

MEMBERS PRESENT – Craig Hannafin (CH) Chair, Bert O'Donnell (BO) Vice Chair, Susan Caron (SC), John O'Donnell (JO), Mike Seele, Conservation Administrator (MS), Liz Anoja, Conservation Agent (LA)

MEMBERS NOT PRESENT - Jesse Platt

CALL TO ORDER – CH motions to open the meeting at 6:30 PM. BO second. Approved 4-0-0.

CHAIRMAN'S ADDRESS

- CH welcomes new administrative assistant Katie Wilson to the Conservation Office.
- 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.

BUSINESS

B1 De Minimis Activity:

a. 15 Charlotte Street – enlarge deck footings from 9" to 12"

- Homeowner wishes to replace two existing 9" footings to 12" footings to accommodate the addition of a second story deck above the existing deck; these are needed to handle the additional load.
- CH and MS note that the property lies in coastal dune, and therefore the footings cannot be flared at the base. Contractor Anthony Sarandara (phonetic) indicates he will check with the project engineer as to whether larger sonotubes may be needed, but will use the smallest possible tubes. CH asks if helical piles or diamond piers could be used; this would involve greater disturbance to properly install.
- MS notes there is an outstanding Order of Conditions for the property, SE42-2797, for the installation of two pervious paver driveways and landscaping work, and suggests that the new footings be referenced on the as-built plans for this permit. The Commissioners agree to authorize the installation of up to 14" footings. Applicant must reappear before the Commission if there are any changes to the design or other deviations.
- CH motions to authorize the installation of up to 14" deck footings as a de minimis activity. SC second. Approved 4-0-0.

b. 239 Dyke Road – Install Generator Stand

- The Green Harbor Marina wishes to install a generator stand that will elevate the generator above the flood elevation. The generator will be behind the new building, and they will be using the preapproved generator stand design from the Building Department. BO suggests that the stand be referenced on the as-built plans for the Order of Conditions that is open for the property.
- CH motions to authorize the installation of a generator stand at 239 Dyke Road as a de minimis activity to be captured in the as-built plans for the open Order of Conditions. JO second. Approved 4-0-0.

c. South River Park – Dead Tree Removal

- DPW removed a dead spruce tree at South River Park, abutting the Bivano property that in their judgment was posing a hazard.

- CH motions to authorize the tree removal at South River Park as a de minimis activity. JO second. Approved 4-0-0.

B2 183 Ridge Road Unpermitted Revetment Wall Permitting Path – Mark Voelkel & Commissioners

- Homeowner Mark Voelkel present; his landscaper placed revetment stones on the property, without a permit, in response to erosion to their property from revetment installed at 189 Ridge Road. They now need to sell the property and wish to bring the property into compliance without having to submit a surveyed site plan, as they are incurring significant medical expenses.
- BO and CH ask if there is an existing site plan for recent work; MV indicates there is not. BO thinks a plan will be required for permitting but the site plan for a Title V repair, if required before the property is sold, could be used for the Conservation permit. If the property passed Title V inspection, the Board of Health should still have that plan on file. MS believes a contractor recently used computer software to create a rudimentary site plan for a project on Foster Avenue.
- Don Hendley, 189 Ridge Road, notes his wall was installed in 2011 to replace a previously existing wall; DH suggests any additional revetment would better protect the marsh in the area. BO notes the Commission has permitted similar work in the area and the main issue here is getting the proper documentation for permitting.
- CH suggests that the plan used for the Title V inspection would be sufficient for the revetment permitting if it remains available; MV will check with the Board of Health.

PUBLIC HEARING (ON OR AFTER 6:40PM)

Chapter 505 ARTICLE 5.0 General Definitions § 504-105.1. Terms defined. Wetland Delineation Revision

- CH reads the legal ad. The Commission ratified the changes to the bylaw definition of “wetland delineation” presented at the September 20 meeting. There was no public comment.
- CH motions to close and adopt the new wetland delineation definition. JO second. Approved 4-0-0.

3060 Vieules, 140 Atwell Circle (Addition & Deck).....cont. from 9/20/23 (John)

- Continued hearing; JO acts as Hearing Officer.
- Applicant Vincent Vieules (VV) present. The proposed activity is the construction of a 10’ by 20’ two-story addition, with concrete foundation, in the area of an existing 10’ by 17’ three-season porch. The work area lies in the 50 to 75 ft buffer to salt marsh. A concrete foundation with 200 sq ft slab is proposed in order to support the structure. The project has already received ZBA approval and was referred to Conservation during the Building permit process.
- JO asks MS if a pervious table would be required on the site plan; MS indicates the table is required under the Commission policies and procedures, but the Commission has some discretion to waive it. LA notes that the site plan is from EET, which is no longer in business, so it may not be possible to obtain an updated plan. CH suggests that the surveyor, Millbrook Survey, should be able to provide the impervious table.
- JO asks for public comment; none was offered. The project is approved with a special condition requiring submission of an impervious table to the Conservation Office by early next week.
- JO motions to close the hearing and issue Orders of Conditions with special conditions drafted by MS. SC second. Approved 4-0-0.

23-23 Greer, 466 Pine Street (Replace Septic).....NEW (John)

- CH reads the legal ad. Hearing Officer JO confirms administrative requirements are complete.
- Scott Fanara, Grady Consulting, present for applicant. The proposed activity is replacement of a failed septic system. The new system is located outside the 100’ buffer but a crushed stone level spreader, to direct stormwater runoff away from the system, is located in pre-disturbed lawn inside the 50’ to 100’ buffer. SF notes that the property is surrounded by wetlands to the north, east, and south, and the site

slopes steeply to the street. Erosion controls are proposed at the limit of work. MS suggests that a siltation fence could be deployed if a silt sock is not sufficient to control runoff from the site.

- JO motions to issue a DOA, Pos. #5, Neg. # 3, with special conditions drafted by MS. SC second. Approved 4-0-0.

3063 Lyons, 12 Naomi Street (Elevate SFH).....NEW (Bert)

- CH reads the legal ad. Hearing Officer BO confirms administrative requirements are complete.
- Brad Holmes, ECR, present for applicant, who wishes to elevate an existing SFH above the flood elevation onto a FEMA-compliant concrete foundation with flood venting; an existing deck and outdoor shower will be demolished and then rebuilt in the same footprint once the other work is complete. The property lies in LSCSF and AE16 flood zone. No work on an existing shed behind the house is proposed as part of this filing.
- BO visited the property and noted the lot is relatively flat and proposed to remain as such. The Commissioners had no other concerns. There was no public comment. Applicant must submit an elevation certificate to the Conservation Office.
- BO motions to close the hearing and issue Orders of Conditions with special conditions drafted by MS. CH second. Approved 4-0-0.

3065 Thornley, 44 Bayberry Road (New Garage).....NEW (Susan)

- CH reads the legal ad. Hearing Officer SC confirms administrative requirements are complete.
- Contractor Sean Finnegan present along with applicant Fred Thornley, who wishes to construct a 24' by 24' garage with second story room on a concrete foundation with flood vents. The work area lies in AE10 flood zone, buffer zone to salt marsh, and LSCSF. Flood plain and Building permitting is pending; Building Commissioner AS commented on the need for flood-resistant materials below the flood elevation.
- SC recommends the posting of conservation markers behind the garage and at the edge of lawn and notes that LA had asked that the garage location be staked in the field. BO notes that an Order of Conditions was recently issued for the property and suggests that markers may have been required under that OOC.
- SC asks for public comment; none was offered. Applicant must submit an elevation certificate to the Conservation Office and posting of conservation markers as discussed.
- SC motions to close the hearing and issue Orders of Conditions with special conditions drafted by MS. CH second. Approved 4-0-0.

23-12 Recreational Trails Committee, 172 South River St. (Shoulder Improvements).cont. from 6/21/23 (Craig)

- Tabled, as no RTC representative was present to discuss the project. MS advises that DPW had discussed the shoulder layout with him; CH notes a site plan will be required.

23-20 Junior, 128 Highland Street (Septic Repair).....cont. from 8/2/2023 (Bert)

- The proposed activity is a septic repair/replacement in buffer zone to BVW. The home was built prior to 2002, and the new tank lies outside the 25 ft buffer. An updated site plan had been provided that shows four conservation markers along the 50' buffer line and two more on the edge of lawn behind the house and barn. The matter was continued without motion to allow MS or LA to verify placement of the markers.

3051 Russo, 3 South Street (Deck Replacement).....cont. from 7/5/2023 (Craig)

- A continuation request was received at the Conservation Office.
- CH motions to continue the hearing to October 18, 2023. JO second. Approved 4-0-0.

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

- A continuation request was received at the Conservation Office.
- CH motions to continue the hearing to October 18, 2023. SC second. Approved 4-0-0.

- 3056 Celiberti Realty LLC, 0 Main Street (ANRAD).....cont. from 8/16/2023 (Bert)**
- A continuation request was received at the Conservation Office.
 - CH motions to continue the hearing to October 18, 2023. SC second. Approved 4-0-0.
- 3015 Medlin, 60 Foster Avenue (Addition, Garage & Porch).....cont. from 12/21/2022 (Susan)**
- A continuation request was received at the Conservation Office.
 - CH motions to continue the hearing to October 18, 2023. SC second. Approved 4-0-0.
- 23-21 Good, 0 Assumption Road (Beehives on Diamond Piers).....cont. from 8/16/2023 (Craig)**
- A continuation request was received at the Conservation Office.
 - CH motions to continue the hearing to October 18, 2023. SC second. Approved 4-0-0.

REQUESTS FOR CERTIFICATE OF COMPLIANCE AND EXTENSIONS

2136 Lauck, 16 Mallard Road [COC]

- As-built plans remain outstanding. Realtor Ann Stewart states the project engineer from Stenbeck & Taylor had represented to her that all documentation, including as-built plans, elevation certificate, and photos of the flood venting, were to be submitted to the Conservation Office before the meeting. LA advises that the documentation was received after the submission deadline, 11:55 a.m. today, and Conservation staff had not yet had time to review. AS apologizes for the delay, which was due to an issue with the title search. A closing for the property is scheduled for 10 am tomorrow.
- LA notes that Conservation staff drove by the property and observed no issues. MS reviews the hardcopy paperwork and indicates all is in order.
- CH motions to issue a COC for SE42-2136 at 16 Mallard Road. SC second. Approved 4-0-0.

2859 Town of Marshfield 0-440 OCEAN STREET (REGION 2 COASTAL REPAIRS) [Partial COC]

- CH reads the following details regarding seawall work between 4 and 102 Ocean Street:
 - Between 4 and 24 Ocean Street 152 linear feet of wall face repair was reduced to approximately 128 linear feet. Approximately 19 linear feet of cap repair was added.
 - Between 28 and 36 Ocean Street 50 linear feet of wall face repair was reduced to approximately 7 linear feet, 50 linear feet of cap repair was reduced to approximately 39 linear feet, and approximately 2 linear feet of partial cap repair was added.
 - Between 38 and 46 Ocean Street approximately 30 linear feet of wall face repair was added, 63 linear feet of wall cap repair was reduced to approximately 23 linear feet of partial cap repair.
 - Between 50 and 54 Ocean Street, 4 partial cap repair locations were added and approximately 3 linear feet of wall face repair was not included.
 - Between 60R and 74 Ocean Street, 14 linear feet of wall face repair was reduced to approximately 9 linear feet. 45 linear feet of cap repair was reduced to 32 linear feet. Approximately 31.5 linear feet of partial cap repair was added.
 - Between 78 and 96 Ocean Street, 23 linear feet of cap repair was reduced to 18 linear feet. Approximately 20 linear feet of partial cap repair was added.
- CH motions to issue a partial COC for SE42-2859 for work between 4 and 102 Ocean Street. BO second. Approved 4-0-0.

2903 Conroy, 58 Second Road [COC]

- The addition was built as permitted; the Conservation markers were affixed to the fence instead of just in front of it as depicted on the plan of record.
- CH motions to issue a COC for SE42-2903 at 58 Second Road. BO second. Approved 4-0-0.

2919 Kiley, 31 Branch Street [COC]

- MS advised that the project had been built as proposed and an elevation certificate had been received at the Conservation Office.
- CH motions to issue a COC for SE42-2919 at 31 Branch Street. BO second. Approved 4-0-0.

2923 Tedeschi, 162 Bay Avenue [COC]

- The enclosure beneath the home has not been addressed.
- CH motions to table the matter. BO second. Approved 4-0-0.

ADJOURN

- CH motions to close the public meeting at 7:34 p.m. SC second. Approved 4-0-0.

Respectfully submitted,
Liz Anoja, Conservation Agent

Marshfield Conservation Commission
Mike Seele, Conservation Administrator
Craig Hannafin, Chair Bert O'Donnell, Vice Chair
Jesse Platt Susan Caron
John O'Donnell