

**MEMBERS PRESENT** – Craig Hannafin (CH) Chair, Bert O'Donnell (BO) Vice Chair, Susan Caron (SC), John O'Donnell (JO), Jesse Platt (JP), Mike Seele, Conservation Administrator (MS)

**CALL TO ORDER** – CH motions to open the meeting at 6:30 PM. BO 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 192 Millpond Lane (Hazard Tree Removal) – Lucas & Commissioners**

- Applicant Dave Lucas present; he would like to remove several hazard trees located on his property, a neighbor's property, and an abutting easement held by Conservation. He has provided an arborist letter attesting as to the condition of the trees to be removed. At least a dozen of these are in the easement. MS indicates he will put in a work order to DPW to assess the trees in the easement and advise Conservation staff and DL whether or not they are able to remove them.

**B2 RTC and Jeff Wilson, Carolina Hill (Trail Alterations)**

- Tabled

**B3 239 Dyke Road (Bulkhead Repair Revision) - SHM Green Harbor & Commissioners**

- Tom Pozerski, Merrill Engineers, present for applicant. They received an Order of Conditions in 2022 for the repair and reinforcement of a bulkhead at the Brewer Green Harbor Marina; they have since come across a repair method, involving the application of a plastic cement, that involves much less disturbance as it does not require the placement of piles and concrete panels. This product has been recently used for marine repairs in Hull and Swampscott. Dave Hill at DEP has reviewed and supports the change, but would like Commission approval for the Chapter 91 license.
- CH asks what will be done in areas with missing wall sections; TP indicates any concrete blocks that need replacing will be replaced in kind, but the majority can be repaired. BO asks if any chemicals will be used when the concrete blocks are cleaned; the cleaning will be done by high-pressure water and possibly bleach on areas of mold growth. Town Engineer Rod Procaccino notes that the product has high strength and the technique is a viable process to restore walls. The Commissioners agree to approve the change and indicate same to DEP.

**B4 Potential New Commissioner Discussion, Joe Hackett and Commissioners**

- Applicant Joe Hackett has a nuclear engineering background, and acted as a liaison between utilities and the NRC. He has an interest in environmental issues, and would like to make the process work for the benefit of all. He has previously served on the Waterways and Beach Commissions in Town. He has been watching the last several Commission meetings to get a sense of the work involved.
- CH notes that she and MS have met with JH to explain the role, and notes his experience in regulatory issues. The Commission will vote on whether to recommend his application to the Select Board, at which point he will appear before the SB.

**PUBLIC HEARING (ON OR AFTER 6:40 PM)**

- 3059 McDonough, 23 Richard Street (Raze & Rebuild SFH).....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 raze and rebuild of a single-family home in barrier beach, coastal dune, LSCSF, and VE13 flood zone. The new structure will be elevated on driven wooden piles. They have submitted an application for a flood plain permit. The new home will be elevated 7.5 feet, at flood elevation 20; the subsurface will remain open and pervious, with no enclosures; applicants may park vehicles under the structure.
  - SC asks about the surfaces outside the house perimeter; RS indicates there is no paved driveway or parking on the lot and none are proposed with this filing. CH notes that this would require additional permitting. MS suggests approval with special conditions requiring the deployment of erosion control and submission of an elevation certificate. There was no public comment.
  - SC motions to close the hearing and issue Orders of Conditions with special conditions drafted by MS. JP second. Approved 5-0-0.
- 3057 Long, 22 Kearsarge Road (Deck).....NEW (John)**
- CH reads the legal ad. Hearing Officer JO confirms administrative requirements are complete.
  - Rick Servant, Stenbeck & Taylor, present for applicant. The proposed activity is the construction of a deck over an existing concrete pad, which will be removed during construction. The new deck will be supported by five helical screws about 2.5 feet off the ground. Flood plain permitting is still pending.
  - MS observed what appeared to be 1.5 to 3 inches of sand brought into the backyard, and a neighbor inquired about its permissibility. MS notes that any fill, alteration, or removal requires a conservation permit. Applicant Michael Long indicates they brought in washed sand when the concrete pad was removed. SC visited the site and states the amount of added sand was minor, but also points out that that grade changes can affect flood control on other properties. BO notes that elevation contours are provided on the site plan, which would allow them to detect any future changes.
  - MS confirms with RS that the lot does not lie in barrier beach and recommends approval with the standard conditions plus the erosion control insert. There was no public comment.
  - JO motions to close the hearing and issue Orders of Conditions with special conditions drafted by MS. SC second. Approved 5-0-0.
- 3058 Wright, 70 Satucket (Addition & Deck).....NEW (Bert)**
- CH reads the legal ad. Hearing Officer BO confirms administrative requirements are complete.
  - Rick Servant, Stenbeck & Taylor, present for applicant. The proposed activity is the construction of an addition over an existing deck and a new deck in the 75 to 100 ft BVW buffer. The work area lies just outside an AE9 flood zone. The addition will be constructed on posts or piers and the area beneath will be used for storage.
  - Comments from Building indicate ZBA approval will be required. RS agrees to the posting of three conservation markers along the 25 ft buffer line, and will submit an updated site plan to the Conservation Office.
  - MS suggests approval with the standard conditions plus the erosion control insert and a special condition regarding the posting of three conservation markers as discussed. There was no public comment.
  - BO motions to close the hearing and issue Orders of Conditions with special conditions drafted by MS. JP second. Approved 5-0-0.
- 3061 DPW, Ocean Street ROW (Between Dyke Rd & Island St intersections) roadway improvements & reconfiguration of right-of-way.....NEW (Bert)**
- CH reads the legal ad. Hearing Officer BO confirms administrative requirements are complete.
  - Town Engineer Rod Procaccino (RP) present for DPW along with Ryan Paul (RyP, Environmental Partners Group, to discuss their proposal for roadway improvements and traffic reconfiguration. The work will be divided into three phases; they will be seeking Town Meeting funding for the first phase, Section A, which comprises the southern section of the work area.

- RyP advises that the work will include construction of a traffic features at both entrances to the Brant Rock Esplanade to enhance traffic calming, improve sight lines, and create a marked bicycle lane and wider sidewalk. Some parking reconfiguration is also proposed to improve safety and traffic flow. The work area lies in LSCSF and buffer zones to barrier beach and salt marsh; fill will be brought in to expand the sidewalk. They have filed the NOI as a limited project. Minor damage improvements are also proposed, including the relocation of some catch basins and installation of several deep sump catch basins. RyP notes that most of the work area is already paved, and the work will reduce the impervious area by 8200 sq ft over the entire site.
- MS suggests the project will result in significant safety improvements, and the removal of pavement and improved storm water fixtures will also be beneficial. BO notes the Commission has determined other projects in the area to be barrier beach and would like the same to apply to this project for the record; this needn't impact the design of the project; RyP indicates they list the area as barrier beach in their submission packet.
- BO asks about the impact of the "bull nose" feature at the Island Street end of the esplanade on floodwaters. RP notes that the feature will be slightly elevated but able to be driven over; it may help to slow the flow of seawater. RyP notes this area is not considered a velocity zone, and flood water tends to pond in the area. Most features will only be elevated a few inches. JP asks where green space is proposed to be added; RyP indicates both entrances to the esplanade and the center strip.
- Scott Dixon, 82 Ocean and former President of the Brant Rock Village Association notes that he and the Association strongly support the project. They have worked with RP and Tom Reynolds at DEP in its formulation, and it will greatly improve safety of navigation for pedestrians and motorists. Nannette Parziale, 72 Island Road, notes she has been working with RP, MS, and Building Commissioner AS to add bricks with sponsor names to the existing green space by the anchor; they are working with Frasca Landscaping to ensure the proper materials are used beneath the bricks. BO has no issue with the proposal if they use pervious pavers; MS will reach out to Frasca. The permitting for this will occur separately.
- MS suggests approval with general conditions A1-18, D5, B2, C11, F1, and G5.
- BO motions to close the hearing and issue Orders of Conditions with special conditions drafted by MS. SC second. Approved 5-0-0.

**23-21 Good, 0 Assumption Road (Beehives on Diamond Piers).....cont. from 8/16/2023 (Craig)**

- The applicant has requested a continuation to the September 20, 2023 public meeting.
- CH motions to continue the hearing to September 20, 2023. SC second. Approved 5-0-0.

**3056 Celiberti Realty LLC, 0 Main Street (ANRAD).....cont. from 8/16/2023 (Bert)**

- The applicant has requested a continuation to the September 20, 2023 public meeting.
- CH motions to continue the hearing to September 20, 2023. SC second. Approved 5-0-0.

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

- CH reads the legal ad. Hearing Officer BO confirms administrative requirements are complete.
- The Commissioners review site plan provided by applicant, denoting the proposed location of three conservation markers. All discuss the placement of conservation markers to protect the 50 ft wetland line but account for existing structures. MS advises that applicant has received Board of Health permitting for the septic. The matter is continued pending receipt of an updated site plan and comment from Town Counsel regarding subdivision of the parcel.
- BO motions to continue the hearing to September 20, 2023. JP second. Approved 5-0-0.

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

- The applicant has requested a continuation to the September 20, 2023 public meeting.
- CH motions to continue the hearing to September 20, 2023. JP second. Approved 5-0-0.

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

- MS indicates that updated site plans were not received at the Conservation Office.
- CH motions to continue the hearing to September 20, 2023. SC second. Approved 5-0-0.

- 3015 Medlin, 60 Foster Avenue (Addition, Garage & Porch).....cont. from 12/21/2022 (Susan)**
- The applicant has requested a continuation to the September 20, 2023 public meeting.
  - CH motions to continue the hearing to September 20, 2023. SC second. Approved 5-0-0.
- 23-12 Recreational Trails Committee, 172 South River St. (Shoulder Improvements).....cont. from 6/21/23 (Craig)**
- The applicant has requested a continuation to the September 20, 2023 public meeting.
  - CH motions to continue the hearing to September 20, 2023. JP second. Approved 5-0-0.
- 2975 A Tedeschi, 160 Bay Avenue (Deck, walkways & elevate utilities).....cont. from 7/5/23 (John)**
- Continued Hearing. JO hearing officer.
  - Paul Louderback (PL), Merrill Engineers, present for applicant. The Order of Conditions SE42-2975 was issued last year to extend the porch structure in back of the house by 8.5 ft and add a new 9 by 7 deck off the porch, with stairs between them. The project was amended in December to shift the position off the stairs. Applicant would now like to add a patio and walkways on either side of the house. At the request of Building Commissioner AS, they would also like to raise a generator and HVAC unit above the flood elevation and fill the basement to elevation 10 in order to comply with FEMA regulations, which will require about 6" of fill.
  - The original hearing was continued to allow them to reconsider design options for the patio and walkway, which were originally proposed to be at grade. PL indicates they have redesigned both to use pervious pavers, and updated the site plan accordingly. JO notes that the HVAC and generator have already been raised with the agreement of Conservation and Building. Applicant had already started construction on a wooden patio in back, which was stopped by a cease and desist order from AS; this will be removed when the paver patio is installed.
  - MS notes that the pavers and the subsurface beneath them must be pervious, and there must be adequate spacing between them for the system to work as intended. MS recommends approval with the standard conditions.
  - JO motions to close the hearing and issue Orders of Conditions with special conditions drafted by MS. BO second. Approved 5-0-0.

#### **REQUESTS FOR CERTIFICATE OF COMPLIANCE AND EXTENSIONS**

- 2923 Tedeschi, 162 Bay Avenue [COC]**
- MS advises there is a dry walled and finished structure beneath the home; the request is tabled so this matter can be addressed.
  - CH motions to table the matter. JP second. Approved 5-0-0.
- 2980 Dorsey, 94 & 96 Marginal Street Rear [COC]**
- MS advises that the house was built as permitted, with flood vents, and conservation markers have been installed.
  - CH motions to issue a COC for SE42-2980 at 94/96 Marginal Street. BO second. Approved 5-0-0.
- 1352 Kelly, 14 Brighton Street [COC]**
- The OOC SE42-1352 was issued for construction of a small utility room. MS visited the site and noted the addition was built on sonotubes and is sufficiently elevated to allow for inflow of water. Applicant has requested a waiver from the as-built plan submission requirement; the plot plan on file accurately depicts the work completed.
  - CH motions to issue a COC for SE42-1352 at 14 Brighton Street. BO second. Approved 5-0-0.
- 1564 Schneider, 76 Winslow Cemetery Road [COC]**
- MS indicates the pool and patio were built as permitted.
  - CH motions to issue a COC for SE42-1564 at 76 Winslow Cemetery Road. SC second. Approved 5-0-0.

**ADJOURNMENT** – CH makes a motion to close the hearing at 7:50 PM. SC second. Approved 5-0-0.

Respectfully submitted,  
Liz Anoja, Conservation Agent

Marshfield Conservation Commission  
Mike Seele, Conservation Administrator

Craig Hannafin, Chair  
Jesse Platt  
John O'Donnell

Bert O'Donnell, Vice Chair  
Susan Caron