

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

CALL TO ORDER – RC makes a motion to open the meeting at 7:00 p.m. FW second. Approved 6-0-0.

MINUTES

The minutes for the 2/6/2018 meeting were reviewed. BG advises he received and incorporated comments from BO and CH. He will finish up the 2/20/2018 minutes for approval at a future meeting.

RC makes a motion to accept the minutes of 2/6/2018 as written. FW second. Approved 6-0-0.

PUBLIC HEARINGS

RDA 18-08, Mass DOT Highway, Rtes 3, 3A & 139 (veg management).....NEW (Chad)

- RC Reads Legal Ad. Hearing Officer CH confirms administrative requirements are complete.
- Andrea Coates (AC), District Engineer for Mass DOT, presents. They are requesting an RDA for tree trimming plus removal of dead/damaged trees along Routes 3, 3A, and 139. Limit of work is 20 ft from edge of paved road way, 15 ft from behind guardrails and ramps. Trimming would be limited to no greater than 20 ft in vertical height. Project does not meet the minor activities exemption under WPA 10.02, as they require a 6 ft limit of work as opposed to 15 ft.
- Mass DOT does not usually file under the local Bylaw, and AC has sent supplemental information to support this. CH comments that notwithstanding, the Commission likes to have some idea of what is going on. He would like open communication as to when the cutting will be taking place and how long this will take.
- AC states the pruning will be part of a repaving project on Route 3 and will start next month in Kingston, heading north. She will advise BG when the crews will be arriving in Marshfield. BG would like there to be a kickoff meeting with the field people so he can keep the Commission informed. AC will try to arrange it but cannot make a guarantee.
- No issues with any other commissioners.
- CH asks for comments from the public; none.
- CH makes motion to close and issue a DOA, Negative # 3 w/special conditions drafted by BG. AL second. Approved 6-0-0.

RDA 18-11 Gillis, 166 Foster Ave, (deck).....NEW (Frank)

- RC Reads Legal Ad. Hearing Officer FW confirms administrative requirements are complete.
- Tom Gillis (TG), home owner, notes there is an open OOC for replacement of a storm-damaged deck. He would like to make a change to the order to allow the deck to put back in its original location. Prior plans had pushed the deck to allow room for the seawall construction, but reconstruction is now completed.
- FW would like to make sure the 3 ft easement remains intact, so there is a 3 ft buffer in place, with no deviation from the original footprint.
- FW asks for comments from other Commissioners; none.
- FW asks for comments from the public; none.
- FW makes a motion to close and issue a DOA, Negative # 3 w/special conditions drafted by BG. CH second. Approved 6-0-0.

2704 Marathas, 50 Ocean Street (elevate SFH)..... (cont from 3/20/18) (Frank)

- Continued from 3/20/2018. Hearing Officer FW confirms administrative requirements are complete.
- Paul Mirabito (PM), Ross Engineering, presents for applicant; homeowner James Marathas (JM) also present.
- At homeowner's request, PM preformed a soil evaluation to determine whether the soils on site were sand or glacial till. PM feels that this was a glacial till and the area had been altered with manmade materials. Coastal dunes and barrier beach are primarily sand which can migrate, and none of these features were found on this property. There is no wetland on the site and no vegetation other than shrubs and lawn. He would classify the soil as glacial till and terminal moraine.
- FW asks PM if he is comfortable that the area will support footings. PM feels the area was definitely glacial till. CH asks PM if the areas to the north and south of the house are also is glacial till; PM notes that the soils in coastal areas are variable.

- JM gives overview of the project, in which a SFH on an 8800 sq lot is being elevated with a FEMA Flood Mitigation Assistance grant. He had an engineering company, Borderland Engineering, do a full site plan showing the site as it stands today, plus boundaries. Land was surveyed and elevation certificates provided by Donald Rosa, PLS. In a recent storm, the front deck collapsed, and the seawall has been breached about 60 ft in front of the property. Existing conditions and elevation lowest number will be provided when it is possible to get under the house. The property has limited access in a tight side-lot area. The project is vertical and does not alter the side lots or grading. Property is outside of the barrier beach boundary; the height is subject to Building Department regulations and is allowable under Zoning regs. JM adds that the project has been reviewed by FEMA. The project will include installation of 28 4' by 4' concrete columns and footings. Project Manager Mike Biviano has submitted project method and means.
- BO would like clarification that the difference with this project is that it is located on glacial till and not barrier beach or coastal dune; BG confirms, and feels the soil samples are sufficient for clearing the area of any soil questions. He adds that the site has been visited by various town officials to observe the crack in the seawall, and feels that soil evaluations would be a good approach to settling similar issues going forward.
- FW asks for comments from the public; none.
- JM provides a letter of support from his abutter for the file.
- BG advises that DEP says one of the special conditions should be that open pilings or columns be used. He also notes that JM is giving 3 feet above lowest horizontal number instead of the 2 ft recommended by the DEP.
- FW makes a motion to close and issue Orders of Conditions with special conditions drafted by BG. JK second. Approved 6-0-0.

2706 Kesaris, 1840 Ocean Street (building improvement & addition).....(cont from 3/20/18) (Chad)

- Continued from 3/20/2018. Hearing officer CH confirms administrative requirements are complete. BG advises the matter had been continued for lack of DEP number and abutter notification.
- Dana Altabello (DA), Merrill Engineers, presents for applicant. John Kesaris (JK2), owner of Pizzings Restaurant, also present. The restaurant is on Ocean Street, near the intersection with Webster. The lot is about 1 acre, and the South River is 150 ft away from property. Resource areas were flagged by John Zimmer (JZ), South River Environmental, in February, 2018, and the site plan shows the 25, 50, 75 and 100 ft buffer zones. The lot currently includes the existing restaurant, parking lot, patio, and utility connections including town sewer.
- The proposed work within the buffer is an 880 sq ft addition, providing additional seating and a scenic vista; this will be done in conjunction with an interior reconfiguration of the restaurant. The addition will be outside the 75 ft no-structure buffer. A grease trap in the area of the proposed addition will be relocated outside of the foundation area.
- They are also proposing removal of the drive-through area in front, and moving the ADA parking to the front of the building. A proposed island will result in a slight net decrease in the impervious area on site. DA states the existing stormwater system is in compliance with the stormwater management standards, and will continue to function as designed.
- As mitigation for the work in the buffer zones, they are proposing the addition of seven conservation markers to be installed on the existing guard rail, as well as buffer zone enhancement to include the removal of debris and some invasive species and replanting with native species, including 30 trees/shrubs and New England Wildlife Habitat Mix. DA believes this will also improve the functionality of the wetland. Silt sacks will be utilized for erosion control to keep sediment out of the infiltration system.
- BG would like applicants to hand-maintain the riprap and move the planting plan down beyond the riprap, where there is vegetation and soils that will support the trees and shrubs, and states DA should consult with JZ on this point. BG feels this will give the plan a better chance to succeed. DA comments that there appears to be some openings in the riprap where plantings can fit. BG would like to hear from JZ about the plan.
- The Commission discusses whether to require changes to the planting plan. FW doesn't want special conditions changing an engineer's plan, and would like to go with the design as is. CH would support any changes JZ would make. AL would like the success of the plantings be taken into account. BG expresses concern that plantings in the riprap will not survive, and would like to consult further with JZ on the matter. FW notes that JZ designed the original plan, and would like to stay with the plan as designed.
- JK asks DA how many years of monitoring they are proposing; DA states JZ's goal is to have the native species be established within three years. JK comments that if the plantings successfully survive for three years, then the objective to have the planting plan succeed will have been met. He does not feel the plantings need to be moved provided there are three successful growing seasons.
- DA believes JZ will be comfortable with whatever the Commission is comfortable with. JK suggests that the plan be kept as is, but that applicant work with BG on adjustments. BG suggests a special condition whereby he coordinates with JZ on the

plan. AL comments for the record that he feels the Commission should be able to discuss applicants' planting plans and suggest changes, rather than simply accept what has been proposed.

- CH asks for comments from the public; none.
- BG thanks DA for submitting the stormwater report requested by DEP.
- CH makes a motion to close and issue Orders of Conditions with special conditions drafted by BG. JK second. Approved 6-0-0.

2703 Boyd, 31 Island Street (SFH).....(cont from 3/20/18) (Chad)

- Continued from 3/20/2018. CH hearing officer.
- Dick Rockwood presents for applicant Tim and Penelope Boyd (TB/PB). Applicants sustained flood damage in the January storm. Homeowners have been in the home for nine years and would like to raise the home above flood elevations. They are proposing to install a new foundation, lift the house, and put a garage underneath.
- CH comments that he drove by the property and was surprised the home got flooded. BO comments that the project appears to be a straightforward house raising. Homeowner TB states the home was built in 1940; they bought it in 2009; he adds that all structures on the property were there when they bought it. CH is ok with the older structures on the property since they were there at time of purchase.
- CH would like to know what is behind the property and why there are conservation markers on a 5500 sq ft property. BG states the property abuts the Brant Rock salt marsh, which is being encroached on by several abutters. JK asks for and receives clarification that the fence is being removed.
- CH asks for comments from the public; none.
- CH makes a motion to close and issue Orders of Conditions with special conditions drafted by BG. FW second. Approved 6-0-0.

2709 Lohe, 1354 Union Street (reduction and addition).....NEW (Jim)

- RC reads legal ad. Hearing officer JK verifies administrative requirements are complete.
- Brendan Sullivan (BS), Cavanaro Consulting, presents for applicants, Tim and Catherine Lohe (TL/CL). BS indicates there are two phases to the project. The first is an addition to the dwelling, which will consist of removing approx. 500 sq ft of the existing dwelling, and putting back 200 sf within the 100 ft buffer. The new addition will be 90 ft away from an isolated wetland, and the existing structure is 80 ft away. The wetland was taken from a 2007 record plan from an abutting property. The second phase of the project is a pier, dock, and float. The pier will be 90 ft long, 4 ft wide, with a 24 ft gangway to a 10 by 15 ft float. Applicant's hearing before Zoning was continued due to a lack of quorum. The project was approved by the NRC and received comments from DMF, one concerning avoiding silt buildup in the river between February and June 30th; they also commented on the method for float anchoring. They may utilize a cross-bracing system with no bottom support, as is done elsewhere on the river. There is a displaced mooring buoy nearby that is going to be moved.
- JK asks whether metal piles will be used for the dock; BS states that the plan doesn't specify the piling material. BG comments that Norwell Harbormaster, Ron Mott suggested the use of metal pilings due to the current in the area. Caroline Reese (CR), Cavanaro Consulting, agrees that Harbormaster Mott had suggested steel pilings for this section of the river.
- JK also asks about the isolated wetland; BG states it is on the neighboring property, up by the addition. He would like to see conservation markers along this wetland and possibly enhancement plantings; AL concurs regarding the markers.
- CH asks whether water constriction would be a concern with this dock. JK has spoken with Harbormaster DiMeo and with Dave Hill, DEP, and feels the proposed design works, although it is a different approach than usually seen along the river.
- BS comments that he recently observed the water flows around the property. The tidal flow is quick under the bridge, but there is backflow by the dock location due to the constriction at the bridge. JK states that the water flow there is similar to the 3A bridge.
- CH notes that salt marsh appears to have been mowed, and asks BG whether this area should be unmowed going forward. BG agrees the mowing should cease; he would also like conservation markers along the 25 ft buffer, following the vegetation around to protect what's left of the salt marsh. He would also like vegetation, including high bush blueberries, along the tree line for some mitigation. BS comments that they just need a mowed area to get to the pier, as the end of the pier is inside the buffer. BO and BG agree that they can maintain a path.
- JK asks for comments from the public; none.
- FW questions the need for a planting plan; BG would like John Zimmer (JZ) to come up with the plan without the Commission specifying plants. FW feels that since JZ didn't put plants on the plan, he must not feel they are needed. CH asks whether BG called for plantings in his administrator notes, and BG cites the passage "plantings to enhance the last remaining vegetated area with native, salt-tolerant plant species and hand maintenance," in his sixth bullet.

- FW asks about time of year constraints for the work on the pier; BS indicates that no work can be done between February and June, which is spawning season. This will be added into the special conditions.
- The Commission discusses the need for a planting plan. FW states the since a plan wasn't put in by the engineer and is not really required; he doesn't believe the Commission has the authority to ask for enhancements as it seems to be doing with regularity. AL feels the Commission can ask for it but maybe not require it. BO asks BG if he knows when the encroachment on the property took place; BG feels there is an opportunity to re-establish buffers and boundaries in hearings like this for the benefit of the resource areas. BO thinks applicant's willingness to implement enhancements should control. CH comments that applicants seem amenable to not mow, but he does not believe the Commission should be telling applicants to plant unless it's a necessity. JK supports the placement of markers but suggests more specific guidance as to placement. He does not feel they need to plant but would allow the owners to keep a scenic vista and just maintain the 25 ft no-disturb zone.
- Commissioner consensus after discussion is that no planting plan should be required. TL states he does not mind not mowing from the well to the river if he can have a path to the dock. CL would like information/suggestions on plants to use for enhancement.
- JK makes a motion to close and issue Orders of Conditions with special conditions drafted by BG. BO second. Approved 6-0-0.

2708 Arnold, 578 South River Street (vegetation restoration).....NEW (Chad)

- RC reads legal ad. Hearing officer CH confirms administrative requirements are complete.
- Gregory Arnold (GA), homeowner, present. Filing is an after the fact NOI for removal of trees thought to be a threat to the home. Many trees in the adjacent marsh had been blown over in recent storms. The trees removed were in close proximity to the house and shed; six trees were cut ranging from 2" to 12" in caliber; stumps and root balls were left in place. Some trees were in the phragmites associated with the marsh, but there was no land disturbance as a result of this cutting. An additional 24" caliber spruce in the upland was also cut; the stump and root ball of this tree was removed. Straw waddles were installed for erosion control along the toe of the slope and along the phragmites line. They are proposing to plant turf grass, seven native and wetland-approved trees, and conservation mix to revegetate the disturbed wetland.
- BG states he became apprised of the work through a resident's complaint, and subsequently visited with applicant. GA has been compliant and did everything asked of him. CH asks GA to contact the Commission regarding any additional work going forward.
- CH asks for comments from the public; none.
- CH makes motion to close and issue Orders of Conditions with special conditions drafted by BG. FW second. Approved 6-0-0.

2705 Messersmith, 47 Mallard Road (elevate SFH).....NEW (Frank)

- RC reads legal ad. Hearing officer FW confirms administrative requirements are complete.
- Rick Servant (RS) Stenbeck and Taylor, presents for applicant. The lot contains an existing SFH with septic system; the lot is located in AE12 flood zone. Applicants are proposing to move and elevate the existing home onto a new foundation, and install a new septic system to eliminate the sewer pump.
- RS states there is a salt marsh across the street, across Bayberry Road. The nearest to the proposed septic is 78 feet, and new home location is 98 feet from salt marsh. The project has been approved by the Board of Health.
- In response to a query from CH, RS states the back of the home will have terraced grass to incorporate the new septic system. CH also asks RS if the driveway is moving; the driveway is not moving and will not be paved; the footprint may be a little smaller. RS adds that they plan to reuse parts of the existing septic system as dry wells for roof infiltration. FW notes that this may not be necessary due to the high water table, and would a special condition to this effect to ensure there is no delay in the issuance of a COC in case applicants decide not to reuse the septic.
- FW asks for comments from the public; none.
- BG notes that DEP had a comment to construct at or above base flood elevation.
- FW makes a motion to close and issue Orders of Conditions with special conditions drafted by BG. CH second. Approved 6-0-0.

2710 Brown, 7 Branch Street (addition and deck).....NEW (Frank)

- RC reads legal ad. Hearing officer FW confirms administrative requirements are complete.
- Rick Servant (RS), Stenbeck and Taylor, presents for applicant. Applicant would like to build an addition to an existing SFH located in AE16 flood zone. The project will be phased so as not to be considered a substantial improvement. The house will remain at its existing level. The addition will have a foundation with flood vents.

- BG would like to know if Building Inspector Jim Folkard (JF) had any comments; RS states that JF did not have comments. The project doesn't need to go through Zoning.
- The Commission discusses the proposed phasing of the project and what is currently before it. CH doesn't feel the Commission needs to hear about the entire project if it is being broken up into pieces, but FW notes that the plan shows the project in its entirety. JK feels that if the whole project is being presented, this project falls under a substantial improvement.
- BG states that he has not had a chance to talk with JF about the project, but feels that interaction with the Building Department is a priority. FW would also like the Building Department to weigh in on the project, as the plans depict the full project, which would be considered a substantial improvement.
- RS would like the project to be heard as a whole, with the phasing, and then possibly break it into a multiple-phase project. He is looking to permit the project in a way that doesn't require three separate NOIs. FW suggests that RS and BG talk with the Building Inspector about the phasing and duration, and whether the project would be considered a substantial improvement.
- BG comments that if the Commission approves the plan before it, it would most likely be considered a substantial improvement that would also require elevation of the house. Approving a scaled back plan and allowing amendments may be a possible approach, but BG suggests that all parties meet with Building Inspector JF before proceeding further.
- FW asks for comments from the public; none.
- FW makes a motion to continue the matter until April 17, 2018. BO second. Approved 6-0-0.

2707 Pomerantz, 56 Bartlett's Island Way (coastal stabilization & restoration).....NEW (Chad)

- RC reads legal ad. Hearing officer CH confirms administrative requirements are complete.
- Brand Holmes (BH), ECR, presents for homeowners David and Cindy Pomerantz (DP/CP). They have filed a NOI to remediate storm impacts and for vegetation improvements. They were unaware of the state's extension of emergency certifications and possibly could have filed under this extension, but applicants would like an OOC that would allow them to conduct periodic maintenance going forward. Applicants recently appeared before the Commission for a deck project that was permitted, and for which a COC was issued. CH clarifies that this was two years ago. They have used Bob Crawford, RPE's existing conditions plan from the previous project in this filing. BH adds that resource areas on-site include coastal bank and LSCSF. Applicants are looking to restore a section of costal bank that is eroding. BH would like to utilize a soft solution consisting of coir logs and plantings, and he provided a narrative setting forth the proposed plant species and restoration methodology. Two 18" coir logs would be staggered and staked in the ground by hand. The eroded area would be back-filled with sandy loam, and the top area would be planted with coastal vegetation: bayberry and beach grass to start; once these plants have taken and are successful, more native species will be added. BH adds that they would like to clean up and trim several cedar trees on the property with broken limbs from the storm; there is also a large black oak tree with an overhanging limb low to the ground that they would like to remove so it doesn't fall
- CH would like to know who is doing the work. DP has requested two quotes, and will decide once both quotes are in. BH is familiar with both companies, and is available to assist with the implementation.
- BG comments that applicants have been proactive in their communications with them, and he thinks BH has come up with a nice plan. He would like to avoid the use of synthetics in the coir logs. RC notes that the Commission has supported the use of coir logs in previous projects.
- AL and BO are happy with the plan; JK agrees and thinks the plantings will look great. CH agrees this is a well-done plan, and would like to know if machinery would be used; BH states that the only machinery needed would be to backfill the coir logs; the other plantings will be done by hand. Hand-planting in the marsh will be added as a special condition, as well as no synthetics in the coir logs. BH states the logs will only have a natural fiber rope and wooden stakes into the salt marsh. This would also open up some light to that marsh area. Applicants are also looking to do some wetland and buffer enhancement with salt meadow cord grass as well as some high tide bushes. Additionally, along a stretch of previously maintained lawn, they would like to replant with native shrubs and grasses instead of restoring the lawn, and use that area as a coastal meadow and buffer to the salt marsh.; no synthetics. BG notes that the logs proposed here are different than the ones used at a previous project off the Cut River, and are more stable and resilient.
- CH asks for comments from the public; none.
- CH makes a motion to close and issue Orders of Conditions with special conditions drafted by BG. JK second. Approved 6-0-0.

Cont'd to 4/17/18 2684 Bethanis, 1184 Ferry Street (found. rest. driveway recons).....(cont from 10/03/17) (Jim)

Cont'd to 4/17/18 2627 Bedig, Richard Street (sfh).....(cont from 2/22/17) (Chad)

REQUESTS FOR CERTIFICATES OF COMPLIANCE & EXTENSIONS

0944 Leonard, 50 Newport Street Request for COC (WPA form 8A)

- BG has received an updated letter from a P.E. addressing all outstanding issues, including the deck. They found notation from prior Conservation Administrator Herrington referencing the deck as a potential addition. This kind of notation was a standard practice at that time, as they did not have minor deviations. The deck is on sonotubes.
- An air handler unit in the crawl space is going to be removed. BG recommends that the COC be signed tonight, but that the COC be held at the Conservation Office until he has proof of the air handler unit removal.
- RC motion to issue the COC with condition as noted. FW second. Approved 6-0-0.

2560 Welch, 1 Jackson Street Request for EXTENSION (WPA form 7)

- BG advises that the extension is for a currently permitted seawall. The OOC expires on 7/22/18; they want to keep it open considering the recent emergency situation.
- RC makes a motion to issue an extension until 7/22/21. FW second. Approved 6-0-0.

ENFORCEMENT ORDERS

Smith, 38 Liberty Street (Email Response 12/20/17)

Mahaney, 46 Preston Terrace

Drosopoulos, 7 Ladyslipper Lane (TC Letter 11/18/17)

McCarthy, 46 Bay Avenue (meeting 4/2/2018)

White, 180 Atwell Circle (Escalation letter by 03/02/18)

New Owner, Winslow Avenue Ext.

Levangie, 3 Cove Creek (Communication in Progress)

Tamara Macuch, 237 Webster Avenue

Stifter, 102 Bartlett's Island (unpermitted revetment wall)

Jogi's Liquor Store, 951 Ocean Street (unpermitted cutting)

BUSINESS

Meeting Dates

The Commissioners agreed to meetings on 5/1, 5/15, 6/5, and 6/19. FW and JK may not make the 5/15 meeting. BG suggests that they go ahead with this meeting and reschedule if they run into quorum issues. AL can't make the 6/5 meeting.

Marshfield Rod and Gun Club - David Greenwood

- David Greenwood (DG), President of the Marshfield Rod and Gun Club (MRGC), present to discuss the idea of donating land to the Commission. MRGC was established 1930, and the organization is committed to conservation and preservation of natural resources. They have identified several parcels to potentially donate, and DG distributes handouts to the Commission including information about each parcel; some about existing conservation land, and some are within NHESP. The parcels include primarily wetland but also some upland. Two parcels have frontage on Bass Creek. The possible donation would add about 1.65 acres of conservation land to the town.
- DG would like to know if the Commission is interested in these donations. In response to a question from CH, DG indicates that some of the parcels have been donated by members over time, and none of the properties about the Rod and Gun Club, so they really have no use for them.
- BG feels that the MRGC has been a good steward around their property; this proposal comes as a surprise to him, and deserves to be reviewed. The fact that many of the parcels are contiguous makes this a desirable donation.
- AL comments he is completely in favor of accepting the donations. FW comments favorably about the acreage involved. CH asks if DG has been to Open Space Committee yet; he has not. BG comments that Conservation is the first step, as this counts as land donation.
- In response to a question from JK, DG states the only stipulation to the donation would be that the land be in the care and custody of the Conservation Commission. He also states that the parcels are not eligible to be used for hunting, as they do not meet the required 500 ft setback.
- BG asks about maintenance of the parcels, and whether MRGC has legacy options other than the Commission. DG has also approached the Airport and the Mass Audubon Society.

- BG feels the donation would be a great contiguous backup to existing conservation land, Bass Creek, and other conservation interests. Commission consensus is that all are excited about the possibility of the donations and the amount of land that is being donated.
- BG comments that DG can inform the Open Space Commission, but their purview is land acquisition rather than donation. BO will inform Karen, on the OSC.

Plastic Bay Bylaw- Jean Ryer, Gail Salvetti

- Jean Ryer (JR), 215 Pleasant, and Gail Salvetti, 3 White's Ferry Landing, present to discuss the additional data requested by the Commission regarding the proposed Article banning the use of single-use plastic bags. JR states that the proposal is on the warrant for Town Meeting as Article 34. The article does not call for Commission participation in or enforcement of the Bylaw. However, they have become familiar with Wetlands Protection Act in promoting the article, and see similarities between their objectives and the Commission's mission. JR notes that the #3 plastic bags do not break down, and the plastic is filtering into the environment and gets ingested by fish and oysters. The Board of Heath, Mass Audubon, NSRWA, New England Wildlife Center, and other environmental organizations have supported this Article. They would like to add the Commission to the list of supportive groups.
- CH asks JR what they mean by supporting the proposal. JR would like the Commission to say it thinks it's a worthwhile plan to eliminate plastic bags in Marshfield; it doesn't have to be a signed document, although some organizations have provided a letter of support. Other organizations have simply given them permission to cite their organization as a supporter of the measure. JR adds that other towns that have this Bylaw have had the support of their Conservation Commissions.
- BG suggests that each commissioner comment individually as to the request. JK understand this is a cause they are passionate about, but feels this is a choice of the citizenry of the town and not a choice that any Town commission should weigh in on to try to sway votes. JK adds that he doesn't feel qualified to try to make a decision or sway someone's vote on this matter; he understands JR's argument but doesn't feel this is in the Commission's purview. FW agrees with JK, and states that the Commission Bylaws deal with distances from resource areas, and the Commission would have nothing to do with its operation or enforcement. He is for the Article personally, but notes this is just his own opinion and doesn't want to project that opinion as being what the Board feels. BO notes that the Commission also has custody and care of the conservation land in town in addition to administering the WPA; he thinks this Article could help to keep plastic litter out of the conservation land. AL fully supports the Article as an individual, and is aware of the data on what plastics are doing to the environment at all levels in the oceans. He thinks that supporting the Article is the responsible thing to do to for anyone interested in conservation. RC is personally appalled by the amount of plastic bags used but doesn't think banning plastic bags is the solution. JR agrees but feels the ban would be a start; GS feels that it's better to do something than nothing.
- The Commissioners broadly discuss the issue, including origins of plastic in the oceans and possible solutions. JK notes the environmental cost of paper and cotton bags, and feels the issue is more complicated than it is being presented.
- CH personally supports applicants bringing the article before the Town for a vote; as a Commissioner, he also personally supports applicants, but could go either way as to whether the Commission should endorse the Article.
- JR clarifies that the Board of Heath would be responsible for enforcing the Bylaw were it to pass.
- AL asks whether the Commission has been asked in the past to support other Articles; CH indicates not in the last five years. BG notes that the Commission doesn't dictate means and methods when reviewing projects, but feels the Commission is charged with protecting its interests and properties from pollution, and banning plastic bags may be one step in this process. BG notes he often asks applicants to remove debris from their properties, but it seems that the Commission doesn't want to tell people how to vote, and so a vote to endorse the Article would not carry.
- CH asks JR if she knows of any towns that have a plastic bag ban written into their wetland Bylaw. This might be the case on Nantucket, where a ban has been in place for many years, but she doesn't know. She adds that 65 towns have passed a similar ban statewide so far, including Boston.

Commission Needs/ Major Deviation Conversation - BG

- BG discusses use of the major deviation with the Commission. The Commission has been using major deviations following procedures set by the previous Conservation Administrator, but DEP and Town Counsel have advised BG that the Commission should refrain from using them going forward. BG notes that this tool has been effectively utilized in certain projects undergoing changes such as 955 Careswell, but such projects will have to be handled differently going forward. Open or extended OOCs can be amended by the Commission in a public hearing, provided the Commission agrees that the amendment(s) doesn't create additional adverse impacts. If the conditions have expired, the applicant will have to file a new NOI setting forth the significant changes.

- FW would like to know if the Minor Deviation can still be used; BG indicates these will be kept on RDAs and NOIs, but when it comes to monumental changes, i.e., digging in the sub-surface, a new NOI will have to be filed. In response to a question from CH, BG indicates that an updated regulation will likely be needed to codify this change in procedure, which could take six months to a year.
- JK would like to know what DEP's issues are with the Major Deviation; BG indicates that DEP does not recognize the Major Deviation as a form of permitting as it omits public notification, and therefore TC has advised BG to avoid their use going forward. Minor activity permits are used by many other towns as a policy, and currently DEP does not appear to have an issue with them provided they are used judiciously. Marshfield has other policies including the Seaweed Policy modeled after other Towns. Still, the Minor Activity Permit may be eliminated in the future.

Commissioner Search - BG

- BG advises that Rick Carberry (PC) is interested in becoming a commissioner; he has also applied for Coastal Advisory and Open Space. BG has met PC a few times; he was a good steward on a recent dock project, and seems to have some availability. BG also comments on the need for another commissioner to avoid no-quorum meetings in the future, as these create backlogs in hearings.
- FW would like a Commissioner with an engineering background; BG notes that PC does have a scientific background. CH would like to know how much traveling PC would be doing; JK states he spoke to PC, who stated his travel has been cut down. JK remembers PC from his dock project, and notes he was compliant and cooperative throughout the process.
- CH would like more information on the time he is willing to commit. AL notes that having an odd number of commissioners will make it easier to have a quorum. After further discussion, the commissioners agree to invite PC to appear at a future meeting.

ADJOURNMENT – RC makes a motion to close the hearing at 9:45 pm. JK second. Approved 6-0-0.

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