

MINUTES – CONSERVATION COMMISSION
TUESDAY, DECEMBER 6, 2016 7:00 p.m., HEARING ROOM 3
TOWN HALL, 870 MORaine ST., MARSHFIELD, MA

Members present: Robert Conlon, Chairman (RC), Chad Haitsma (CH), Bert O'Donnell (BO'D) and Arthur Lage (AL). Commissioners James Kilcoyne (JK) and Frank Woodfall (FW) were not present. The Commissioners welcomed Mr. Bill Grafton to the Conservation Commission as the Town's new Conservation Administrator. RC motioned to open the meeting, CH second, motion passed 4-0-0.

MINUTES

BUSINESS

- Approve, vote & sign Orders of Conditions for closed hearings:
 - SE42-2628 Lentine, 44 Monitor Road
 - No SE # - Mahaney, 46 Preston Terrace – Denial Orders & EO
- Scheduled Meetings: December 27th, January 10th
- Need signatures on RDA 16-07 Sharaf, RDA 16-08 Whalin, RDA 16-09 Moniz

EXECUTIVE SESSION

ENFORCEMENT ORDERS

Mahaney, 46 Preston Terrace – will hold off on EO – DPW may be able to do the work.

REQUESTS FOR CERTIFICATES OF COMPLIANCE

Backburner: (until problems are resolved)

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
7. 1318 Darman, Chestnut Hill Trust, Holly Road
8. 2546 Hutchinson, 499 Union Street

Current:

SE42-2389 Spruill, 4 Damon's Point Drive – not yet
SE42-2541 Badore, 86 Macomber's Ridge – not yet
SE42-2567 Wallace, 35 Water Street – work still underway
SE42-2433 Doyle, 88 Marginal Street – not yet
SE42-2490 Maher, 12 Monitor Road
SE42-1314 Gureckis, 177 Cambridge Street
SE42-1403 Rego, 177 Cambridge Street

The remaining three requests for Certificates of Compliance are ready. RC motioned to issue Certificates for the last three requests, CH second, motion passed 4-0-0. Commissioners signed Maher, Gureckis, and Rego.

REQUESTS FOR EXTENSIONS

PUBLIC HEARINGS

7:05 2627 Bedig, Richard Street - Applicant has requested a continuance to 12/27. RC motioned to continue the meeting to 12/27/16, CH second, motion passed 4-0-0.

December 6, 2016

7:05 2631 Corbett, 65 Concord Street – Hearing had been continued from 11/15/16. Rick Servant from Stenbeck & Taylor presented. Mr. Corbett also present. Proposal is for an addition to existing single family house. Passed out satellite images; located at the end of Concord Street. Proposing reconstructing sunroom in same foot print. Concrete foundation with break-out panels. Located in a flood zone AE15, not on Barrier Beach, salt marsh across the street. Re-building in existing footprint; non-conforming house. Not a substantial improvement. Proposing deck in the corner on the side of the structure, westerly side, nothing there now. Revised plan dated 11/15/16. 8 x 12 deck to fill alcove on sono tubes. CH motioned to close and issue Orders, RC second, passed 4-0-0.

7:10 2636 McHale, 722 Ocean Street – Hearing had been continued from 11/15/16. RC read notice of public hearing. CH hearing officer. Patrick Gannon, contractor for McHale's, was present. Special permit granted in October. 12' x 24' addition on back of house on corkscrew pilings. Elevations and setbacks shown on plan. No questions from Commissioners. Project is on a Barrier beach, Land Subject to Coastal Storm Flowage. Not a substantial improvement. CH motion to close & issue Orders, BO'D second, passed 4-0-0.

7:15 2638 Junior, 605 Plymouth Ave. - RC read notice of public hearing. CH hearing officer. Dana Junior present. Mr. Junior is proposing two single family structures and two accessory buildings on the approximately 2.5 acres at the corner of Plymouth & Ocean Streets. The property is presently being used as a storage lot with paved area over great majority. Chain link fence close to the wetlands line in the back. Mr. Junior is proposing to get storage items off the lot, take up all the pavement, and take out the fence. Split land into two parcels, 1.4 acres and .82 acres. Of the two lots Mr. Junior plans to have a 10,000 sq. ft. envelope on each lot, rectangles, 67' x 150' and 125' x 80'. Lot 1 has Town sewer available; already Town water sub for lot 1, plan another for lot 2. Sewer stub is already for Lot 1 and one is planned for Lot 2. No on-site septic. Residential building proposed, 40' x 30' house elevated, first floor finished would be at 11.1; 11 required by FEMA. Average grade on lot 1 is 5, about 4 in lot 2. Would like concrete foundations with break-way panels if possible. To the bottom of the joists would be 5 or 6 feet. Attached garages, decks on back are proposed.

CH noted shouldn't a garage or accessory building have to conform to FEMA? RC – wording is "minor structures" on FEMA. CH – FEMA has become more stringent on break-away panels. Mean flow through, not break away. CH suggested Mr. Junior check these issues out. CH stated this property is not a Barrier Beach. BG pointed out the property is very close to the marsh. CH – close to Bass Creek.

BG said the (Bass Creek) water body isn't shown on the plan. Mr. Junior said it is shown on the back edge. That's a feature that should be on the plan BG said - the "Oliver" program on line shows this. CH asked what the initials 'IE' on the plan mean. Mr. Junior said those are the flags placed from Ivan Environmental, who flagged the property. BG said that information should be on the plan. RC asked if this project is in the Riverfront area; BG was not sure, need to do some more research. Mr. Junior said it was a flood plain area. CH said this area has been paved for a long time and he is concerned with taking up quite a bit of pavement and asked if there is a process to see what's under there. BG said there are all kinds of tests to see what's under there – some history on the property that we could check on. Mr. Junior pointed out that, zoning wise, there are five lots and he is only asking for two. BG said the easement needs to be shown on the new plan. Mr. Junior stated that this has nothing to do with the court action, nothing was ever written or recorded. There is a need to do restoration BG said – looks like you're not building where the restoration should take place. Mr. Junior said this is the first time anyone's ever asked him for restoration. It was a CR for no further building BG said. CH said we need Bass Creek on the plan. BG wants what is shown on the 'Oliver' program on the plan, with date and individual who produced it. Two things – Bass Creek and the wetlands line needed on plan. Mr. Junior stated he does not agree with the restoration issue. BG noted Mr. Junior has a good plan but there's other issues we need to deal with. Existing materials that have to be addressed. Business zoned B3 – RC questioned. No need to go to Zoning Mr. Junior said. Resource area delineation, individual flags and date, name & date & Bass Creek. Mr. Junior said when pavement is removed, take out few inches of asphalt, put in that many inches of grass. BO'D – need to determine if old delineation is good or if he needs a new one.

Dorothy Steele, Old Beach Road, said she supports this project. Have been looking at that area for years and she is pleased to see that it may be cleaned up and make it a part of the neighborhood.

December 6, 2016

Joe Pecevich, Wilson Road, asked to see the plan. Proposal is for two dwellings with garages – what is going to happen to the existing Orders of Conditions and restrictions? RC said they will go away. BG – will be getting together with Mr. Junior to discuss this issue. Mr. Pecevich said he is concerned that the Court has put this in place. Also concerned that this is part of the water district. BG restoration may be required. This property has a Court Order to enforce a restriction Mr. Pecevich said. He would like to submit those comments in writing. CH motioned to continue to 12/27 at 7:00 p.m. BG – will show him where to get the information. RC second, motion passed 4-0-0.

NEW BUSINESS

BG informed the Commission there is a request for an Emergency Certification for the seawall at 532 Ocean Street, requested by Rod Procaccino, the Town Engineer. RC said to go ahead with the EC – no reason to put a deadline on it.

Town Administrator Rocco Longo has proposed giving a parcel of land to Habitat to Humanity. One of the last out of five is in water restriction protection district - .21 acres. It's Town-owned but not Conservation on the corner of Lynn and Lawrence Streets. All Commissioners approve of the proposal.

BG – would like BSC available to discuss the Elm Street/Walker Orders of Conditions. Also, BG asked what the Commissioners thought, with all these storms coming, if Conservation could get BSC in here to help us deal more effectively. CH suggested BG discuss this with Rocco Longo and Rob Conlon. Would like to see Riley looked at by BSC too.

BG – The Planning Board has a meeting with Venus II tomorrow. They are proposing razing the existing building, with plans of a new structure. BO'D said he will attend.

BG suggested sending a letter before an EO on the Ferry Street properties. CH, BO'D & BG will visit site.

RC motion to close at 8:20 p.m., CH second, passed 4-0-0.

Respectfully submitted,
Lois Keenlside
Marshfield Conservation Commission

Robert Conlon, Chairman
Frank Woodfall
Chad Haitsma
Bert O'Donnell
James Kilcoyne
Arthur Lage