

MEMBERS PRESENT – Craig Hannafin (CH) Chair, Bert O'Donnell (BO) Vice Chair, Susan Caron (SC), John O'Donnell (JO), Corey Miles (CM), Mike Seele, Conservation Administrator (MS)

MEMBERS NOT PRESENT – Liz Anoja, Conservation Agent (LA), Jesse Platt (JP)

CALL TO ORDER – CH moves to open the meeting at 6:30 PM. JO second. Approved 5-0-0.

CHAIR'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.
- CH welcomes new Commissioner Corey Miles.

MINUTES

- The minutes of the October 4 meeting were presented for approval.
- CH moves to accept the October 4, 2023 minutes as edited. BO second. Approved 5-0-0.

BUSINESS

B1 De Minimis Activity:

a. Hatch Mill – Utility Trenching

- Commissioner Bert O'Donnell recuses. CH notes that SC's husband has a connection to the group, but will be voting due to an emergency quorum issue. SC has filed a disclosure form to the Select Board and indicated this will not prejudice her vote in this particular matter.
- Applicant wishes to dig a 24-30 inch deep utility trench under existing driveway. MS recommends approval with the standard conditions. One utility pole on Union Street will be taken down, the timber-frame bridge to the mill will be taken down and replaced with concrete planks, and gravel will be added to the parking area. CH notes that just a small portion of the proposed work is in the resource area and has no issues with the work as proposed.
- CH moves to approve the proposed activity as De Minimis with the standard conditions. JI second. Approved 4-0-0.

Bert O'Donnell rejoins the meeting.

b. 300 Ridge Road, Barbara Follett – Planting 9 Trees along right side of home.

- CH notes that the proposed planting area is in buffer zone to salt marsh and LSCSF. Applicant will be planting Eastern Red Cedars, which thrive in the area.
- CH moves to approve the proposed activity as De Minimis with the standard conditions. SC second. Approved 5-0-0.

c. 47 Beach Street, Claire Bonadies – Hazard Tree Removal abutting drainage easement

- Applicant wishes to remove three hazard trees near a drainage easement in a BVW buffer zone. MS and LA visited the property and confirmed the trees lie on 47 Beach, and that they present a hazard. MS recommends that they be stumped at 4 feet in order to preserve the root systems.
- CH moves to approve the proposed activity as De Minimis with the standard conditions. JO second. Approved 5-0-0.

B2 Rocky Reach Forestry Management Plan - easement maintenance permitting path – Rick Servant / Lisa Messersmith

- Craig Hannafin recuses from the discussion and vote. Lisa Messersmith (LS), 1309 Union Street, present to request permission to widen an easement corridor on her property to 24 feet width as per a Court order.
- BO has no issues, but notes the work will also require North River Commission review; LS indicates she has already received NRC approval.
- BO moves to approve the cutting as per the forestry plan in the drawing. SC second. Approved 4-0-0.

Craig Hannafin rejoins the meeting.

B3 Eagle Scout Project at McGoune Cemetery – J.D. Armstrong and Tom Whalen

- Eagle Scout candidate Jason Armstrong, Jr., 186 Union, present to discuss a proposal to clean up the McGoune Cemetery at 80 Union Street, which has become overgrown with trees and invasives, expand the entry driveway, and add an entrance sign and bench. The cemetery was established in 1838 and has not been regularly maintained in about 50 years. Volunteers from Troop 101 in Marshfield will assist with the cleanup. JA proposes to use D2 to clean the marble headstones, and would also like to establish a plan for ongoing maintenance.
- MS asks the largest diameter tree proposed to be removed; JA proposes to cut anything less than 5 inches diameter on the mound inside the stone wall. MS notes that the parcel is under the care and custody of DPW. Jason Armstrong Sr., 186 Union, indicates they are meeting with DPW on 11/15. The work area is in buffer zone to a bordering vegetated wetland to the east and north, and is in NHESP priority habitat.
- CH advises JA to contact NHESP so they can comment on the proposed work, and arrange for DPW to haul away or chip the cuttings, or use them to create a slash pile, which would provide wildlife habitat. BO has no issue with the proposed work, noting it is in previously disturbed area; he has used D2 and found it to be harmless to vegetation - "it doesn't even disturb the grass around it."
- CH moves to support the Eagle Scout project of J.D. Armstrong, Troop 101, regarding cleanup and rehabilitation of McGoune Cemetery. BO second. Approved 5-0-0.

B4 Update on the encroachment and retaining wall at 99 Bay Avenue - Attorney Jeff Sill

- Tabled pending receipt of additional information.

PUBLIC HEARING (ON OR AFTER 6:40PM)

3067 White, 25 Damons Point Circle (Raze & Rebuild SFH).....NEW (Susan)

- CH reads the legal ad. Hearing Officer SC confirms administrative requirements are complete.
- Rick Servant (RS), Stenbeck & Taylor, present for applicant, who wishes to raze and existing SFH and construct a new, larger home on a concrete foundation with seven flood vents, as well as a pervious driveway. The front part of the work area lies partially within an AE12 flood zone, and the driveway lies in buffer zone to salt marsh. First floor will be at elevation 15. The project will result in a 623 sq ft net increase in impervious coverage. ZBA, floodplain, and North River Commission permitting are pending.
- MS notes that a boat, garden, and patio furniture associated with the property is in fact located on an adjacent town-owned parcel F20-02-05; Town Administrator Maresco has indicated these items will need to be removed. SC notes that the driveway and walkway on the property encroach into the roadway, but LA advises the driveway is classified as a common driveway and this is allowable. SC also notes the project increases impervious coverage and asks if any such surface will be added to the rear or sides of the property. RS is unaware of anything else proposed for landscape or hardscape beyond what is shown on the plan.
- There was no public comment; special conditions will include submission of an elevation certificate, and that usage of parcel F20-02-05 must cease.
- SC moves to close the hearing and issue Orders of Conditions with special conditions drafted by MS. JO second. Approved 5-0-0.

- 3068 Osgood, 89 Indiana Street (Replace Septic & add retaining wall).....NEW (John)**
- CH reads the legal ad. Hearing Officer JO confirms administrative requirements are complete.
 - John Zimmer, South River Environmental, present for applicant, who propose to replace the existing septic system in the same footprint, in existing lawn area. The system must be mounded, which will require a retaining wall. Erosion control will be deployed at the limit of work and four conservation markers posted at the edge of lawn. Board of Health permitting is pending.
 - JO notes that comments from Building Commissioner Andrew Stewart indicate that a building permit is required if the retaining wall is 4 ft or higher; JZ will follow up with AS. CH suggests additional markers at wetland flags 8 and 5; JZ assents, and will submit an updated site plan to the Conservation Office by Friday.
 - JO asks for comments from the public; none. Special conditions of approval will include the posting of six conservation markers as discussed.
 - JO moves to close the hearing and issue Orders of Conditions with special conditions drafted by MS. SC second. Approved 5-0-0.
- 3064 Pinheiro, 193 Pinehurst Road (New SFH).....NEW (Susan)**
- Continued hearing; SC hearing officer.
 - Greg Morse (GM), Morse Engineering, present for applicant. The proposed activity is construction of a home, driveway, grading, and utilities. A home had previously been permitted on this lot, before construction of the road, but was never constructed. The lot is about 4 acres, 0.5 acres of which are proposed to be cleared. The previous hearing was continued pending receipt of NHESP comment letter and updated site plan. GM notes the NHESP comment letter indicates no concerns about the project. Wetland Scientist Brad Holmes, ECR, has inspected mitigation plantings made as part of the previous permit, stating that more than 75% had survived but replacing eight saplings and six shrubs in poor health. They have also met with Building Commissioner AS; Inland Wetlands District and ZBA permitting is pending.
 - CH expresses surprise at BH's report, as she visited the site before the previous hearing and the plantings appeared to be doing poorly, and suggests a continuation to allow the Commissioners to observe the plantings. GM asks that the hearing be closed tonight, noting the site visits could be made during the 21 day window the Commission has to issue the OOC, but CH would prefer to continue, as applicant is still waiting on other permits. GM assents to a continuation to November 15 to allow for the site visits.
 - CH moves to continue the hearing to November 15, 2023. CM second. Approved 5-0-0.
- 3069 Campbell, 134 Surf Ave (Elevate SFH).....NEW (John)**
- Continued hearing; JO hearing officer.
 - Applicant wishes to elevate the existing home onto a FEMA-compliant concrete foundation with flood vents. The front porch, rear entry, and utility room will be elevated to the new first-floor elevation. The project was reviewed at the previous hearing, which was continued pending issuance of the DEP file number; this has since been received. Special conditions of approval will include the deployment of erosion control and submission of an elevation certificate.
 - JO moves to close the hearing and issue Orders of Conditions with special conditions drafted by MS. SC second. Approved 5-0-0.
- 23-12 Recreational Trails Committee, 172 South River St. (Shoulder Improvements)...cont. from 6/21/23 (Craig)**
- Continued hearing; CH hearing officer.
 - Continued pending feedback from Wildlands Trust regarding clearing up to 10 ft in from the road.
 - CH moves to continue the hearing to December 6, 2023. SC second. Approved 5-0-0.
- 3056 Celiberti Realty LLC, 0 Main Street (ANRAD).....cont. from 8/16/2023 (Bert)**
- Continued pending peer review of delineation.
 - CH moves to continue the hearing to December 6, 2023. JO second. Approved 5-0-0.
- 3015 Medlin, 60 Foster Avenue (Addition, Garage & Porch).....cont. from 12/21/2022 (Susan)**

- The hearing is continued to the next public meeting at applicant's written request.
- CH moves to continue the hearing to November 15, 2023. SC second. Approved 5-0-0.

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

- CH notes that this application is being withdrawn.
- CH moves to accept the withdrawal of the application. SC second. Approved 5-0-0.

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

- The hearing is continued at applicant's written request.
[Motion made but not seconded or voted - 0:50:02.3]

REQUESTS FOR CERTIFICATE OF COMPLIANCE AND EXTENSIONS

2923 Tedeschi, 162 Bay Avenue [COC]

- The enclosure beneath the home has not been addressed.
- CH moves to continue the matter to November 15, 2023. CM second. Approved 5-0-0.

2986 Rogan, 14 Bank Road [COC]

- MS visited the site and observed additional ground covering in excess of that on the approved plan, but noted this covering was pervious.
- CH moves to issue a COC for SE42-2986. SC second. Approved 5-0-0.

ADJOURNMENT – CH makes a motion to close the hearing at 7:21 PM. CM second. Approved 5-0-0.

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	Corey Miles