

**APPROVED MINUTES – CONSERVATION COMMISSION
TUESDAY, JANUARY 9, 2018 7:00 p.m., HEARING ROOM 3
TOWN HALL, 870 MORaine ST., MARSHFIELD, MA**

APPROVED: 01-23-18 4-0-0

MEMBERS PRESENT – Robert Conlon, Chairman (RC), Frank Woodfall (FW), Chad Haitsma (CH), Bert O'Donnell (BO), James Kilcoyne (JK), Bill Grafton, Conservation Administrator (BG).

NOT PRESENT – Art Lage (AL).

CALL TO ORDER – RC motioned to open the meeting at 7:00 p.m. FW second. Motion approved 5-0-0.

MINUTES – RC motioned to approve 8/22/17 minutes as amended. FW second. Motion approved 5-0-0.

BUSINESS –

Standardization of Special Conditions for Orders and Determinations – Bill Grafton

- BG suggests moving towards standardizing special conditions for clarity & consistency.
- FW would like to keep “as is” and not introduce lengthy special conditions because each project has special variances.
- BG suggests a menu for each type of activity (docks, sfh, etc.).
- RC states we have 16 options from DEP and we can pick some more.
- CH, JK & BO support BG suggestions.
- FW and RC would like to see more examples.
- BG will work with CH and Liz Anoja and provide a draft for Commission review.

Deer Hunting Update – Bill Grafton

- Well-meaning hunters have been calling to find out if hunting is allowed in Marshfield
- BG response has been that there is a “No Hunting” policy on Marshfield Conservation Land.
- 1 call on Cornhill heard shots fired, BG asked for complaint in writing as per Town Counsel (TC). BG never received written complaint.

Recreation Trails Committee – Bill Grafton

- BG presented the Recreation Trails Committee's request for a support letter pertaining to a Mass Recreation Trails Grant for RTC match grant for standardization of Kiosks and signage for kiosks.
- BG stated that the grant deadline is February 1st and suggested that if the Commission does not object then the Chair might sign the letter tonight.
- No objections from the Commission. RC to sign letter.
- CH would like to know expected cost. BG said about \$71,000 with the return up to 80%.
- BO states the \$71,000 is from CPC and would be voted on spring town meeting.

ENFORCEMENT ORDERS –

Smith, 38 Liberty Street (Email Response 12/20/17)
Drosopoulos, 7 Ladyslipper Lane (TC Letter 11/18/17)
White, 180 Atwell Circle
Levangie, 3 Cove Creek (Communication in Progress)

Mahaney, 46 Preston Terrace
McCarthy, 46 Bay Avenue
New Owner, Winslow Avenue Ext.
Pam ?, 237 Webster Avenue

REQUESTS FOR CERTIFICATES OF COMPLIANCE –

2537 Kelly, 46 Ashburton Ave

- Commission signs COC (RC, FW, CH, BO, JK)

349 Putney Inc., 844 South River Street

- Commission signs COC (RC, FW, CH, BO, JK)

691 Linde, 878 Careswell Street

2199 Tedeschi, 1 Atlantic Street (Site Visit / Issues)
2570 Ryan, 241 Foster Road (waiting on Elevation Certificate and As-Built)
2602 Christensen, 55 Island Street (Signed but issues: smart vent and down spout)
1402 Coppenwrath (Sullivan) 743 Ocean Street (Signed: Waiting for Deed Language to release)

Backburner: (until problems are resolved)
1658 Heaney, 29 Farragut Road
1090 Peterson, 219 Ridge Road
1827 L. L. Smith, 60 Macomber's Ridge
REQPCC-1925, Cushing Construction (Parsonage St.) Garden Gate
2381 NSTAR, Pine Street
2389 Spruill, 4 Damon's Point Drive (issues - appointment set for 12/6/17)

PUBLIC HEARINGS

RDA 18-1 McLaughlin, 11 Anderson (deck & pool).....(NEW) (Frank)

- RC reads Legal ad. FW is the hearing officer.
- Gerry McLaughlin (GM), applicant, has a deck he would like to replace. Shed, he would like to remove and an above ground pool he would like to install. Deck will increased by 4'.
- RC would like to know if the area is currently lawn, GM states it is lawn.
- FW the ground is slightly sloped. FW would like silt fence or straw wattles about 40' for erosion control.
- BG states that the shed is not on the applicant's land. Hands out copies of the deed showing that the abutting property is owned by the conservation commission, BG suggests the Commission allow GM to remove shed coordinating w/the Conservation Administrator.
- BG states that a non-Professional wetland Scientist (Terry McGovern) did the wetland flagging. BG not disputing the flagging but suggests that the Commission might want to require wetland field data forms adopting the DEP and Army Crop forms if there will be individuals who do not have the professional wetlands qualifications doing the flagging. FW states that the plan is stamped by a professional engineer and that stamp stands. JK would like to take this up in a further discussion at a later date.
- FW makes motion to issue DOA with Neg. Det. #3 with conditions including: straw waddle/erosion control, conservation markers along wetland line, GM to work with Conservation Administrator to remove shed. JK 2nd. Motion approved 5-0-0.

2692 Barry, 78 Beach Street (raze & rebuild).....(NEW) (Frank)

- RC reads legal ad; FW is the hearing officer.
- Rick Servant (RS) with Stenbeck and Taylor and Mr. Brian Barry (BB), applicant present.
- RS stated that BB would like to demolish home and build new house on new wood pilings with new home now being out of flood zone at 18ft for floor elevation. The property is located within the AE16 flood zone, house is located 100 ft to salt marsh and the deck is 85 ft to the salt marsh.
- BG asked about trees and shrubs. RS states that the trees and shrubs are off the property. Gravel parking lot will be located near trees will remain a parking area and not damage root system of the tree line on the adjacent lot. RS not proposing any disturbing any vegetation.
- Zoning has approved the project.
- RS No basements, existing mismatched piles and blocks will be removed; gravel parking will remain. Lot is flat.
- FW Makes motion to close hearing and issue OOC with special conditions: register both sets of Orders with the Plymouth County Registry of Deeds and obtain all subsequent permits before commencing the proposed work; ensure the proposed work meets current building code and FEMA regulations, and provide an as-built and elevation cert for COC. BO 2nd. Motion approved 5-0-0.

2690 Verni, 0 Spring Street (sfh).....(cont from 12/5/17) (Bert)

- BO opens the public hearing that was continued from 12/5/2017.
- Bob Crawford (BC) of EET and Rick Verni (RV), applicant present.
- BG and John Zimmer (JZ) looked at wetland line and 2 flags were relocated (A16R & A17R) based on observation of hydric soils. There was no real change to the overall wetland line except in the vicinity of

the blueberry bushes and septic effluent pipe. BG with bylaw regulations as they are written it is difficult to justify changes to flagging within area of septic system as the vegetation does merit change but theoretically the soils might but this is not under consideration at this time. Regarding the winter berry (facultative wetland + to obligate wetland species), JZ is comfortable he is in compliance with Chapter 505 and the soil sample taken near the winter berry was non-hydric.

- BC Letter received on January 9th requesting a variance for 300 +/- for driveway and 600 +/- for fill within 25 foot. RC does not think there is need for a variance. BG does not see driveway within the 25 foot zone. BC thought we were talking about the 25 foot zone flood zone/land subject to coastal storm flowage and agreed that the proposed work is outside the 25 foot to the wetlands. BG clarified that BC's variance request is for the flood zone and agrees that the Bylaw regulations could be more descriptive on this subject.
- JK/BG would like to know if there will be grading, BC states that there will be no grading within the 25 ft setback to the wetlands.
- BO requested the location of existing barn on site plan and asked BC to comment. BC states that the foundation is 9.55 and 25 from property line. BO would like to poll commission if satisfied with plan. No objections recorded.
- JK wants to know if all soil samples came back ok. BG is satisfied with the soil samples and the vegetation within the confines of Chapter 505.
- CH wanted to know if BO has any special concerns. BO did not record any.
- FW would like to know why the new home is 35 feet and the foundation is 31 feet. RV states there will be a cantilever out the back.
- JK/BO would like the septic line to go under the special conditions for mitigation.
- BG suggests mitigation based on the disturbance associated with septic, piping & driveway:
 - Conservation markers every 25ft.
 - Revegetate the area between A18-15.
 - Open space easement with prohibitions and permissions.
- RC asks if BC has any comments about BG's mitigation. BC did not record any. FW would like to add blueberry bushes between certain flags (A18-A15). BG suggests leaving it up to a professional to add a planting plan. FW states that if the plan is acceptable to the commission as it stands then he suggests 8 blueberry bushes planted between A15-18. RV suggested 7 blueberry bushes between wetland flags A18-A15.
- BO would like to discuss conservation markers. BG suggested every 25 ft approximating the 25 ft setback from the wetlands as coordinated with the Conservation Administrator.
- BO Makes motion to close hearing, issue OOC with special conditions: register both sets of Orders with the Plymouth County Registry of Deeds and obtain all subsequent permits before commencing the proposed work; ensure the proposed work meets current building code and FEMA regulations, erosion control expanded along the property line with the adjacent town-owned Conservation Land, 7 high brush blueberry bushes (native species) between A18-A15 with 75% successive growth within 2 growing seasons allowing the area to naturally revegetate and conservation markers every 25 ft approximating the 25 ft setback from the wetlands as coordinated with the Conservation Administrator, and as-built cert for COC. FW 2nd. Motion approved 5-0-0.

2687 Kelley, 0 Main Street (new sfh).....(continued)
2684 Bethanis, 1184 Ferry Street (found. rest. driveway recons).....(continued)
2627 Bedig, Richard Street (sfh).....(continued)

ADJOURNMENT – RC motions to close hearing at 8:05pm. FW second. Motion approved 5-0-0.

Respectfully submitted,
Liz Anoja, Conservation Administrative Clerk
Marshfield Conservation Commission

Bill Grafton, Conservation Administrator
Robert Conlon, Chairman
Frank Woodfall
Chad Haitsma

Bert O'Donnell
James Kilcoyne
Art Lage