

MEMBERS PRESENT – Robert Conlon, Chairman (RC), Frank Woodfall (FW), Bert O'Donnell (BO), Patrick (Rick) Carberry (PC), Art Lage (AL) Bill Grafton, Conservation Administrator (BG).

MEMBERS NOT PRESENT – James Kilcoyne (JK)

CALL TO ORDER – RC motioned to open the meeting at 7:30 p.m. FW second. Motion approved 5-0-0.

MINUTES 11/07/17; 11/21/17; 12/05/17; 12/19/17; 3/20/18; 04/03/18; 05/01/18; 5/15/18; 6/5/18; 6/19/18

PUBLIC HEARINGS

18-26 Marshfield Beaches, 325 Standish St. / Rexhame Beach, (Beach Trail & Parking Lot Maint).....(Bert)

- RC Reads Legal Ad, BO Hearing Officer
- Cindy Castro (CC) Marshfield Beaches would like to standard maintenance of beach path, remove rocks, the cars are not parking up as close to the rocks as possible so the emergency vehicles cannot pass through. They would like to replace the rocks with snow fence.
- The paths need maintenance to remove sand deposited over the winter and place back on the beach.
- BO makes motion to close hearing with neg # 3, special conditions as drafted by BG AL 2nd 5-0-0

18-22 The Jetty LLC/ Richard Vaughn, 278 Ocean Street, (Seasonal Patio).....(Art)

- RC Reads Legal Ad, AL Hearing Officer
- Rick Servant, (RS) Stenback & Taylor, seasonal outdoor seating area behind existing building.
- Attenuation barriers to take care of sound and light
- A fence will be installed to close it area from the parking lot
- And emergency egress area will be removed (railroad tie) they will be replace with pavers.
- Zoning is going on this evening.
- AL states the project looks good and would like the new fence should be raised about 12inches above the ground to allow flood waters to flow. AL spoke to the manager of the property and did not have an issues with the spacing under the fence.
- BG would like to know what they will be doing for the sound barrier fence for structural.
- AL makes motion to close hearing with neg # 3, with special conditions as drafted by BG RC 2nd 5-0-0

18-23 Fitzgerald, 37 Bay Avenue, (Pathway Repair).....(Art)

- RC Reads Legal Ad, AL Hearing Officer
- John Fitzgerald (JF) Concrete driveway with 4.5 ft section that got damage by the storm and he would like to pour concrete to fill the driveway back in.
- AL states that there is a concrete pad in the back that has been there for a while. AL asks if there will be reinforced concrete, JF states the area will be filled by Northern Construction
- AL makes motion to close hearing with neg # 3, special conditions as drafted by BG RC 2nd 5-0-0

18-24 The Point / Bostwick, 93 Central Street, (Upper Deck).....(Bert)

- RC Reads Legal Ad, BO Hearing Officer
- Davis Bostwick Owner of the Point, looking to extend the deck 11 x 28, open 2nd floor deck, nothing will be underneath the deck. Zoning approved.
- BO makes motion to close hearing with neg # 3, special conditions as drafted by BG PC 2nd 5-0-0

18-25 Sanborn, 173 Bay Avenue, (Shed).....(Frank)

- RC Reads Legal Ad, FW Hearing Officer
- Aurther Hale, (AH) Shed, has existing permit to lift shed put 12 in sono tubes with big foot footings. AH would like to reduce the size of the shed to move the shed outside of the 25ft buffer zone. By moving the shed it will also satisfy the ZBA setbacks. The shed will be 2 ft off the ground.
- There is power but that is for the light.
- BG would like to condition so that the shed will not be habitable space, due to the size of the shed.
- FW makes motion to close hearing with neg # 3, special conditions as drafted by BG AL 2nd 5-0-0

2728 Barbara E. Place Nominee Trust, 1 Macomber's Ridge (Driveway, Partial Grading, Septic).....(Frank)

- RC Reads Legal Ad, FW Hearing Officer
- Jeff Hassett (JH) SFH, driveway, pool, and law. BVW on right side defined by stone wall.
- Septic repair, only portion in the buffer is locating the cesspool and pumping it out.
- The additions will be outside the 100 ft buffers.
- The 3rd part of the project is the driveway that will be in the buffer zone.
- FW has not issues with the project.
- FW makes motion to closed hearing and issues an order of conditions drafted by AL, FW 2nd . 5-0-0

2734 LaBossiere, 75 Central Street (Raze & Rebuild SFH).....(Frank)

- RC Reads Legal Ad, FW Hearing Officer
- Bob Crawford, (BC) Raze & Rebuild SFH about 500 sq ft replace with 600 sq ft dwelling on piles.
- There are wetlands on the south side and the rear of the east side. The new home will be about 30 ft from the wetlands the new first floor elevation will be 17ft. Also located in a outer riparian zone of the
- Exiting 14 x 31 new home will be about
- RC mentions the new home will be on piles,
- FW existing house is within the 25 ft buffer.
- BC also mentions that there will be a patio in the rear of the house made with pervious pavers.
- FW would like a special condition that the patio is made with pervious pavers.
- FW would like SM 6, SM 4, and SM1 for conservation markers.
- FW makes motion to closed hearing and issues an order of conditions drafted by BG, AL 2nd . 5-0-0

2735 Bjorklund, 485 Pleasant Street (Raze & Rebuild SFH).....(Frank)

- RC Reads Legal Ad, FW Hearing Officer
- Brad Holmes (BH), ECR. Inc. and Steven Bjorklund (SB) NOI for reconstruction of a SFH,
- Resource areas are small pond and a large pond off site, perennial stream, BVW associated with the pond that creates the 100 ft buffer zone. The stream when hits pond, there is a 200 ft arch that brings the home into riverfront area. The site also is in a flood zone due to the stream buffer zone.
- The existing gravel driveway and garage will be maintained. The home will be demoed and a new cape will be replaced. They are maintaining a 25 no disturb.

- BG feels this is positive project and feels they do not need to ask for a variance.
- Because there is a flood zone there needs to be compensation, they proposed grading to create a driveway turn around.
- The riverfront redevelopment, if there was a site previously disturbed, you are subject to the Riverfront Redevelopment standards. IF you provide restoration you can go beyond the degraded area at a 1:1 ratio.
- BH would like to remove invasive species and plant with native plantings. Looking to clean up debris with in the pond.
- BH and SB need to provide a 2:1 ration mitigation with the riverfront redevelopment but they are providing 6:1 ratio for mitigation.
- BG states that SB had a conversation on Monday night and BG would like the commission to accept the revised NOI, and revised site plan as a result of the conversation BG and SB had on Monday evening.
- FW would like to know if there is a number on the plantings yet, BH states they have not developed a number due to they do not know what they are removing yet at this time.
- FW would like to have a number of plantings.
- SB wanted to bring the plain to the commission first to see if they were satisfied with this first ,
- BO would like ongoing maintenance to allow removal of any invasive plants.
- 75 plant density or 75 % success rate, BH feels the plant density will be more than 75%.
- FW feels they have always required a planting plan, RC asks if BH feels he can have a planting plain be provided to BG contingent upon closing.
- FW does not know the grade of the driveway. SB states there will be no grade changes. The highest point might be about 5ft most of the area is under 4ft.
- SB offers surety for the planting area, to make sure the plantings are successful to receive the COC. BH suggest \$8,500 for the Performance & Payment Bond
- SB does know what part of the project will be completed first.
- FW feels \$10,000 performance and payment bond for the project.
- BG asks if SB has done a lot of projects in Marshfield, he mentions he was involved with a project on Macomers Ridge.
- SB has polled the neighbors and has had no complaints about the project.
- FW makes motion to closed hearing and issues an order of conditions drafted by BG & FW, PC 2nd. 5-0-0

2736 Bottoms, 98 Cherry Street, (Elevate SFH).....(Rob)

- RC Reads Legal Ad, RC Hearing Officer
- Dana Altobello, Merrill Engineers (DA) Proposing to elevate SFH Coastal wetland overlay district, the property is 4500 sq ft. the home was built in about 1900. Portion of the lot in BVW, home is within the flood zone, the home is damaged in the storms,
- The home as it sits is about 8 ft off the property line, which is town owned land. The existing home is both on water and sewer.
- Jesse Bottoms (JB) would like to elevate home and relocate back on to property, bringing home up to 17ft. if there is a porch added they do not need as many piles.
- Proposed 4 conservation post along property line.
- FW asks if the new foundation will be pile, DA assures the foundation will be driven pile (17 piles)
- New stricture will be 20 ft from the BVW. No major grading changes.
- By adding the porch the beams will be beefed up they can reduce the amount of piles.

- BG would like 2 types of conservation markers on the property. (red & white, green & white)
- BG would like to allow JB to remove the driveway.
- Brian McQue, 89 Cherry Street, would like to know how high, DA states the home will now sit at 17 ft.
- RC makes motion to closed hearing and issues an order of conditions drafted by BG, FW 2nd. 5-0-0

2722 Milton Corporation, 1180 Ferry Street (Pier & Dock)..... cont from 6/5/18 (Jim)

- Continued Hearing, JK Hearing Officer

2724 Ethier, 165 Winslow Cemetery Road (Addition)..... cont from 6/5/18 (Chad)

- Continued hearing, RC Hearing Officer
- Previously asked to look at vernal pool. All proposed work is outside of 100ft setback area. The play area has also been added to the plan.
- RC makes motion to closed hearing and issues an order of conditions drafted by BG, FW 2nd. 5-0-0

2737 Chiarenza, 155 Winslow Cemetery Road, (In-ground Pool, AFT Veg. Management).....(Art)

- RC Reads Legal Ad, AL Hearing Officer
- Tara Martin (TM) asked to look at property for in-ground pool. In the vicinity of the pool there is a vernal pool and BVW, there were locus trees removed. A planting plan was provided with wetland species and native shrubs, a new England seed mix has been planted to fill in the areas. The homeowners have been watering the plants that have been planted already. TM believes there will be a 75% success rate. The pool is approx. 58 ft from the BVW, 75 ft from the potential vernal pool. There will no trees that need to be taken down.
- TM recommends to the construction of the pool any clean of cement chutes needs to be outside of the 100 ft buffer zone. Any material removed will be then reused onsite.
- There is patio but that will be outside the buffer zone.
- AL commends TM for getting the cleaning done and the planting done as well. TM shows the commission photos of the progress so far.
- NO audience questions'
- BG reads special conditions.
- AL makes motion to closed hearing and issues an order of conditions drafted by BG, FW 2nd. 5-0-0

2713 Krusell, 0 Careswell Street (SFH).....cont from 5/1/18 (Bert)

- Continued hearing, BO Hearing Officer
- Jeff Hassett (JH) & Brad Homes (BH).1.1 aces that is residential zoned. In addition to the BVW in the front and rear the home lies within the flood zone. 27 x 38 shf is proposed.
- The plan revisions show a 2nd culvert has been added to provide the wetland area with any run off that will provide water to the wetland replication area. Several ever green will provide screening to abutters.
- The 2nd revised plan shows the home moved slightly and rotated 90 degrees. In addition to the 2:1 replication there is also a transplant area in the upland area that will be transplanted to another area.
- The applicant is not looking for a lawn area they would like to maintain the trees as much as possible
- There will be flood vents installed.
- The driveway will be all gravel and 10ft wide to minimize the impacts to the site.
- BO mentions that the commission asked where they catch basins are located on site.
- BO lower grade adds to the holding capacity of the drain.
- BO asks if they are going in front of ZBA. Which was field with ZBA, on July 9, 2018 .

- BO opens comments to audience.
- Glenn McDonald 204 Careswell Street, Chart 1, wetlands area represents his home with red dot.
- The wetlands area surrounding GM area, is a bowl like area, all the water from 30 neighbors ends up in his front yard.
- GM the wetland areas flood when there is heavy rain. GM feels it does not matter how many culverts are placed in the area, feels that there will be water in his yard. The driveway feels it will compact the area and will flood his home. Any replicated wetland will not be able to catch the water. A wetland replication will create buffer zones on his lot and also on the other abutters lots. Creating an unfair taking and they inability for the abutters to build anything on their lots.
- GM states Illegal filling has taken place on this lot in previous years, crushed stone in the woods to fill wetlands to make the area buildable.
- The area has been filled to defeat the wetland protection act,
- BG looked into the front of property where the fill has taken place. BG punched holes in the area with a wetland scientist and States there is an easement by the town in the area in question.
- BG would like to look at aerials
- JH states there is a 3ft pathway that is possible there is fill in the buffer zone. JH feels there are mature trees and the topography has not changed. BH also feels there has not been fill in the back area of the lot. BG also feels that the area has not been filled in the rear of the property.
- BG sates there might be some distribution of the right side of the property due to the easement.
- GM feels the lot is not buildable.
- BG states that the Bylaw has a crossing fee, and the applicant is paying the fee and can be done if there is a replication being done.
- JH 3ft wide culvert is almost double capacity for the 100 ft flood.
- GM feels the wildlife will be disturbed because this property is the only way they get to the wetlands in the back of the property.
- BH states GM has flooding on his property, the driveway has been designed like a storm water detention basin. BH feels the wetland will be more storage area for the flood waters.
- BG asks if additional plantings such as willows will help with the water.
Sara Brazo, 220 Careswell, agrees with GM about all points brought up. SB feels the project will affect her lot and resale value.
- BO mentions that since the abutters are existing, they are only allowed to comply with the 25ft setbacks.
- BO asks if BG spoke with the town engineer. The town engineer feels the area will get flooded during a 100 year flood.
- PC feels there are expert opinions of engineers and wetland consultants. Asks if GM is an engineer, GM states he is not. PC mentions that this project might help with the flooding on this properly.
- PC would like more information.
- BO would like to poll the commission FW, RC are ready to vote and close with conditions. AL has a hard time in sensitive areas taking non buildable lots buildable. AL ready to vote.
- PC missed the first hearing and had reviewed the tape and signed the Mullen rule in order to vote.
- BG reviews comments from the town engineers. BG was told there is a paper street in the rear.
- JH states that the lot is made up of a paper street and have rotated the home in case there is a street added to the property.
- RC asks why there is a basement below of flood elevation.
- JH states there will be flood vents. BG would like a deed restriction to allow the basement not be habitable space.

- RC states that the building department will have to state what the code is.
- BG states over the appeal process and the appeal process is well documented.
- JH states the storm water calculations are typically not done for a SFH, the commission asked for the information so the applicant has provided the information.
- BH feels that the wetland replication will provide more area for the water to drain.
- BG suggests there is not infrastructure in the area of pink highlighted on BO site plan.
- FW states that the area has been added to the flood zone.
- Special Conditions:
 - FW would like culvert maintenance, ensure flow path of entrance and exit of both culverts
 - FW add flood vents to foundation
 - BG Conservation markers along back of property total of 3 markers (green and white)
 - BG conservation on the 100 ft buffer 5 (red and white)
 - And boiler plates as drafted by BG
 - Elevation Cert.
- BO makes motion to closed hearing and issues an order of conditions drafted by BG and commission, FW 2nd. 4-1-0

2710 Brown, 7 Branch Street (Addition and Deck).....cont from 4/17/18 (Frank)

- Continued hearing, FW Hearing Officer
- No need for deed restriction. The area is a crawlspace, no habitable space.
- Rick Servant (RS) elevation FW would like to know ground elevation, RS states he will have the elevation before the next hearing.
- FW makes motion to closed hearing and issues an order of conditions drafted by BG, AL 2nd. 5-0-0

2723 Rum Island Condo Trust (Trouant's Island Causeway).....(cont from 6/5/18 (opn'd not heard) (Jim)

- Continued hearing, JK Hearing Officer

2727 Digan Jr., 1327 Union Street (Pier & Dock).....(cont from 6/5/18 (Jim)

- Continued hearing, JK Hearing Officer

2684 Bethanis, 1184 Ferry Street (Found. Rest. Driveway Recons).....(cont from 10/03/17) (Jim)

- Continued hearing, JK Hearing Officer

REQUESTS FOR CERTIFICATES OF COMPLIANCE & EXTENSIONS

2608, Dickinson, 938 Summer Street

2249, Gibbons, 285 Ridge Road

2614, Viamari, 172 Arlington Street

2057, McLaughlin, 5 Trouant's Island

1180, Keith, 43 Newport Road

2499, Calkin, 58 Littles lane

2568, Taggart, 47 Central Street

0231, Kelsey, 158 Foster Ave

2557, Wunschel, 153 Bay Aveue

1342, Wunschel, 153 Bay Avenue

2664, Dacey / Six Circles LLC, 62 Marginal Street

MARSHFIELD CONSERVATION COMMISSION MINUTES

ENFORCEMENT ORDERS

Smith, 38 Liberty Street (Email Response 05/06/18) Mahaney, 46 Preston Terrace
Drosopoulos, 7 Ladyslipper Lane (TC Letter 11/18/17) Jogi's Liquor Store, 951 Ocean Street
(unpermitted cutting)
White, 180 Atwell Circle (Escalation letter in Process) 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)

BUSINESS

ADJOURNMENT – RC motioned to close hearing at 10:28 pm. FW second. Motion approved 5-0-0.

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

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| Bill Grafton, Conservation Administrator | |
| Robert Conlon, Chairman | Bert O'Donnell |
| Frank Woodfall | James Kilcoyne |
| Rick Carberry | Art Lage |