

MEMBERS PRESENT – Craig Hannafin (CH) Chair, Bert O'Donnell (BO) Vice Chair, Susan Caron (SC), Joe Ring (JR), John O'Donnell (JO), Ken Dodge (KD), Liz Anoja, Conservation Agent

MEMBERS NOT PRESENT – Mike Seele, Conservation Administrator

CALL TO ORDER

- BO indicates he will act as Chair until CH arrives.
- BO motions to temporarily assume the duties of Chair. JR second. Approved 5-0-0.

CHAIRMAN'S ADDRESS

- Recently passed legislation allows for the continuation of remote or hybrid municipal meetings through March 31, 2025. 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.

NEW BUSINESS:

B1 *de minimis* activity Roll/Review/Ratification

a. NONE

B2 Brooks Tilden, Rec Trails Committee (Replace Bench)

- RTC Chair Ned Bangs indicates they would like to replace an old bench at the Brooks Tilden shipyard; the new bench has a river view and will be dedicated in memory of Richard Sullivan, a local paddler. The matter is also before the Select Board this month. The original bench was placed in the early 90s and is at the end of its useful life; the new bench will be made of pressure-treated wood and will be placed on concrete footings.
- BO motions to approve replacement of a bench at Brooks Tilden as proposed. JR second. Approved 5-0-0.

B3 233 Foster Avenue, Bonasia, adding 2 additional piers to deck.

- Rick Servant, Stenbeck & Taylor, present for applicant. The Order of Conditions SE42-3012 was issued in 2022 for construction of a deck and additions. The structural engineer has since determined that two additional concrete piers are needed under the building.
- LA advises RS to consult with the Building Department; an elevation certificate will be needed. The lot is located in AO3 flood zone and barrier beach; Building and ZBA approval will also be required.
- BO motions to approve the proposed activity as a De Minimis activity subject to Building Department approval. SC second. Approved 5-0-0.

B4 12 Edward Road, Rhodes (shed relocation, plantings and Con. Com. markers)

- Tabled, as homeowner not present.
- BO motions to table the matter in the absence of a presenter. KD second. Approved 5-0-0.

Chair CH arrives at 6:40 PM.

B5 70 Parker Street, Sullivan (changes to planting plan)

- LA indicates that homeowner wishes to change approved beach heather plantings to beach rose and slightly shift the planting location. MS reviewed and has no issues.

- BO motions to approve the proposed change in plantings and location as a De Minimis activity. JR second. Approved 6-0-0.

B6 1173 Ferry Street, Fusegni (Generator Relocation)

- Homeowner Alexander Fusegni indicates he would like to relocate and elevate their generator on a platform attached to the home; this will shift it further from the resource area behind the home and create additional space in the back yard. The stand will be raised to an appropriate height for the flood zone.
- LA indicates that Building Commissioner Andrew Stewart reviewed and approved the proposed design.
- BO motions to approve the proposed generator relocation and elevation as a De Minimis activity. CH second. Approved 6-0-0.

B7 George Harlow Field Archeological Dig discussion

- Commission consultant William Finn notes that the airport taxiway and access road improvements project approved by the Commission last December went to the Massachusetts Historical Commission for review due to previous archaeological finds on the site. They will be conducting an archaeological survey in the work areas; if anything of significance is found, they will advise the Commission and seek proper permitting. No work is proposed in the actual wetland.
- Two phases are proposed: (1) a reconnaissance study comprised of up to 60 hand-dug 1-3 inch holes, and (2) an intensive locational study only for identified areas, if any, of potential archaeological sensitivity identified in Phase 1; this will involve 2' by 2' ft test pits excavated by shovel. All soils will be restored once the digs are completed. WF suggests that the Commission approve the request as a De Minimis activity; if further work is needed, he will advise the Commission in a future business session.
- BO motions to approve the proposed archaeological dig as a De Minimis activity under the Order of Conditions SE42-3016. JR second. Approved 6-0-0.

BO motions to turn the duties of Chair back to CH. JO second. Approved 6-0-0.

PUBLIC HEARING (ON OR AFTER 6:40PM)

23-09 Maher, 506 Highland Street (Install 3 exterior decks).....NEW (Ken)

- CH reads the legal ad. Hearing Officer KD confirms administrative requirements are complete.
- KD notes this an after-the-fact RDA for the installation of three exterior decks, on sonotubes, in predisturbed land; two of the decks are already constructed. Applicant is open to posting conservation markers if desired.
- BO asks where the wetland line and 50 ft buffers are in relation to the structures; CH checked MassMapper and believes the back of the decks approach the 50. BO notes that the 25 ft no-build buffer applies to this lot and has no other issues. LA visited the site and suggests that applicant post four conservation markers; CH does not believe mitigation plantings are needed, as the 25 ft buffer applies.
- There was no public comment. The standard conditions of approval will apply along with a special condition calling for the posting of conservation markers.
- KD motions to issue a DOA, Pos. #5, Neg. #2, with special conditions drafted by MS. JR second. Approved 6-0-0.

23-10 Morton, 9 Water Street(Demo Garage).....NEW (Craig)

- CH reads the legal ad and, as Hearing Officer, confirms administrative requirements are complete.
- The proposed activity is the demolition of two garage stalls attached to a third stall on 13 Water. They have obtained a letter from the owner of 13 Water supporting the demolition. They would like to leave the concrete slab beneath for the time being.
- CH indicates she would prefer the slab also be removed to prevent floodwater acceleration; applicant agrees and will instruct her contractor. There was no public comment.
- The standard conditions will apply with a special condition specifying removal of the concrete slab.
- CH motions to issue a DOA, Pos. #5, Neg. # 2, with special conditions drafted by MS. SC second. Approved 6-0-0.

- 23-11 O'Halloran, 13 Breakwater Court (Shed on slab foundation with flood vents).....NEW (John)**
- CH reads the legal ad. Hearing Officer JO confirms administrative requirements are complete.
 - The proposed activity is installation of an 8' by 10' shed with flood vents on a 4-inch tapered slab foundation. The property is located in LSCSF; Building Commissioner AS indicates applicant has applied for a floodplain permit.
 - There was no public comment. The standard conditions will apply.
 - JO motions to issue a DOA, Pos. #5, Neg. # 2, with special conditions drafted by MS. SC second. Approved 6-0-0.
- 23-06 Doku Commercial R.T., 2000 Ocean Street (Paving of Gravel Parking Area).....cont. from 5/17/23 (Bert)**
- Continued hearing; BO Hearing Officer.
 - Applicant wishes to pave an existing gravel parking area so it can be plowed in the winter. The lot lies in Riverfront to the South River, and part of the parking area is already paved. They are willing to consider pervious pavers to address the increase in impervious surface. The matter was continued to allow for review by Town Engineer Rod Procaccino.
 - BO notes that the comments from RP were just received in the Conservation Office; LA will meet with applicant to review the comments and assist in updating the site plan. Applicant assents to a continuation to June 21.
 - BO motions to continue the matter to June 21, 2023. JR second. Approved 6-0-0.
- 3041 Gorodetsky, 1187 Ferry Street (Raze & rebuild SFH).....NEW (Bert)**
- CH reads the legal ad. Hearing Officer BO confirms administrative requirements are complete.
 - Applicants Stella and Alexander Gorodetsky present. The proposed activity is the raze and rebuild of an existing SFH. The concrete foundation will be removed and the new structure will be elevated on wooden piles. A new septic system with tight tank will be installed. There will be a crushed stone driveway under the house. Silt sock erosion control is proposed at the limit of work. There will be no permanent structures within the 25 ft buffer zone, and they are willing to post four conservation markers along the buffer. They have already received a special permit from ZBA.
 - LA notes that an elevation certificate will also be required; she has no issues with the wetlands delineation. BO adds that the property abuts conservation land, and the property and wetlands line overlap, so applicant should post both red and green markers; these can be on the same posts.
 - BO asks if Board of Health has approved the tight tank. AG indicates they still have to go through the BoH hearing, but the Health Agent has reviewed the design and had no issues. BO notes applicant would have to reappear before the Commission if BoH requires any changes to the system.
 - There was no public comment. The standard conditions will apply with special conditions regarding silt sock erosion control, posting of markers, and submission of elevation certificate.
 - BO motions to close the hearing and issue Orders of Conditions with special conditions drafted by MS. CH second. Approved 6-0-0.
- 3045 MacLellan, 11 Constellation Road (Replace Existing Deck & Add New Deck).....NEW (Craig)**
- CH reads the legal ad and, as Hearing Officer, confirms administrative requirements are complete.
 - Rick Servant, Stenbeck & Taylor, present for applicant, who wishes to replace an existing deck, on the north side of the house in the same footprint and construct a new, 308 sq ft deck on the seaward side of the house to be supported by helical screws. The property is in a VE 19 flood zone, LSCSF, and buffer zone to coastal beach. They just recently applied for a floodplain permit and have not yet received comments from Building Commissioner AS.
 - CH visited the property and has no issues provided the surface beneath the decks remains pervious. LA asks if the work will disturb any of the beach grass on the property. RS indicates they will relocate any beach grass in the proposed work area.
 - There was no public comment; the standard conditions will apply plus special conditions regarding erosion control and relocation of disturbed beach grass.

- CH motions to close the hearing and issue Orders of Conditions with special conditions drafted by MS. JR second. Approved 6-0-0.

3044 Power, 365 Ocean Street (Raze & Rebuild SFH).....NEW (Joe)

- CH reads the legal ad. Hearing Officer JR confirms administrative requirements are complete.
- Rick Servant, Stenbeck & Taylor, present for applicant. The proposed activity is the raze and rebuild of the SFH on the lot. The new SFH will have a similar size and architectural features, but will be located further back so only a small portion of the new front porch will be located in the flood zone. The lot also lies within the buffer zone to coastal beach. The new structure will have a concrete foundation and, given the new location, will not require flood vents. They have filed for a floodplain permit and will obtain ZBA approval.
- All agreed that the project will be beneficial from a conservation perspective but regretted the loss of the existing structure. There was no public comment.
- The standard conditions will apply with the erosion control insert.
- JR motions to close the hearing and issue Orders of Conditions with special conditions drafted by MS. SC second. Approved 6-0-0.

3043 Hanson, 34 Chowdermarch Street (In-Ground Pool, Retaining Wall and Pool Patio).....NEW (John)

- CH reads the legal ad. Hearing Officer JO confirms administrative requirements are complete.
- Rick Servant, Stenbeck & Taylor, present for applicant, who proposes to install an in-ground pool, retaining wall, and concrete patio. A BVW on the property was delineated by Pinebrook Consulting. The proposed pool site is in existing lawn and meets the setback requirements, but slightly encroaches on the 50 ft buffer. The project as proposed will increase impervious coverage on the lot by 1535 sq ft.
- JO visited the site and notes that the project will require the removal of a number of trees and will cut into a hill. RS notes that a 4' retaining wall will be required to level the area and hold back the slope. Building Commissioner AS asked whether any fill would be required for the grading work; RS hopes to use the material removed to build the retaining wall for the grading. AS also commented that a Planning Board permit will be required if more than 500 sq ft of fill will be brought in. JO notes that sturdy erosion control will be required given the drop off behind the existing shed. LA shares JO's concern about erosion control and suggests use of a silt fence secured by a silt sock. LA also asks if anything will be placed on top of the retaining wall; RS is open to Commission guidance. JO would like the trees to be removed flagged on the site and suggests some mitigation planting may be in order. SC suggests a special condition requiring any pool backwash to be directed away from the wetland; RS is willing to install a drywell for this purpose.
- The matter is continued to allow for updated the site plan showing trees to be removed and construction access and stockpile details. CH asks RS to discuss possible mitigation plantings and pervious pavers for the patio. RS assents to a continuation to June 21.
- JO motions to continue the hearing to June 21, 2023. JR second. Approved 6-0-0.

30 Inglis, 14 West Brook Street (Remove Shed and Replace with Patio).....NEW (Joe)

- CH reads the legal ad. Hearing Officer JR confirms administrative requirements are complete.
- Applicant Richard Inglis wishes to remove a dilapidated garage and chimney, and install a concrete patio off the back of the house no larger than the garage to be removed.
- JR asks if applicant would be willing to install a pervious patio. RI was thinking concrete for stability purposes but would consider other options. LA will provide additional information.
- There was no public comment; the standard conditions will apply.
- JR motions to close the hearing and issue Orders of Conditions with special conditions drafted by MS. JO second. Approved 6-0-0.

3042 Bassignani, 20 Massasoit Avenue (New Garage, Relocate Shed & Extend Driveway).....NEW (Susan)

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

- Rick Servant, Stenbeck & Taylor, present for applicant. The proposed activity is the construction of a new detached garage with flood vents, relocation of an existing shed, and extension of an existing paved driveway; the work area is located in A03 flood zone. RS indicates that flood plain permitting is in process but not finalized. The garage will be located where the shed currently is, and the paved driveway will be extended to garage entrance; the shed will be relocated to the back corner of the lot.
- SC is concerned at the increase in impervious coverage on the lot. LA agrees that a large increase is proposed and is concerned at runoff to abutting properties. JO asks how the shed will be supported in the new location and whether flood vents are required. The shed will be on blocks; RS does not believe venting is required. LA notes these issues will be addressed in the Building Permit process; any alterations must be captured on the as-built plan.
- SC asks if applicant would consider a pervious option for the driveway or mitigation plantings for the increase in impervious coverage; RS will discuss with applicant and assents to a continuation. There was no public comment.
- SC motions to continue the hearing to June 21, 2023. JO second. Approved 6-0-0.

3024 Maglio, 146 Dakota Street (Elevate & Reconstruct SFH).....cont. from 2/1/2023 (Joe)

- The applicant requested a continuation in writing. Board of Health permitting is in process.
- CH motions to continue the hearing to July 19, 2023. JO second. Approved 6-0-0.

3015 Medlin, 60 Foster Avenue (Addition, Garage & Porch).....cont. from 12/21/2022 (Susan)

- Discussions with the Building Department are in process. RS, representing applicant, assents to continuation to the 7/19/2023 meeting.

2958 Speakman, 274 Foster Avenue (Elevate SFH).....cont. from 11/2/21 to 6/21/23 (Susan)

- The applicant requested a continuation to the 6/21/2023 meeting in writing.
- CH motions to continue the hearing to June 21, 2023. JR second. Approved 6-0-0.
- CH motions to continue the hearing to July 19, 2023. SC second. Approved 6-0-0.

REQUESTS FOR CERTIFICATE OF COMPLIANCE AND EXTENSIONS

2908 Weymouth, 257 Oak Street [COC]

- The project has been completed as proposed; some plantings still need to be made.
- CH motions to issue a COC and waive submission of as-built plans. JO second. Approved 6-0-0.

2864 Courchene, 74 Blue Heron Way [COC]

- Work was done in accordance with the approved site plan plus the addition of gravel and cobblestones around the pool house. LA recommended issuance of the COC.
- CH motions to issue a COC and waive submission of as-built plans. JR second. Approved 6-0-0.

1500 Minichino, 71 Constellation Road [COC]

- An HVAC unit needs to be elevated and an enclosure needs to be removed; Conservation staff has given applicant a punch list to complete. MS has conveyed this to the previous owner and the contractor at a site visit; they are to contact him once the issues have been addressed.
- CH motions to table the matter until July 19, 2023. SC second. Approved 6-0-0.

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

- Outstanding issues include the need for signed and stamped as-built plans showing the three conservation markers, and relocation of a fence and PVC post upgradient of the wetlands. MS reached out to the new owner and has had no response.
- CH motions to table the matter until July 19, 2023. KD second. Approved 6-0-0.

ADJOURNMENT – CH makes a motion to close the hearing at 7:55 PM. JR second. Approved 6-0-0.

Respectfully submitted,
Liz Anoja, Conservation Agent

Marshfield Conservation Commission
Mike Seele, Conservation Administrator

Craig Hannafin, Chair
Joe Ring
John O'Donnell

Bert O'Donnell, Vice Chair
Susan Caron
Ken Dodge