

Marshfield Planning Board  
Meeting Minutes  
June 15, 2020 7:00 PM  
Remote Zoom Meeting

PRESENT: Mike Biviano Jr., Chair  
Katie O'Donnell, Vice Chair  
Nik Pappastratis  
Kevin Cantwell  
Peg Davis, Associate Member

ALSO PRESENT: Greg Guimond, Town Planner  
Kay Ramsey, Executive Assistant

ABSENT: Fred Monaco

Mr. Biviano moved to open the remote meeting at 7:00 PM. Ms. O'Donnell seconded. The vote was: Ms. O'Donnell, Aye; Mr. Pappastratis, Aye; Mr. Cantwell, Aye; Ms. Davis, Aye; Mr. Biviano, Aye.

Mr. Biviano introduced the Board.

PUBLIC HEARING – BEAVER CROSSING – DEFINITIVE SUBDIVISION, WRPD  
SPECIAL PERMIT AND SCENIC ROAD –113 UNION STREET – LAURA BRAIT

Mr. Biviano moved to open the public hearings. Ms. O'Donnell seconded. The vote was: Ms. O'Donnell, Aye; Mr. Pappastratis, Aye; Mr. Cantwell, Aye; Mr. Biviano, Aye.

Mr. Biviano moved to waive the reading of the public hearing notice. Ms. O'Donnell seconded. The vote was: Ms. O'Donnell, Aye; Mr. Biviano, Aye; Mr. Cantwell, Aye; Mr. Biviano, Aye.

Mr. Terry McGovern from Stenbeck & Taylor presented the plans and explained what the applicant is proposing. He said the property is on the west side of Union Street and has a trapezoidal shape. The property has two large depressions and a well which they are proposing to decommission. The soils are sand and gravel. Mr. McGovern said the applicant is looking for a 5-lot standard subdivision with a 10,000 SF drainage lot and a 560' dead end road. They have a meeting scheduled with the Conservation Commission for July 7<sup>th</sup>. The road conforms to Planning Board requirements with minor waivers. There will be one sidewalk wrapped around to the middle of Lot 3 and six drywells on each lot. There is adequate sight distance. Mr. McGovern said that the sheds shown on the plan will be removed. All lots will have sewage treatment systems. They used 20,000' of lawn area with Lots 2, 3, and 4 having somewhat less. They will still be under the 100,000 SF as a whole.

Mr. McGovern said they would be removing one medium dead tree and about 80' of underpinned stone wall.

Mr. Pat Brennan of Amory Engineers said that on Sheet 3 of the plans, the bound is not where it's supposed to be. Mr. Brennan said his original review dated 4/22/20 had 20 comments but all except one have been addressed and that is the fire flow. He said the applicant should demonstrate that there is adequate water supply for fire protection.

Mr. Guimond said as far as the waivers go, the street lights are not a big issue. There will be four waivers needed for the drainage design; the outfall is in an easement. Mr. Guimond said he doesn't believe the shape of the cul-de-sac needs a waiver but any waivers requested need public benefit. He said the Board does not usually like roads using first names of people so they may want to consider changing it. Usually the street names are run by the Historical Commission and also to the Police/Fire to be sure it doesn't duplicate any name we may already have. He said the forebay in the center of the cul-de-sac will need a waiver.

Mr. Biviano said they are 200' from an intermittent stream that goes along the whole river. He said trees can be an issue. How many are there? He said they should have trees that don't crowd either the sidewalk or the right of way. Ms. O'Donnell suggested using native trees such as red maples. She also prefers using Cape Cod Berm around the inside of the cul-de-sac. She asked if they could do a five-lot subdivision and meet the drainage requirements without the waiver. Mr. McGovern said it fits in topographically. He's asking for the waiver due to the proximity of Lot 4. Ms. O'Donnell said that they need that waiver in order to get the subdivision. She feels 4 lots would be better. She's worried about using a waiver to create another lot. Ms. O'Donnell said she's also worried about how close the nitrogen loading is (4.6%) since these lots are in such close proximity to the river. Mr. McGovern said he's following the town's requirements.

Mr. Guimond said they are proposing to remove 8 trees along Union Street. There are two that are dead and another dead tree in the center of the new road. There are also three dead trees that they are not touching. As far as the stone wall goes, they have not said where they will use the stones. Mr. McGovern said they will use them if possible.

Mr. Biviano asked if the trees are marked. Mr. McGovern said they are not. Mr. Biviano asked him to mark them so he and members of the Board could see where they are.

Mr. Guimond said that the sidewalk continues after the driveway at Lot 3. He suggested having the sidewalk end at Lot 3's driveway

Mr. Pappastratis is concerned about the 20,000' lawns. He asked who would enforce it. Mr. McGovern said that NHESP governs the amount of land they are allowed to clear. Mr. McGovern said they are using what the Town requires.

Miss Jen Mullen of 73 Union Street said she is concerned about the intermittent stream that begins behind her house and has to be hand cleared. She's brought the issue up with the Conservation Commission but wanted to make the Planning Board aware of it. She

said the stream has dropped down 6". Mr. Biviano said it really is a Conservation issue but he thanked Miss Mullen for making the Board aware.

Mr. Chris Bernstein of 83 Union Street asked if he could get a set of plans and Mr. Guimond said he'll send him a PD. Mr. Bernstein he's near the drainage lot and he has the same concerns as Miss Mullen. He asked about the street lights. Mr. Guimond said they are not proposing street lights. He said sometimes homeowners use their lanterns.

Mr. Biviano moved to continue the Public Hearing to July 13<sup>th</sup> at 7:05. Ms. O'Donnell seconded. The vote was: Ms. O'Donnell, Aye; Mr. Pappastratis, Aye; Ms. Davis, Aye; Mr. Biviano, Aye.

Mr. Biviano moved to go into the next item which is a discussion with the Ocean Bluff Preservation Association. Mr. Pappastratis seconded. The vote was: Ms. O'Donnell, Aye; Mr. Pappastratis, Aye; Mr. Cantwell, Aye; Ms. Davis, Aye; Mr. Biviano, Aye.

Mr. Mike Fay who is the treasurer of the organization said that the Beach Nourishment plan mentioned all the beaches except for Ocean Bluff/Brant Rock and he asked why. He said they take the brunt of heavy surf and suffer heavy erosion. He said the jetty at Hewitt's Point used to be strong but now at high tide you can see only a couple of boulders. He said boaters' not familiar with the area would not know the jetty was there. As the jetty went away, Mr. Fay said, so did their sand.

Mr. Fay said they are in danger of losing structures and they haven't had protection for the last 10 years. He said there had been a phased approach from Stella-Maris to Shephard's Path to Brook Street.

Mr. Guimond said the boulder field is off-shore. CZM has repeatedly told The Town that the material has to match what is presently there now although they won't say that in public. Mr. Guimond said they are still trying to get permitting in place – it's no easy task. He said the State is not allowing permitting to rebuild the jetty.

Mr. Fay said he has a letter signed by CZM and the former Planner, Paul Halkiotis, urging sand nourishment. Mr. Biviano asked when CZM meets.

Mr. Dan Fennerly (sp.) of 454 Ocean Street asked if the beaches were public or private. He said there is about 5,000 feet of revetment which hasn't been touched since the 1930s. Mr. Guimond said he just today received a 177 page report. The sediment was assumed to be going south but now there are breaks where the water is pulling material out. Mr. Biviano said he'd like A PDF of that report and Mr. Guimond will try to reduce the size in order to Email him the PDF.

Mr. Biviano moved to go on to the next item on the agenda. Ms. O'Donnell seconded. The vote was: Ms. O'Donnell, Aye; Mr. Pappastratis, Aye; Mr. Cantwell, Aye; Mr. Biviano, Aye.

## APPROVAL NOT REQUIRED PLAN

566 Caswell Street - Brazao

Mr. Guimond said there is about 1.1A of remaining land. He thinks the intention is to separate the existing house from the rest of the land. Mr. Guimond said that Lot B is not a buildable lot and it so marked on the plans. He recommends endorsement.

Mr. Biviano moved to endorse the ANR plan entitled Plan of Land, 566 Careswell Street, Marshfield, MA, dated 5/20/20 and drawn by Stenbeck & Taylor, Inc., 844 Webster Street, Suite 3, Marshfield, MA 02050. Ms. O'Donnell seconded. The vote was: Ms. O'Donnell, Aye; Mr. Pappastratis, Aye; Mr. Cantwell, Aye; Mr. Biviano, Aye.

#### BOARD/STAFF REPORTS

Mr. Guimond said that a letter had been received from residents of Cranberry Cove listing concerns that they have. It will be for a future agenda.

Mr. Guimond has the possible zoning amendments to the PMUD for the fall Town Meeting.

FEMA has decided to not have the Inland/Wetland maps taken to Town Meeting since they felt many of the towns would not be able to due to the pandemic.

Mr. Biviano moved to adjourn the meeting at 8:40 pm. Ms. O'Donnell seconded. The vote was: Ms. O'Donnell, Aye; Mr. Pappastratis, Aye; Mr. Cantwell, Aye; Ms. Davis, Aye; Mr. Biviano, Aye.

Respectfully submitted,

Kay Ramsey, Executive Assistant  
Marshfield Planning Board