

MINUTES – CONSERVATION COMMISSION
TUESDAY, MARCH 24, 2015 7:00 p.m.
TOWN HALL, DPW MEETING ROOM, 2ND FLOOR
870 MORaine ST., MARSHFIELD, MA

Approved 11-24-15 5-0-0

“Please note - if Town Hall is closed on Tuesday, March 24th, this meeting will be held on the following Thursday, March 26th.”

Members present: Robert Conlon, Chairman (RC), William Levin (WL), Frank Woodfall (FW), Chad Haitsma (CH), Alison Cochrane (AC). Jay Wennemer, Conservation Agent, was not present.

RC motion to open the meeting, WL second, passed 5-0-0.

MINUTES 9/16/14; 10/7/14; 10/21/14

BUSINESS

- Vote & sign Orders of Conditions for closed hearings (if projects are voted closed and/or the Commission is prepared to vote on Conditions): Herron, 4 Atlantic Street – RC motion to issue, WL second, passed 5-0-0.
- Scheduled Meetings: Tues. April 21st, May 5th

ENFORCEMENT ORDERS

REQUESTS FOR CERTIFICATES OF COMPLIANCE

Backburner:

1. 1658 Heaney, 29 Farragut Road
2. 2324 Wallace, 110 Damon's Point Road
3. 1090 Peterson, 219 Ridge Road
4. 1827 L. L. Smith, 60 Macomber's Ridge
5. REQPC-1925, Cushing Construction (Parsonage St.) Garden Gate
6. 2381 NSTAR, Pine Street

Current:

1. SE42-2539 Northland Construction, 21 Cranberry Cove
2. SE42-2104 Insight Bridgeway LLC, 1277 Ferry Street
3. SE42-38 Flagg, 750 Webster Street – RC motion to issue, FW second, passed 5-0-0.

REQUESTS FOR DEVIATION

1. SE42-2432 Hewitt's Point Seawall
2. SE42-2510 Chase, 6 Seth Sprague Drive – Commissioners approved of the change in plans which has the driveway on the east side of the house vs the west side as originally proposed.

REQUESTS FOR EXTENSION

NEW BUSINESS

This time is reserved for topics that the chair did not reasonably anticipate would be discussed.

PUBLIC HEARINGS

7:10 25__ DPW, 12-22 Foster Ave. - RC read notice of public hearing. Greg Robbins, Vine Associates presented. The DPW is proposing repairs to the revetment at Shepherd Avenue. Proposing to re-set stone revetment, make repairs to stairway, address some instabilities to fill voids and add a landing pad so the lower set of stairs can be re-affixed. Has 110 linear feet of bank; will not alter grades, improve lands ability to buffer waves. CH asked if this work will allow a better buffer; Greg said it would buffer the storm waves.

Joseph & Nancy Vosnak, 22 Foster Ave., asked if any equipment would be in their yard; Greg said no equipment would be put on anyone's property without the homeowner's permission, and asked Mr. Vosnak if the Town approached him about right of entry. Mr. Vosnak said the Town hasn't contacted him. Greg said he doesn't anticipate any major disturbance, and nothing can be done without the homeowners permission. Stairs will be addressed. Seawall to the north won't be worked on at this time. AC asked if the Town is proposing to pour concrete over every section; Greg said no, just underneath the stairway. They will infill what they can with armor stone and what can't be infilled, will have grout placed in the voids and to stabilize. There is a proposed landing pad for the second set of stairs to bear on. There used to be a landing, but it is beyond any repair at this point. Nothing planned for the walkway at this time, landing and railings will be replaced.

The homeowner of 4 Foster Ave. stated their seawall is crumbling and they're losing a lot of their back yard too, and asked if there is any way for the home owner to pay for repairs to the wall on their own property. RC said she would need to find out who owns it first, before going ahead with any work. RC motion to continue for receipt of file number, WL second, passed 5-0-0.

7:15 2546 Hutchinson, 499 Union Street - new plan received for generator and a/c. FW motion to close, RC second, passed 5-0-0. FW added corrected date of plan in draft orders, RC motion to accept as amended, WL second, passed 5-0-0.

7:15 2548 Sanborn, 173 Bay Ave. - Arthur Hale present and several abutters. Continued for new plan and discussion of concrete vs driven pilings. Mr. Hale stated he was told that he could no longer install concrete piers; he was told the code was changed within the last year. JW told Mr. Hale he could find that information at the Building Department. Mr. Hale said he went through the code book with Jerry O'Neill and couldn't find anything that said that. AH said he checked with Jerry every day; 2011 code was under coastal dunes - "open pilings without footings to allow movement of dune".

Mr. Hale said the project is not on a coastal dune, it's a coastal flat. JW had an issue with soils, peat. AH said he suggested having soil test done, have engineer look at it, and if the engineer says he cannot have concrete, he will do driven pilings. AH - will have engineered plan done. RC asked Mr. Hale if he is saying this is a Barrier Beach or a coastal dune. AH said the property is in a barrier flat area. CH asked for pictures of this property. Abutter brought site up on iPad. CMR 310. CMR 10.24 coastal resource area. WL would like clarification - confusion about classification, etc. FW - want to look at the whole thing, not just one paragraph. RC - building code issue - JW talked to Jerry.

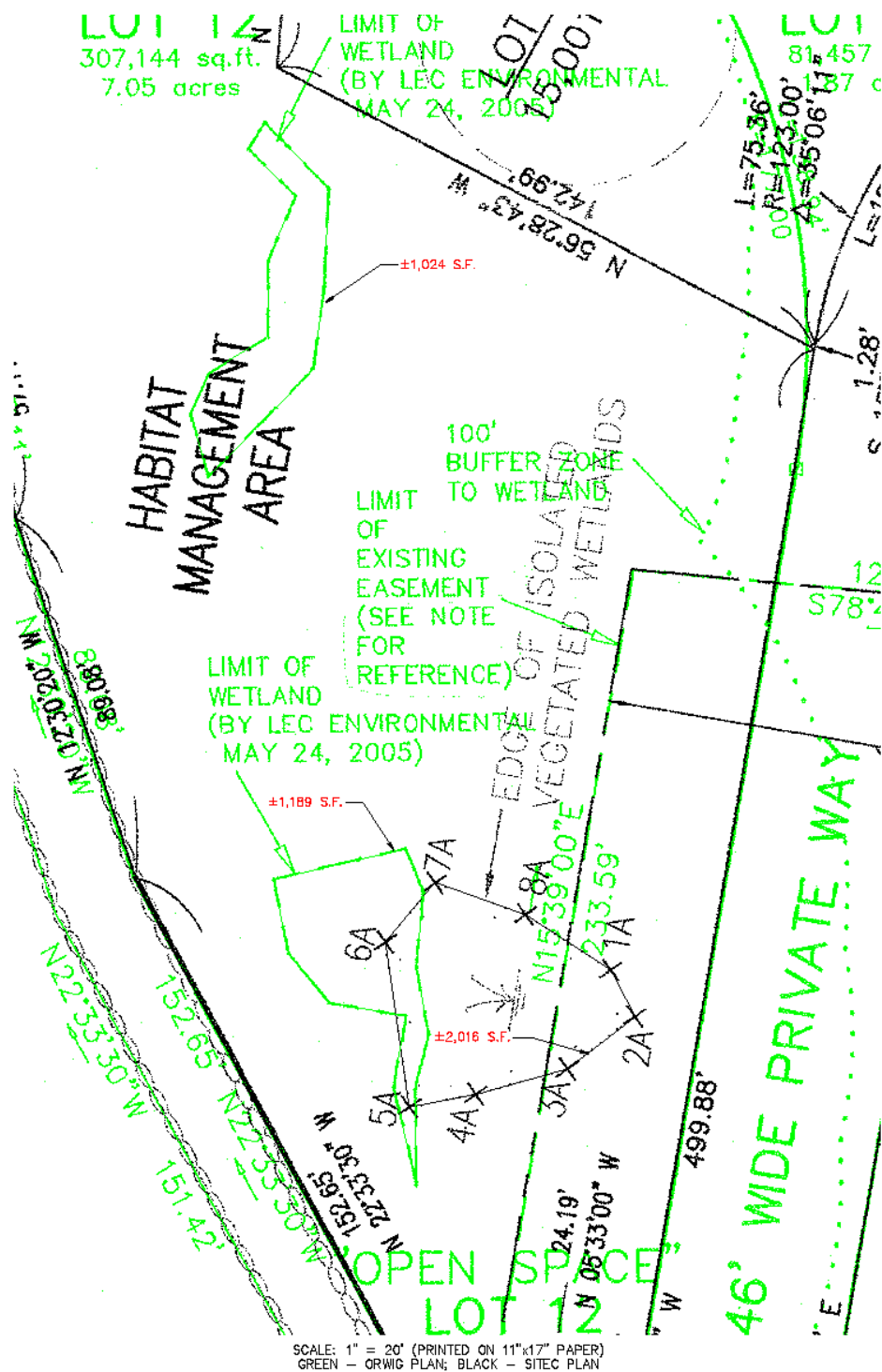
Ms. Stuart, 183 Bay Ave., asked what the regulation is for setback on wetland. RC said 75' for new and 25' for existing. 10.28 coastal dune AH said. RC asked if the plan here tonight shows concrete or pilings. AH - just shows where they would be placed. AC asked Mr. Hale why he is pushing for concrete. AH - never had a problem before - as long as soil is good the cost is half the price. Concrete piers don't sway like driven pilings. RC asked if the soils report would be ready for the next meeting; Mr. Hale said he would have it by then. CH motion to continue to 7:25 on April 21st, RC second, passed 5-0-0.

7:30 TBL 15-01 Oliva, Highland Street - Applicant has requested a continuance to 5/5/15 to allow their consultant to get out on the site after the snow melts.

In his absence, JW left the following notes and recommendations for the Commissioners:

Filing under Bylaw only due to Isolated Vegetated Wetlands.

NOTE: 2006 NOI plan showed different wetland resources than current plan
(see below - 2005 shown in green, 2014 shown in black)



March 24, 2015

Require that applicant pay Consultant Services Fee to Con Com to hire its own wetlands scientist to review delineation in field with agent & applicant's wetlands scientist. Continue hearing to April 21, not much can be resolved until wetland discrepancy is vetted.

FW motion to continue to 5/5/15 at 7:25, CH second, passed 5-0-0.

RC motion to adjourn at 8:00 p.m., WL second, passed 5-0-0.

Respectfully submitted,
Lois Keenlside
Marshfield Conservation Commission

Jay Wennemer, Conservation Agent
Robert Conlon, Chairman
William Levin
Frank Woodfall
Chad Haitsma
Alison Cochrane