

WEDNESDAY, DECEMBER 6, 2023 | 6:30 P.M., SELECT BOARD CHAMBERS  
TOWN HALL, 870 MORaine ST., MARSHFIELD, MA

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

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

**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 congratulates Commissioner JP for receiving her Massachusetts Association of Conservation Commissioners certification.

**BUSINESS**

**B1 175 Riverside Circle, Callahan – Removal of dead trees.**

- Commissioner SC recuses from the discussion and vote. Homeowner wishes to remove three dead trees in existing lawn area, cutting them flush to the ground but leaving the root system. MS and LA visited the site and verified their condition.
- CH moves to approve the proposed activity as De Minimis. JO second. Approved 5-0-0.

**Commissioner SC rejoins the meeting.**

**B2 292 Plymouth Avenue, Walsh – Replace Egress**

- Homeowner wishes to replace his front egress with a concrete and granite staircase/landing in the same footprint; the structure will be attached to the foundation and underlaid with gravel to promote drainage.
- CH moves to approve the proposed activity as De Minimis. JP second. Approved 6-0-0.

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

**23-24 Corbett, 34 Elmhurst Avenue (Raze & Rebuild SFH).....NEW (Craig)**

- CH reads the legal ad and, as Hearing Officer, confirms administrative requirements are complete.
- Applicant Steve Corbett present. The proposed activity is to raze and rebuild unit #34 a 500 sq ft cottage, one of three on the lot. The new structure will be 624 sq ft but is located further away from the wetland and beyond the 75 ft buffer. The structure will be built on slab on grade, and excavation will be limited to digging to place the slab and frost walls. An additional unit, #38, is located between #34 and the wetland.
- Mike Seele (MS) notes that the structure will be located in pre-disturbed lawn area further from the wetlands. There will be no additional impervious surface beyond the area of the new structure. Applicant has checked box B, requesting confirmation of the resource area boundaries, but this would require an updated delineation. MS also recommends the posting of conservation markers at the edge of lawn. Special conditions of approval will include the deployment of erosion control at the limit of work and three conservation markers along the edge of lawn.
- CH motions to issue a DOA, Pos. #5, Pos. #2b, Neg. #3 with special conditions drafted by MS. JP second. Approved 6-0-0.

- 23-25 Safe Harbor Marina, 239 Dyke Road (Generator Stand on Sono Tubes).....NEW (Jesse)**
- CH reads the legal ad. Hearing Officer JP confirms administrative requirements are complete.
  - Applicant's request to install a generator stand on diamond piers, using the Building Department's approved design, was approved as a De Minimis activity on October 4; however, given the presence of underground utilities and other structures near the stand location, they now wish to install the stand on sonotubes.
  - MS notes that Building Commissioner Andrew Stewart has commented the generator will need to be located at least 6 ft above the interior slab of the building. JP adds that comments on October 4 suggested that the stand be referenced on the as-built plans for the Order of Conditions that is open for the property. There was no public comment.
  - JP motions to issue a DOA, Pos. #2b, Pos. #5, Neg. # 2, with special conditions drafted by MS. BO second. Approved 6-0-0.
- 23-12 Recreational Trails Committee, 172 South River St. (Shoulder Improvements).....cont. from 6/21/23 (Craig)**
- A continuation request was received at the Conservation Office.
  - CH motions to continue the hearing to December 20, 2023. JP second. Approved 6-0-0
- 3070 Funk & Johnson, 117 Ridge Road (Addition & Deck).....NEW (John)**
- CH reads the legal ad. Hearing Officer JO confirms administrative requirements are complete.
  - Rick Servant (RS), Stenbeck & Taylor, present for applicant, who wishes to construct an addition and deck on sonotubes in previously disturbed lawn and patio area. Floodplain permitting is pending. Building has determined the project to be a substantial improvement, and the house will be brought into full compliance with the FEMA regulations by the addition of flood vents to the new and existing foundations. The crawl space beneath has already been raised to grade. A paver patio in back that intrudes into the 25 ft buffer will be removed during construction, and the deck replacing it will be outside the 25. A shed on the right side of the house will be removed from the site.
  - Colleen Malloy, 105 Ridge, asks about erosion controls and whether there will be any changes to the wall in the back that might direct water flow to them. RS indicates there will be no changes to the riprap in back, and silt sock erosion control will contain all runoff on the site. BO adds that the lot is flat and no grade changes are proposed.
  - Special conditions of approval will require the deployment of the erosion control and submission of an elevation certificate.
  - JO motions to close the hearing and issue Orders of Conditions with special conditions drafted by MS. CH second. Approved 6-0-0.
- 30 Cataldo, 32 Carolyn Circle (Raze & Rebuild).....NEW (Bert)**
- CH reads the legal ad. Hearing Officer BO confirms administrative requirements are complete. MS notes that applicant has filed under the town bylaw only as the resource area, an intermediate vegetated wetland, only meets the bylaw definition.
  - James Garfield, Morse Engineering, present for applicant, who wishes to raze and rebuild the existing home. Some grading is proposed to allow the septic to be gravity-only and direct runoff away from the house. The work area lies within the IVW buffer and the wetland itself. The IVW was delineated by John Zimmer, South River Environmental, appears to have been created through an earlier excavation, and does not provide wildlife habitat. The project will alter 584 sq ft of the IVW and they are proposing 627 sq ft of replication, to be located in a swale by the western lot line. They are willing to plant blueberries or other native plants along the swale to create some wildlife habitat; JG suggests this would be an improvement over the IVW in its present state.
  - MS notes there is also a flagged BVW across the street whose buffer zone includes parts of the front of the property, so any driveway resurfacing or other activity in the front yard would encroach into its 50 to 100 ft buffer and require a filing under the state WPA. MS also observed green waste dumping near the IVW that could be addressed with conservation markers. JG indicates they were not aware of the BVW across the street and will look into the matter.

- BO notes that the drainage manhole in the lawn empties into the catch basin on Carolyn Circle and questions whether DPW is okay with this design; he would also like to know where the DPW drainage system empties to. JG will reach out to DPW. BO also questions the need for relocation of the IVW; JG notes that the IVW extends very close to the existing house, and any raze and rebuild will require some alteration to the IVW. The project will reduce the onsite impervious coverage by 15.8%, and JG suggests the project with swale will likely be an improvement over the existing stormwater conditions. SC would like to see plantings along the swale, as they could stabilize the area and absorb some of the water headed downhill.
- SC also asks about a proposed beehive drain; this will be located downgradient of the swale and will ultimately direct stormwater into the catch basin on the street. BO expresses concern about runoff into the street, but JG notes the site already drains into the street and the project will not increase runoff from the site. CM asks why the swale is termed a “water quality swale.” JG notes this is because the swale will provide infiltration to the runoff; the proposed plantings will enhance this function.
- The matter is continued to allow JG to consult with DPW, provide additional detail regarding the plantings, and update the filing as needed. There was no public comment.
- BO motions to continue the hearing to December 20, 2023. JP second. Approved 6-0-0.

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

- Continued hearing; BO hearing officer. Commissioner SC recuses from the discussion and vote.
- James Garfield (JG) requests a continuation on behalf of Morse Engineering. Peer review delineation is pending.
- BO motions to continue the hearing to January 17, 2024. JP second. Approved 6-0-0.

**Commissioner SC rejoins the meeting**

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

- Continued hearing; SC hearing officer.
- Rick Servant, Stenbeck & Taylor, present for applicant who wishes to construct an addition, garage with flood vents, and porch. A shed on the property will be removed and a paved driveway replaced with crushed stone/pervious pavers. They have received a floodplain permit since the previous hearing. RS notes the porch will be supported by sonotubes and will update the site plan accordingly; Building has determined the project not to be a substantial improvement. The project will decrease impervious coverage by 729 square feet.
- There was no public comment. Special conditions of approval will require the use of erosion control and submission of an elevation certificate.
- SC motions to close the hearing and issue Orders of Conditions with special conditions drafted by MS. JP second. Approved 6-0-0.

**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 December 20, 2023. JO second. Approved 6-0-0.

**REQUESTS FOR CERTIFICATE OF COMPLIANCE AND EXTENSIONS**

**1477 Garrett (Now Casler), 99 Bay Ave [COC]**

- CH notes that a stamped as-built plan has been provided that shows the cottage in back to not encroach upon the adjoining town-owned property; the retaining wall predated the construction of the cottage in 2000.
- CH motions to issue a COC for SE42-1477 at 99 Bay Avenue. SC second. Approved 6-0-0.

**1767 Ruley (Now Griffin), 15 Mayflower Way [COC]**

- Applicant is requesting relief from Special Condition E, which required removal of a retaining wall. CH notes that former agent Grafton and former Building Commissioner Folkard had opined that its removal would require extensive regrading of the site. Since the OOC’s issuance, the property’s FEMA flood zone classification has changed from VE to AO.

- MS indicates that Grafton/Folkard's assessments are documented by notes in the record as well as a letter from applicant that was submitted with the request. Building Commissioner AS indicated in comments that there are no open Building, Zoning, or Floodplain violations.
- LA reviewed the file and thinks the wall removal was required based on the property being in a VE flood zone, which is no longer the case. CH does not want to enforce a condition that would cause greater disturbance on the site; BO concurs.
- CH motions to issue a COC for SE42-1767 at 15 Mayflower Way. JP second. Approved 6-0-0.

**2857 Shanahan, Sailors Valentine Trust, 34 Marginal Street Rear [COC]**

- MS spoke with AS, and the corner where the dock "doglegs" is in a slightly different location and its elevation is slightly lower than proposed, but he otherwise has no issues.
- CH motions to issue a COC for SE42-2857 at 34 Marginal Rear. JO second. Approved 6-0-0.

**2923 Tedeschi, 162 Bay Avenue [COC]**

- Tabled due to unresolved floodplain violation.
- CH moves to table the matter to December 20, 2023. JP second. Approved 6-0-0.

**2997 Masley, 1125 Ferry Street [COC]**

- MS visited the property and noted a driveway bump-out and retaining wall outside the conservation markers but not on the original approved plan, as well as evidence of mowing beyond the markers. CH asks Conservation staff to advise applicant not to mow beyond the markers moving forward.
- CH motions to issue a COC for SE42-2997 at 1125 Ferry Street. SC second. Approved 6-0-0.

**ADJOURNMENT** – CH makes a motion to close the hearing at 7:35 PM. SC second. Approved 6-0-0.

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  
Corey Miles