approved. BG adds that they located a significant patch of High Tide Bush in back of the house that he suggests should be protected by the markers.
- BO's recollection of the meeting is that the markers were to be placed in the field by BG, and thus he doesn't have to seek Commission approval. CH agrees that the markers should be placed up-gradient of the High Tide Bush; the Commissioners concur. BO suggests that the deck can be approved as a *de minimis* change and captured in the As Built plan; all agree.
- Applicant Doris Crary states that the deck was properly permitted under the procedures at the time, including Marshfield Conservation and North River Commission; it was a replacement of a previously existing deck that was there when she purchased the house in 1970. BG suggests that DC check with Building to make sure all permitting is in order on their end.
- CH motions to approve the submittal of a revised site plan reflecting the locations of the conservation markers as up-gradient of the High Tide Bush, the After-The-Fact deck to be captured under the As-Built during the Request for Certificate of Compliance process, vegetative management by hand and maintenance of a minimal amount of household/construction materials as *de minimis* activities with the standard special conditions. JR second. Approved 7-0-0.
- After the vote, DC notes that an earlier Commission had set a standard requiring structures to be 1 ft above the FEMA Base Flood Elevation, which prevented a great deal of damage in the 1991 and 2018 storms.

B5 44 Old Beach Road-Grannis (plantings and hardscape deviations) DMA vs. Conservation Permit – Janet Leonard & Commissioners

- An Order of Conditions was issued in March 2021 for construction of a new front porch, garage overhang, and hardscaping and landscaping. Applicant would like a fence to fully enclose the front yard, change the shape of the fire pit, and add cobbles to separate the lawn from the crushed stone area. They would also like to replace two planting areas with lawn.
- BG thanks applicant and Seoane Landscaping for their assistance in documenting the changes. Applicant has been a very good steward of the property, and BG has no issue with the proposed changes. CH has no issue with approving the proposed changes as *de minimis*.
- CH motions to approve the hardscape and landscape deviations as a *de minimis* activity to be captured in the As Built site plan for SE42-2912. DG second. Approved 7-0-0.

Commissioner JR recuses from the following discussion and vote.

B6 19 Pearl Street-Ring (veranda) DMA vs. Conservation Permit – Commissioners

- MS presents for applicant JR, who would like to install a sunshade/veranda over an existing patio; it would be attached to the house on one end and two sonotubes on the other. The work area is in Riverfront, Buffer Zone to Salt Marsh and AE9 Flood Zone, and the impact for the Commission to consider are two posts in the

subsurface. JR prefers sonotubes to diamond piers, as he believes piers may pose a tripping hazard and be vulnerable to salt erosion and breakage.

- BG notes that the project could be approved as a *de minimis* activity or as an RDA at Commission discretion. BO feels a DMA approval would be consistent with what the Commission has required for similar projects; CH and SC agree. CH also notes that JR has applied for a flood plain permit.
- CH motions to approve the construction of two support posts for a veranda as a *de minimis* activity. KD second. Approved 6-0-0.

Commissioner JR rejoins the meeting.

B7 257 Oak Street-Weymouth (pervious patio) SE42-2908 DMA vs. RAOOC – Commissioners

- Applicants would like to install a pervious patio to replace an existing impervious patio. This will reduce the impervious surface on the property
- BG praises applicant's design of the new patio and proactivity in reaching out to the Conservation Office. BG suggests the project could be approved as a *de minimis* activity or a request for amended order of conditions at Commission discretion. CH agrees that applicants have been very cooperative and has no issue approving the activity as *de minimis*; BO concurs.
- CH motions to approve the patio deviation as a *de minimis* activity to be captured in the As Built site plan for SE42-2908. JR second. Approved 7-0-0.
- Later in the evening, Applicant Meaghan Weymouth indicates that they may need to extend this OOC, as her husband Michael is physically unable to perform the work; CH advises they can request an extension to the OOC if needed.

B8 Red Gold Farm, 202 Moraine Street/SE42-2960 Confirm receipt of surety bond – Commissioners

- A special condition of approval for the OOC required that applicant provide a \$10,000 surety bond to ensure all agreed-to work is completed. BG recommends tabling the matter pending confirmation with the Treasurer that the bond is in good order for their purposes.
- BG notes that several commissioners had not yet started when the subdivision was approved; these individuals can participate in this procedural step or recuse at their discretion.
- CH motions to table the matter to the November 16, 2022 meeting. JR second. Approved 7-0-0.

B9 Hazard Trees on Conservation Land (Parcel Id # J10-08-46) – Commissioners

- At the July 6 meeting, the Commission approved the removal of three hazardous trees on Conservation land that present a hazard to structures on the adjoining property, 35 Winslow Street. Two trees pose a threat to the house, vehicles, and utility lines; the third tree threatens the house and shed in back. Since then, DPW has removed one tree but not the others due to budgetary constraints. Additional funds have been approved for tree removal at the October 2022 Special Town Meeting, and BG and MS have met with DPW Assistant Superintendent Jimmy Kent and Jimmy Jackson about establishing a formal process for handling tree removal on town-owned land. An additional meeting with DPW Superintendent Tom Reynolds and Town Administrator Mike Maresco will be needed to finalize the process; in the meantime, BG recommends that the Commission re-vote to approve the removal of the two remaining hazard trees.
- CH motions to approve the cutting of two hazard trees on Conservation Land that present a hazard to 35 and 45 Winslow Street. SC second. Approved 7-0-0.
- After the vote, Ed Tobin, 45 Winslow, notes that he has drawn up a map of the area showing the location of the trees he believes to be a hazard. BG thanks ET for the documentation but notes it includes additional trees from the two trees just approved.

SCHEDULED CONTINUED HEARINGS

2950 Gomes, 76 Carolyn Circle (Pier, Dock & Float).....cont. from 10/5/2021 (Rick)

- The applicant requested a continuation to the 12/07/2022 meeting in writing.
- CH motions to continue the hearing to December 7, 2022. BO second. Approved 7-0-0.

- 2988 Ricciarelli, 1203 Ferry Street (Pier, Ramp & Float).....cont. from 7/6/2022 (Bert)**
- The applicant requested a continuation to the 11/16/2022 meeting in writing.
 - CH motions to continue the hearing to November 16, 2022. BO second. Approved 7-0-0.
- 2987 Bethanis, 1184 Ferry Street (Pier, Ramp & Float).....cont. from 7/6/2022 (Joe)**
- The applicant requested a continuation to the 11/16/2022 meeting in writing.
 - CH motions to continue the hearing to November 16, 2022. BO second. Approved 7-0-0.
- 2990 Powell, 17 Oregon Road (Garage, Deck & Addition).....cont. from 7/6/2022 (Craig)**
- The applicant requested a continuation to the 11/16/2022 meeting in writing.
 - CH motions to continue the hearing to November 16, 2022. BO second. Approved 7-0-0.
- 2958 Speakman, 274 Foster Avenue (Elevate Single Family Home).....cont. from 11/2/2021 (Susan)**
- The applicant requested a continuation to the 11/16/2022 meeting in writing.
 - CH motions to continue the hearing to November 16, 2022. BO second. Approved 7-0-0.
- 3002 UCI Realty Trust, 20 Dog Lane (New Single Family Home).....cont. from 9/7/2022 (Bert)**
- The applicant requested a continuation to the 12/07/2022 meeting in writing.
 - CH motions to continue the hearing to December 7, 2022. JR second. Approved 7-0-0.

PUBLIC HEARINGS AND MEETINGS

- 30 Rosenquist, 119 Maryland Street (Barn and Grading).....NEW (John)**
- CH reads the legal ad. Hearing Officer JO confirms administrative requirements are complete.
 - Al Loomis present for McKenzie Engineering. The proposed activity is the construction of a 40' by 60' barn and associated grading in previously disturbed area in BVW. Mr. Loomis noted they will also be upgrading the septic system on the property, all components of which are outside the 100 ft buffer. A small portion of the barn lies within 75 ft of the BVW, which was delineated by Brad Holmes, ECR. They anticipate being able to use sand and gravel from on-site to grade. They are proposing silt sock erosion control and posting of conservation markers.
 - BO asks what the barn will be used for; applicant Arthur Rosenquist indicates it is mostly going to be used for storage and as a workshop. BO asks if there will be a driveway to it; AR would like to put in a gravel driveway; he has enough room to access the barn to the left of the house. CH asks if barn access will pass too close to the septic system; AL indicates they are putting in concrete chambers that can withstand vehicle traffic.
 - JO suggests that the driveway be added to the site plan; BG suggests that the submission of an updated site plan be a condition of approval. BG notes that the conservation markers as proposed cordon off a significant portion of yard from disturbance; AR indicates he is comfortable with where they are placed. AL suggests that one marker be moved from the 100 to 75 ft buffer to free up some space; BG concurs. AL will provide an updated site plan showing the new marker location(s) and gravel driveway.
 - JO asks for comments from the public; none.
 - The standard conditions of approval will apply plus special conditions regarding placement of conservation markers and submission of updated site plan to the Conservation Office by noon on Friday.
 - JO motions to close the hearing and issue orders of conditions with special conditions as noted. JR second. Approved 7-0-0.
- 3007 Pizziferri, 21 Olympia Road (Raze & Rebuild S.F.H.).....NEW (Craig)**
- Continued hearing. CH Hearing Officer.
 - Applicant and representative not present. BG notes that he consulted with project engineer Scott Fanara, Grady Consulting, and no continuation was requested. However, he suggests that the Commission continue without issuing a count towards denial without prejudice given numerous issues with the submission; these include the lack of impervious table and application not referencing the land as LSCSF or barrier beach/coastal dune despite a previous OOC SE42-1639 referencing the site as barrier beach. BG recommends that the Commission keep these issues in mind as the application moves forward.

- CH moves to continue the hearing to November 16, 2022 to allow the applicant to respond and review the outcome of the November 4 workshop. JR second. Approved 7-0-0.

Commissioner SC recuses from the following discussion and vote.

2999 66 Edmund Road LLC, 0 Edmund Road (Pier, Ramp & Float).....cont. from 8/17/2022 (Joe)

- Continued hearing; JR hearing officer.
- Greg Morse, Morse Engineering, present for applicant. The proposed activity is the replacement of an unpermitted dock in poor repair with a new dock system in the North River; this filing is subject to the updated dock and pier performance standards adopted by the Commission earlier this year. At the previous hearings, it was noted that the project will require variances as to performance standards E(1) and E(8) in the bylaw given the narrowness of the lot. Morse has since submitted a variance request from these standards, stating (1) the lot is of a unique shape and was created before Town Bylaws, (2) there are no comparable parcels in Marshfield, and (3) granting the variances will have no significant adverse or cumulative adverse effects. They have also provided an updated site plan with construction sequencing information, and the Harbormaster has confirmed the shellfish mitigation amount of \$3,550 in writing.
- GM gives a brief history of the permitting history for the project, noting they have already received ZBA approval for the project. They have requested variances from performance standards 304.1- E(1) and -E(8) based on the unique shape of the lot, the purpose of which was to provide access to the North River from Edmund Road. GM notes that the dock would end in salt marsh if standard E(1) were strictly complied with. The variance requests allowing for a dock length of 162.3 ft., which allows them to reach a float location that complies with the water depth requirements. Compliance with standard E(8) is likewise physically impossible because the lot is too narrow. GM notes the proposed dock is laid out largely in the same location as the previous pier but remains entirely in the lot.
- BG suggests that the Commission could grant the two variances based on the rare and unusual circumstances of the property as well as other considerations such as there being no issues from the Harbormaster, NHESP, or ZBA, but the granting of variances in general should not be done regularly. BG also notes he has no issues with the Harbormaster's suggested shellfish fee and supports applicant's proposed mitigation plan. JR suggests that the project could be considered an improvement, as the pier will occupy largely the same footprint as the existing unpermitted pier, for which mitigation is proposed.
- BO asks GM if he was able to determine when the existing dock was constructed; GM was unable to find out, but the lot was laid out in 1961 and designed expressly to provide access to the North River. BO is concerned about setting a precedent by granting this variance. CH notes that a variance must be rare and unusual, and suggests that the shape of the lot helps this applicant meet that threshold. All present further discuss exactly when the current dock was built; BG indicates he was unable to determine based on the records he examined; CH thinks there was an aerial photo from 1980 that shows the dock, but GM states the earliest photo he saw on MassGIS was dated 1990, and it clearly shows the dock. BG states that an after-the-fact NOI was filed for the dock and application fee paid, and suggests an E(0) note that an unpermitted prior dock existed, leading to an after-the-fact Notice of Intent that was approved with Order of Conditions issued.
- JR asks for comments from the public; none.
- JR polls the commissioners on whether to grant the requested variances, all are favor of granting.
- The standard conditions of approval for dock projects will apply plus special conditions granting variances from performance standards E(1) and E(8). BG reads the proposed special conditions into the record including "Commission special note: A previously unpermitted dock was submitted as an after-the-fact NOI, with a new design and construction approved and a new Order of Conditions done," and "The Commission grants variances on the Town Order of Conditions only for 304.1-E(1), distance to the river, 304.1-E(8), close proximity to the property boundary." A condition regarding implementation of the proposed planting plan with monitoring by a qualified wetland scientist will also apply.
- JR motions to close the hearing and issue orders of conditions with special conditions as summarized by BG. DG second. Approved 6-0-1.

SC rejoins the meeting.

REQUESTS FOR CERTIFICATES OF COMPLIANCE & EXTENSIONS

1501 Keating, 115 Allan Street [COC]

- A deck was converted to a screened-in porch without a permit. A revised As-Built plan captures this activity and shows the property as partially X flood plain. BG thanks Attorney Carl Johnson for addressing the outstanding issues, and recommends issuance of the COC, and Attorney Johnson thanks BG for his diligence.
- CH motions to approve and issue a Complete Certificate of Compliance for SE42-1501 noting that the deck is now a screened-in porch and is captured on the As-Built Plan revised October 24, 2022 signed and stamped by James E. McGrath, PLS. JR second. Approved 7-0-0.

1500 Minichino, 71 Constellation Road [COC]

- This OOC concerns construction of the house; special conditions A, E, and G remain unfulfilled. A HVAC unit needs to be elevated and an enclosure needs to be removed; Conservation staff has given applicant a punch list to complete. BG checked with Rick Servant, who indicated applicant is addressing the remaining issues on their own.
- CH motions to table the RCOC to November 16, 2022 to allow applicant time to resolve the remaining issues. JR second. Approved 7-0-0.

1743 Walker (now Michaels), 459 Highland Street [COC]

- The after-the-fact Order of Conditions SE42-3003 has been recorded; BG recommends issuance of the COC.
- CH motions to approve and issue a complete Certificate of Compliance. SC second. Approved 7-0-0.

1917 Francis, 13 South Street [COC]

- Outstanding deliverables include revised, signed, and stamped As Built plans and proof that the concrete cover beneath the house has been removed.
- CH motions to table the RCOC to November 16, 2022 to allow applicant time to resolve the remaining issues. JR second. Approved 7-0-0.

2773 Escobar (now Monahan), 1185 Ferry Street [COC]

- BG met with the new owner on October 3 and advised regarding the outstanding issues; there has been no response to date.
- CH motions to table the RCOC until November 16, 2022. JR second. Approved 6-0-0

2635 Carmody, 1329 Ferry Street [COC]

- This OOC was issued for a deck. MS visited the site on 10/11/22 and recommends issuance of the COC.
- CH motions to issue a complete Certificate of Compliance for SE42-2635. JR second. Approved 7-0-0.

2874 Hernon, 102 Nevada [COC]

- BG advised that the conservation markers are missing from the As Built plan; project engineer Paul Gunn, Merrill Engineers, will provide updated plans by 12 noon on Friday. BG recommends issuance of the COC with the ongoing condition that "The (3) three permanent Conservation Markers inscribed with Red and White "Marshfield Wetland Resource No Disturbance" on 4" by 4" rot-resistant pressure treated, cedar or equivalent posts depicted on the final approved As-Built Plan are to remain posted in the field 30-40 inches above the ground surface in perpetuity; damaged or decayed conservation posts and markers shall be replaced; any activity such as mowing, fill, or vegetative management is prohibited beyond the conservation markers. This condition remains in perpetuity."
- CH motions approve and issue a Complete Certificate of Compliance for SE42-2874 with Ongoing Conditions as noted. KD second. Approved 7-0-0.

2883 Moylan, 173 So. River Street [COC]

- This OOC was issued to pave and modify the front driveways and perform walkway maintenance; the walkway component was not completed. MS visited the site and observed that the seven conservation markers were installed and erosion controls were still in place.
- BG recommends approval of the COC with the ongoing condition that “The seven (7) permanent Conservation Markers inscribed with Red and White “Marshfield Wetland Resource No Disturbance” on 4” by 4” rot-resistant pressure treated, cedar or equivalent posts depicted on the final approved As-Built Plan are to remain posted in the field 30-40 inches above the ground surface in perpetuity; damaged or decayed conservation posts and markers shall be replaced; any activity such as mowing, fill, or vegetative management is prohibited beyond the conservation markers. This condition remains in perpetuity.”
- BG recommends that the COC be held at the Conservation Office until the erosion controls are removed and advises applicants, who are on Zoom, how to remove them.
- CH motions approve the Complete Certificate of Compliance for SE42-2874, with Ongoing Conditions as noted, and hold issuance pending removal of erosion control. JR second. Approved 7-0-0.

ENFORCEMENT ORDERS

Smith, 38 Liberty Street (11/19/18 KS will set early Dec visit); White, Bednarz/ Nouza, 65 Ireland Road (Unpermitted Cutting <= 50 ft); Tamara Macuch, 237 Webster Avenue; Stifter, 102 Bartlett’s Island (unpermitted revetment wall)

B10 Ostrowski, 219 Ridge Road (unpermitted fill in SM) – Jay Ostrowski & Commissioners

- BG has prepared an enforcement order as directed at the previous meeting, and the document is ready for Commissioner Signatures. The order requires that the fill added to the adjacent salt marsh be removed and the area allowed to either naturally attenuate or be replanted, with the option to place coir logs to stabilize the area. BG also notes the presence of several unpermitted structures, including a fire pit, shed, and walkways, that likely require after-the-fact permitting.
- CH motions that the Commission vote to ratify the enforcement order 22-02. JR second. Approved 7-0-0.

B11 Tobin, 45 Winslow Street (encroachment on conservation land J10-08-46) – Ed Tobin & Commissioners

- Ed Tobin, 45 Winslow, present. The matter concerns encroachment onto adjoining conservation land which includes clearing of vegetation, addition of bluestone and gravel for parking construction vehicles, and storage of utility equipment, garbage bins, and fire wood. Mr. Tobin admitted to the encroachments but was under the impression that a deed exists allowing him to utilize the property. Town Counsel has suggested the Commission instruct him to gradually pull the structures back onto his property; BG has sent correspondence to this effect since the last public meeting, and has requested funding from TC for survey work along the property line between the town-owned land, parcel number 10-08-46, and 45 Winslow, K-10-01-01.
- BG suggests that Mr. Tobin be given 1 year to resolve the back rear encroachments and post markers, and 3 years to resolve the side encroachments and post markers. BG notes ET will also need a COC for the old OOC for the house addition, and suggests he maintain communication with the Commission regarding his progress. ET states he is in the process of cleaning up the property and is hoping to finish most of the work over the next few weeks. He thought there was a paper road to the side of his property.
- BO asks about the status of the survey request to TC, who is seeking approval from Town Administrator Maresco to fund the survey. BG will send ET a letter memorializing the 1 year and 3 year deadlines; no further action is needed at this time.

B12 Weymouth, 257 Oak Street (unpermitted fill in easement) SE42-2908

- The matter concerns the addition of fill, without permitting, to an offsite wetlands. CH indicates that BG has proposed a possible solution to the previously issued EO whereby applicant would arrange for a soil survey to be conducted of the fill area to determine whether there was hydric soil underneath the fill. This would potentially allow the Commission to establish where the wetland and buffer zones were at the time of the fill and thus determine how much mitigation is appropriate. BG suggests a deadline of December 14, 2022 for the survey to be performed.

- Meaghan Weymouth, 257 Oak, asks if December 14 gives them enough time to do the survey; CH indicates she is not interested in a hard deadline, but BG notes this matter has been ongoing since 2021 and suggests that there be a deadline, which can be extended if needed, in order to ensure performance. CH advises the Weymouth's to contact MS in the Conservation Office if they need more time to conduct the survey. BO thinks the Commission will be able to work with the Weymouth's to resolve the matter; CH agrees, and reiterates they will allow more time to complete the survey if needed.
- CH motions to direct the Conservation Administrator to send a communique to the Weymouth's requiring a soil survey, under the supervision of a qualified wetland scientist, for the presence of hydric soils beneath the disturbed area performed with submittal of reporting results by 12 Noon, December 14, 2022. Notably, the actual restoration will be based on the findings of the report and the Commission's subsequent determination. JR second. Approved 7-0-0.

ADJOURNMENT – CH makes a motion to close the hearing at 8:58 PM. JR second. Approved 7-0-0.

Respectfully submitted,
Liz Anoja, Conservation Administrative Clerk

Marshfield Conservation Commission
Bill Grafton, Conservation Administrator
Mike Seele, Conservation Agent

Craig Hannafin, Chair
Joe Ring
John O'Donnell
David J. Good

Bert O'Donnell, Vice Chair
Susan Caron
Ken Dodge