

MEMBERS PRESENT – Robert Conlon, Chairman (RC), Bert O'Donnell (BO), Art Lage (AL), James Kilcoyne (JK), Rick Carberry (PC), Bill Grafton, Conservation Administrator (BG)

MEMBERS NOT PRESENT – Frank Woodfall (FW)

CALL TO ORDER RC makes a motion to open the meeting at 7:00 pm. JK second. Approved 5-0-0.

MINUTES

- The minutes for the 3/19/19, 4/2/19, and 4/16/19 meetings were reviewed with no corrections suggested. BG received a change for the 3/5/19 minutes by e-mail and modified as appropriate.
- RC makes a motion to accept the minutes for the 3/19/19, 4/2/19, and 4/16/19 as submitted. BO second. Approved 5-0-0.
- RC makes a motion to accept the minutes for the 3/5/19 as edited. PC second. Approved 5-0-0.

SUMMER MEETING SCHEDULE

- The proposed summer meeting schedule was distributed. The Commissioners would like some time to review before approving the schedule.

PUBLIC HEARINGS

On / After

19-15 Webster Island Condo Trust, 184 Bay Avenue (Replace & Add 2 New Drywells).....NEW (Bert)

- RC reads the Legal Ad. Hearing Officer BO confirms administrative requirements are complete.
- Terry McGovern (TM), Stenbeck & Taylor, presents for applicant. Property is comprised of a four-unit condominium that is currently having roof drainage issues due to pipe damage from recent storms. They would like to install two new drywells surrounded by crushed stone, plus two overflow drywells in the back of the property. No impervious surface will be added, and everything will be returned to grade once the work is complete.
- BO feels the project is essentially like a replacement sees no issues. No Commissioner comments.
- BO asks for comments from the Commissioners; none.
- BO asks for comments from the public; none.
- BO motions to close and issue a DOA, Neg. # 3, with special conditions drafted by BG. AL second. Approved 5-0-0.

2802 Ryan, 212 Foster Avenue (Cantilever Deck).....NEW (Rick)

- RC reads the Legal Ad. Hearing Officer PC confirms administrative requirements are complete.
- PC advises that filing is a NOI to extend a cantilevered deck approximately 7 ft out toward the seawall and 19 ft across.
- Terry McGovern (TM), Stenbeck & Taylor, presents for applicant. TM adds that the porch will be the same elevation as the first floor; no impervious surface will be added to the lot.
- PC suggests a special condition ensuring that the area under the deck remains pervious; BG adds this to the standard conditions.
- PC asks for comments from the Commissioners; none.
- PC asks for comments from the public; none.

- PC motions to close the hearing and issue Orders of Conditions with special conditions drafted by BG. JK second. Approved 5-0-0.

2803 Barrett, 205 Bay Avenue (Raze & Rebuild SFH).....NEW (Jim)

- RC reads the Legal Ad. Hearing Officer JK confirms administrative requirements are complete.
- Terry McGovern (TM), Stenbeck & Taylor, presents for applicant. Filing is a NOI is for the raze and rebuild of an existing SFH; this structure sits entirely on the ground and has suffered storm damage. The new structure is proposed to be 26 ft wide by 31 ft deep, and is elevated on wood pilings with a small covered porch in the front. The house footprint will remain approximately the same, and the area beneath the new structure will remain pervious surface. Lot is in a flood zone elevation AE16; top of piling will be 16 ft and finished floor at 18 ft. Cars may be parked beneath the new structure.
- JK asks whether the existing structure intrudes into the street; TM indicates that a portion of the front porch hangs over into the street, so they are moving the house back entirely on the property. ZBA treated this as a pre-existing non-conforming structure. JK notes that applicants seem to be increasing the living space in exchange for less deck area; TM feels this description is accurate. In response to a follow-up question from JK, TM states they do not anticipate the need for fill.
- JK asks for comments from the public; none.
- BG would like some sort of replacement planting for several trees on the lot that will be removed. JK feels it would be difficult for plantings to be successful on the side of the house since the houses in the area are so close together.
- JK motions to close the hearing and issue Orders of Conditions with special conditions drafted by BG. AL second. Approved 5-0-0.

2801 Gibbs-Spectrum Homes, 26 Adelaide Way / Lot 15 (SFH).....NEW (Art)

- RC reads the Legal Ad. Hearing Officer AL confirms administrative requirements are complete.
- Terry McGovern (TM) Stenbeck & Taylor, presents for applicant. Filing is a NOI for grading and stabilization of lot 15 with loam and seed prior to further development. There is a steep slope in back of the lot, leading to a wetland and brook, and there is already erosion control on-site including silt fencing.
- AL notes an easement to town property beyond the subdivision has not yet been marked despite several houses already having been constructed. He would like to know when the Commission would like to see this access staked out. Greg Gibbs, Gibbs-Spectrum Homes, notes that just three houses have been built so far but is willing to stake out the access. TM indicates that the footpath easement is shown on the site plan. BG suggests that the site plan be revised to more clearly show the easement; this would put it in a plan of record. BG adds that creation of the footpath/easement to town property is part of the OOC for the subdivision.
- Linda DiSabatino (LD), 46 Jefferson, asks about potential impacts to the nearby wetland and why a filing with the Commission is required. RC states the lot is in the buffer zone but that this work will have no impact. TM adds that the lot will receive 4-6 inches of loam and be hydroseeded.
- BG asks TM whether the 3:1 slope on the lot will require a retaining wall; TM believes a wall is only required for slopes steeper than 2:1. JK comments on the importance of erosion control on the lot given its steep grade and the rainy spring. LD comments that one of the already developed lots by Webster Street had loaming and seeding but is already eroding; she would like to know what will stop erosion on lot 15. JK notes that silt socks are already sited between the lot and the wetland. If the grass doesn't grow in time to stabilize the site, the lot will have to be re-loamed and re-seeded again. TM adds that stump grindings along the slope are acting as a secondary erosion control.
- BG reads a regulatory excerpt indicating that any slope steeper than 3:1 requires a retaining wall with sustainable erosion control; since the slope is at 3:1, a wall is not needed on this lot. BG adds that this lot did not require an individual NOI, but applicant has come forward in good faith in this instance since it is within Commission jurisdiction.
- AL would like a special condition requiring an updated site plan showing the access easement; BG adds this to the proposed conditions.

- AL motions to close the hearing and issue Orders of Conditions with special conditions drafted by BG. PC second. Approved 5-0-0.

28 Lyons, 18 Naomi Street (Raze & Rebuild SFH).....NEW (Bert)

- RC reads the Legal Ad. Hearing was requested to continue until the June 4, 2019 public meeting to allow for receipt of a DEP number.
- RC motions to continue the hearing until June 4, 2019. JK second. Approved 5-0-0.

2804 Green Harbor Yacht Club, 257 Dyke Rd & Joseph Driebeek Way (Dredging).....NEW (Jim)

- RC reads the Legal Ad. Hearing Officer JK confirms administrative requirements are complete.
- Kevin Maguire (KM), New England Consulting Engineering, presents for applicant. The proposed project has three components, the first of which is maintenance dredging. The area was previously dredged in 2009, and this time they wish to dredge a foot deeper. Although there are several resource areas on the property, including LSCSF, fish run, and salt marsh, the only resource area directly impacted is land under the ocean. The dredging envelope is 30 ft away from the edge of the salt marsh. KM indicates that the purpose of the proposed reconfiguration zone (second component) to allow marina management to move slips around within the zone to accommodate boat sizes; it doesn't allow them to increase the number of slips, piles, or square footage of the docks, all of which would require an additional filing. In response to a question from BG, KM states that existing piles can be moved around as part of the reconfiguration as long as the number stays the same. KM adds that a Chapter 91 and Army Corps approval will also be required for the project; Army Corps won't approve without Commission and Harbormaster approval.
- In response to a query from JK, KM indicates there are shellfish in parts of the work area. They reached out to the Harbormaster for comments, who indicated he would contact the Yacht Club if any mitigation were needed. BG feels that some kind of mitigation will be needed at some point.
- JK asks if the edge of the marsh could be staked out so distances can be established. BG states this must be done by a qualified wetland scientist and needs to be added to the site plan and stamped by a RPE or PLS. JK notes that Mass. Fisheries is requesting a February 1st through June 30th time of year constraint to protect winter flounder; KM has no objections.
- JK feels that the extra foot depth may reduce the need for dredging, which will be less impactful.
- KM notes they are hoping to use a 750 cubic yard scow to load the dredging spoils, which will be offloaded into watertight trucks for transport to the town Dredge Spoils Area (DSA) on Joseph Driebeck Way (third component); he has an e-mail from the Harbormaster who has no objections to this aspect of the operation, requesting he be looped in on safety measures and dredging methods.
- KM notes that with the previous dredging, they had received permission to deposit the spoils at the Cape Cod Bay disposal site; this time, however, Army Corps said the material was too high in certain agents to qualify it for disposal at the same site. JK asks when the disposal site for the spoils will be finalized; KM states they are filing the water quality certificate tomorrow but was unable to indicate when it would be issued.
- BO asks KM when the last time spoils were deposited at the DSA. The town put material there in 2009; Taylor Marine has also recently deposited spoils at the site.
- BG comments he would like to hear back from the Harbormaster regarding shellfish mitigation, as well as an access plan. He also suggests a condition requiring all municipal fees be paid before start of work, a contingency plan addressing possible spillage, and including the Harbormaster in the pre-start-of-work visit.
- KM doesn't feel the siltation skirt requested in the previous dredging is practicable, but notes there will be a containment boom around the operation to protect against spills.
- JK asks for comments from the public; none.
- JK motions to close the hearing and issue Orders of Conditions with special conditions drafted by BG. RC second. Approved 5-0-0.

2793 Sullivan, 176 Beach Street (Veg Restoration & Other Activities).....cont from 4/2/19 (Bert)

- Continued hearing. BO Hearing Officer.

- Dana Altobello (DA), Merrill Engineers, presents for applicant. Since the previous hearing, they have examined options for relocating the proposed pool. One issue they encountered had to do with an access easement through one of the suggested areas for the benefit of residents at 184 Bay. They have also more clearly broken out the restoration and proposed enhancement plantings. They are proposing approximately 4900 sq ft of enhancement plantings for the pool. The proposed deck around the pool has been reduced in size, and the existing deck and gazebo will be raised up two feet to allow for movement of the dune. The deck surface has been changed from concrete pavers to wood or composite. DA states they have changed the pool to a shallow vinyl pool that will sit on the existing grade, and will require no excavation. The pool is proposed to be located in the area of the existing gravel turnaround, and the pool house has been eliminated. The pool will be approximately 4 ft deep. DA states they are also proposing to replace approximately 1200 sq ft of existing asphalt parking with pervious material, resulting in a net reduction of noncompliant impervious area on the property of about 425 sq ft. As requested, they have also added some dimensions concerning the revetment wall to the site plan.
- BO notes that the deck seems to have gotten bigger in this iteration, whereas previously the deck area seaward of the conservation markers had been reduced to a walkway out to the cabana. DA stated that with the removal of the pool house, applicant was looking to extend the deck.
- AL feels that any structure on a coastal dune has to be elevated to allow for sand migration and has serious concerns about setting an improper precedent by approving a pool on a dune in a barrier beach. DA notes that the plan as proposed would result in a net reduction of impervious surface on the property. AL feels that no amount of mitigation is an acceptable tradeoff for putting a hard structure on a barrier beach or dune.
- Applicant Ed Scigliano (ES) states that the proposed pool site was previously a parking lot, and is currently comprised of packed concrete, and there hasn't been sand moving anywhere in that area. ES also states the original OOC permitted a pool, something that other properties in town on a coastal dune will not have. AL does not believe the regulations allow any new at-grade structures on a barrier beach or dune.
- BG notes that a portion of the proposed plantings is actually restoration required by the outstanding enforcement order and doesn't count as mitigation. At the previous hearings on this matter with TC present, it was clarified that the regulations concerning barrier beach and coastal dune do not allow for new non-conforming structures even if previously permitted.
- In response to a query from PC, ES states they are looking to put in a pool due to medical issues that will prevent him from walking down to the beach and that require water therapy. AL comments that a hot tub might meet most of these objectives.
- JK asks whether applicants have considered asking for a variance given Commission concerns over setting precedents and the unique aspects of the property.
- JK asks applicants how far along in the restoration they are? ES states that all the plantings requested, including sand and dune grass, have been put in. BG feels the plantings so far have been well-timed. JK also asks about the status of the metal chain link fence? ES states they want to take down this fence as soon as possible and replace it with beach roses along the rocks.
- BO notes that there seem to be a lot of details to be addressed, but first he would like to clarify whether the pool will be allowed; BO polls the Commissioners as to whether they are willing to allow the pool as proposed: PC no, based on his reading of the regulations; JK no - a lot of mitigation but he continues to struggle with a pool in the barrier beach; RC a lot of mitigation, but he would like to read the regulations again. BO would be willing to see the pool go ahead as proposed if applicants went back to replacing the large deck with a boardwalk. AL believes that a pool can't be permitted on a coastal dune/barrier beach, and encourages the Commissioners to re-read the regulations.
- BO asks BG if there is a detrimental impact to shifting impervious surface within a coastal dune from one location to another? BG feels that there is a lot of previously disturbed area on this lot; he would like some additional mitigation, to have the existing deck replaced with a walkway, and have the pool shifted further back, to the parking lot area. BG feels that the potential pool impact, if it is properly located, can be offset with adequate mitigation, which he does not feel exists currently. Adequate mitigation would allow the Commission to make the case that the activity is not creating an adverse impact on the protected interests.

- All parties further discuss the proposed pool location. BO feels the current location is no closer to the ocean than the house, and this is why the Commission previously directed them to look at this location. He is OK with this location if the existing deck is removed and replaced with the walkway as originally proposed.
- AL notes that if applicants wished to make an addition to the house the same size as the proposed pool, it would have to be elevated, and the regulations don't necessarily take into consideration health needs. JK feels this potential project is fairly well mitigated, but is concerned at the potential cumulative impact of multiple applicants wanting pools, even if proportionally smaller, on barrier beaches/coastal dunes. Potential alternatives, including an indoor pool, smaller lap pool, or hot-tub, are also discussed.
- ES notes that most of the lot was previously disturbed, with significant impervious surface, and feels that what they are giving back in terms of sand/beach area and plantings offsets the impact of the pool. They are also willing to consider shifting the position of the deck to return additional area to beach. If they don't get the pool, they will ask to restore the pre-existing deck and driveway the way they were. RC notes the pre-existing decks were not built according to what was originally approved.
- BG notes that at a previous hearing, a meeting between DA, Town Counsel (TC), applicant's attorney Walter Sullivan (WS) and BG was proposed but was never set up. He is willing to go ahead with the meeting to clarify what the Commission can permit in this area. AL would like a written opinion from TC as to the precedent-setting potential of this proposal. RC would like an opinion as to what can be permitted on a previously disturbed coastal dune/barrier beach area. BG will reach out to TC and WS. RC states that applicants need not submit an updated site plan until the Commission has received an opinion from TC. ES notes for the record that TC had represented them on a previous matter; BG will bring this to TC's attention.
- ES notes that kids are getting tangled up on the old chain-link fence, and would like to remove it as soon as possible. BG asks that applicant request permission for its removal in writing, so it can be considered for an emergency permit; only its removal, and not replacement, could be permitted in this fashion.
- BO motions to continue the hearing until the June 4th public meeting. AL second. Approved 5-0-0.

2792 Tulis, 0 Pinehurst (New SFH).....cont from 4/2/19 (Frank)

- Hearing was requested to be continued until June 18th public meeting.

2754 Hanlan, 72 Bay Avenue (Raze & Rebuild SFH).....cont from 9/11/18 (Bert)

- Hearing was requested to be continued until June 4th public meeting.

2772 Snyderman, 26 Littles Lane (Pier, Ramp & Float).....cont from 10/2/18 (Jim)

- Hearing was requested to be continued until June 4th public meeting.

REQUESTS FOR CERTIFICATES OF COMPLIANCE & EXTENSIONS

2050 Stratton, 62A Landing Road [COC]

- Tabled until June until June 4th public meeting.

ENFORCEMENT ORDERS

Smith, 38 Liberty Street **(11/19/18 KS will set early Dec visit)**
 Drosopoulos, 7 Lady Slipper Lane **(08/15/18 TC Final Notice)**
 New Owner, Winslow Avenue Ext.
 Mahaney, 46 Preston Terrace **(12/12/18 BG met with TC)**
 White, 180 Atwell Circle (Escalation letter in Process)
 Bednarz/ Nouza, 65 Ireland Road (Unpermitted Cutting <= 50 ft)
 Tamara Macuch, 237 Webster Avenue
 Levangie, 3 Cove Creek (Communication in Progress)
 Stifter, 102 Bartlett's Island (unpermitted revetment wall)

BUSINESS

B1 Winslow Extension Joint Crossing Project / Pete Finneran (not present)

- BG advises that DPW is trying to create a crossing between Winslow Extension and the nearby beach. He has talked to Project Engineer Charlie Swanson and Town Engineer Rod Procaccino, who have come up with two designs: 1) wooden decking with 16 posts (16 sq ft of impact to resource area) or 2) a stone walkway with beach-compatible material and filter fabric for permeability (488 sq ft of impact) plus mitigation plantings. DPW would like to know which option the Commission prefers and what kind of filing will be required.
- JK asks BG whether the project would require a Chapter 91 permit? BG states a Chapter 91 permit would not be required because the proposed walkway is well beyond the high tide mark. BG thinks Conservation is the only permitting entity for this project, but he will ask DPW to check in with Zoning.
- BO asks whether a wetland delineation will be required? BG states it depends in part on whether the Commission requires an RDA or a NOI. The work area is either in or very close to the resource area, but the impacts are relatively low and well mitigated. He would like the Commission to carefully consider which type of filing to require.
- BO feels that the bridge on the Pratt property might be the precedent to look at, as he feels both projects are similar; BG agrees. The Pratt project was a NOI. RC feels that the crossing project should be a NOI to be safe and the Commission concurs. BG will advise DPW to file a NOI and that a delineation will be required. The Commissioners unanimously prefer the wooden decking option.
- Ken O'Donoghue (KO), 17 Raleigh Road, supports this project but would like the Commission to know that the area gets a lot of seawater wash over in the wintertime. He thinks the area residents will like the project because it will improve access to the beach since the pond, when filled with seawater, stops foot traffic to the beach. He also feels the walkway will better channel pedestrian traffic to the beach.

B2 Commissioner Search/discussion with candidate / Eric Goodwin

- Applicant Eric Goodwin (EG) present to discuss his interest in joining the Commission.
- JK asks EG for his thoughts about permitting pools in barrier beaches? EG thinks it's a hot topic that takes a lot of looking into to understand. RC thinks EG will do a good job and had no questions. BO thinks EG will be able to contribute right away to most Commission business. There may be a few matters dealing with conservation land that may be a conflict of interest, but all Commissioners have such conflicts. EG notes that he has recused himself on certain matters on the RTC and has no issue doing so when appropriate.
- PC has met EG previously and appreciates his passion for nature and the outdoors, and the effort he has put in on other town entities.
- EG notes that he's a commercial pilot, a heavily regulated industry, and understands and enjoys navigating the ins and outs of the regulations. He would be interested in learning more about the Conservation regulations, and is willing to take MACC classes or any other trainings.
- JK asks BG about the process for appointing EG a Commission? BG will e-mail Town Administrator Mike Maresco. EG will have to appear before the Board of Selectmen, as they are the appointing authority. EG has already submitted his application to the BOS.
- BO feels the next step is to send a letter to the BOS requesting his appointment; BG will send letter.

B3 Setback-Variance Procedure Discussion / Commissioners

- BG cites a recent filing at 74B Marginal where the Commissioners deemed that a variance was not necessary despite coverage of the proposed work moving closer to the wetlands. However, BG's proposed special conditions included that applicant submit a variance request letter with respect to the shed. Applicant challenged this condition, as there was no formal poll as to the need for a variance taken by the Commission at the hearing.

- BG would like to establish a procedure for handling possible variances in future hearings, which could involve either a poll or a formal vote. JK suggests that the procedure be included in the upcoming rewrite of the bylaws. BG agrees, but would like some guidance in the meantime.
- RC suggests that BG indicate in his Administrator Notes when he thinks a variance is appropriate, and the Commission will make a decision. BG notes that he did this for 74B Marginal, but no poll or vote was taken. RC also suggests that BG make the hearing officer aware in situations where he recommends a variance. If BG asks for a variance letter prior to the letter and this is not provided, the Commission could possibly vote to continue the hearing; all parties agree that this would be effective.
- Until the regulations are updated, BG will note in his Administrator Notes when he has advised applicants to submit a variance request. Commissioners will then address the issue at the hearing.

B4 696 Moraine Street/new vs existing discussion / Fran Peterson

- Fran Peterson (FP), 696 Moraine St., present. She has an old barn on her property that the organizers of the Marshfield Fair would like to move to the fairgrounds. This would benefit her, as the old barn is very expensive to maintain; once the barn is moved, she would like to put a new structure in the location of the barn.
- RC notes that Zoning regulations allow a two-year window for a reconstruction and asks FP if she intends to build within two years; FP indicates yes. BG is not sure the same window applies to Conservation regulations, and would like guidance from the Commission.
- In response to a query from RC, BG believes the proposed activity will require an NOI. RC states if she needs a NOI, she will have three years to complete her project before the OOC expires. BO states that this is like any other raze and rebuild. All parties briefly discuss the timing of the move and construction.

B5 Wilson Road/Tree Damage discussion / Joe Pecevich

- Joe Pecevich(JP), 25 Wilson Road, present. JP states that between his lot and Plymouth Ave, there's a thin piece of land that he doesn't own. About 50 years ago, his grandfather planted six willow trees, four of which have fallen over, leaving two big willows, one of which is on the corner of his lot. Over the years, the wind has tipped these trees to the west, with the roots protruding out of the ground, making it difficult for him to mow in the area. As a result, a number of honeysuckles have sprouted that are starting to encroach onto his property, and a new willow has sprouted whose branches are arcing into his yard. Additionally, a large branch from one of the trees recently broke off, shattering a section of his neighbor's fence.
- JP would like to be able to keep the honeysuckles in check and trim some large, dead branches off the willow on the southwest corner of the property. BG notes that the difficulty has to do with the fact that the tree limbs are not on his property and are near a wetland, and the current regulations do not allow for a minor activity exemption.
- JK asks if Mr. Lane, the owner of the parcel with the trees, is OK with the maintenance? JP hasn't spoken with him recently. JK asks BG whether pruning of up to 15% of a total tree crown without a permit. BG feels with the current regulations are written, the proposed work is an RDA. If a minor activity permit was allowed, he feels this would qualify.
- JP is particularly worried about the two large dead branches, but would also like to trim back the willow branches and honeysuckle that are intruding into his yard. JK feels that JP can maintain his existing lawn, and the tree work can be permitted with an RDA; BO adds that a condition permitting ongoing periodic maintenance can be added to the RDA.
- JP comments that he doesn't have the funds for the RDA permit. BG feels this speaks to the need for a minor activity permit. JK notes that surrounding towns have minor activity permits; he spoke to Town Administrator Mike Maresco recently, who said that the loss of the minor activity permit was more about the public process, and feels all the Commission needs to do is vote on individual minor activity requests in the Business section of meetings.
- All parties agree that a minor activity permit would be appropriate for the proposed work. BG will check with TC and, if TC approves, the Commission will issue the permit.

B6 18E Street interior support/dune alteration / Scott Murphy

- Commissioner AL recuses himself from the discussion, as he is a neighbor.
- Scott Murphy (SM) states that he started a remodeling project at the project and subsequently discovered that some footings underneath the house will have to be repaired; all the work will be within the foundation walls. He does not have engineered plans for the relocation of the footings.
- All parties discuss whether a filing is needed. BG notes that the property is in LSCSF, VE flood zone, and barrier beach/coastal dune and feels, under Chapter 505 of the town bylaws, a NOI is required. RC doesn't feel that the project as described requires a permit, as the proposed work is inside the house. BG points out that the footings are underneath the house, in the subsurface. He agrees that the proposed activity is minor but feels a permit is required because of the lot's location in three resource areas and the resulting alteration.
- JK considers the pilings to be inside the foundation of the house. RC comments that in his own construction work, he has never had a permitting issue with interior work in any town. After further discussion, JK and PC agree with RC that no permit with Conservation is needed.

Commissioner Lage returns to the public meeting.

B7 Beneficial vegetation management on town owned and privately owned properties / Jesse Platt

- Jesse Platt (JP), 34 Liberty Road, notes there is Conservation land next to her property. Trees on the parcel are being choked off by bittersweet and greenbrier vines. She would like to trim some of the vines to relieve some weight from the trees; she would also be willing to apply herbicides if that is something the Commission would permit.
- JK asks if there are any regulations governing work by private citizens on Conservation lands? BG isn't aware of any specific regulation. BO believes there is a regulation prohibiting cutting or removal of vegetation from Conservation lands, and suggests that JP come back with a proposal in writing. RC believes that a liability waiver would also be needed; JK concurs. BG feels an opinion from Town Counsel is also advisable.

B8 Dog Park Locations

- Kait Scott (KS), 91 Old Colony Ln, present. She would like to know if there is any Conservation land that might be available for a dog park location, including a small swimming pool. They have been working with the Town to locate a 1-2 acre site. The Town of Randolph recently allowed a similar park on Conservation land.
- BO believes that Chapter 97 land gifted to Conservation is supposed to be used for passive recreation, and dog parks are classified as active recreation. He feels the best location would be Coast Guard Hill. KS indicates they have looked at this location but the site was not available.
- JK is concerned that if the Commission allows one form of active recreation on the site, it will lead to other requests. He suggests that KS look for options on private land, as a dog park would be for a specific subset of citizens. AL agrees with BO's interpretation of the regulations and suggests that she look at other parcels on Recreation land.

ADJOURNMENT – RC makes a motion to close the hearing at 9:50 pm. AL 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
Rick Carberry

Bert O'Donnell
James Kilcoyne
Art Lage