

MEMBERS PRESENT – Craig Hannafin (CH) Chair, Bert O'Donnell (BO) Vice Chair, Susan Caron (SC), Jesse Platt (JP) Corey Miles (CM), Mike Seele, Conservation Administrator (MS),

MEMBERS NOT PRESENT – Liz Anoja, Conservation Agent (LA), John O'Donnell (JO)

CALL TO ORDER – CH motions to open the meeting at 6:30 PM. JP second. Approved 5-0-0.

MINUTES – BUSINESS

B1 Update on the encroachment and retaining wall at 99 Bay Avenue - Attorney Jeff Sill

- Attorney Jeff Sill (JS) present to follow up regarding encroachment issues delaying issuance of a Certificate of Compliance for the property, which is currently for sale. They have obtained an as-built plan, and the surveyor who prepared the plan has determined that the cottage in back does not in fact encroach onto the adjoining town-owned parcel. They have also obtained a certificate of occupancy from the Building Department and have put in an application for an elevation certificate. His research also finds that the retaining wall predated the construction of the cottage in 2000, and the adjacent parcel was deeded to the Town later that year. Given this information, JS suggests that the mitigation discussed at the previous meeting, including removal of the retaining wall, will not be necessary.
- MS agrees that the OOC for the property issued before conveyance of the parcel to the Town, and that the retaining wall predates the OOC. CH finds it puzzling that the mortgage plan and assessor's mapping show the cottage encroaching; JS notes that surveys bearing a PLS stamp are more precise in terms of establishing boundaries; MS agrees that the assessor maps tend to have a larger margin of error.
- MS notes that the COC request and other documentation were just received today, past the submission deadline, so the discussion and vote on the COC will take place at the next meeting. BO suggests that the Select Board be looped in before then, as they have control of the abutting parcel; he is okay with issuing the COC if they have no issues; CH concurs. JS has not been in touch with the Select Board but has advised Town Counsel.

B2 Approve Meeting Dates and Deadlines for January to June 2024 – Commissioners

- The Commission reviewed the proposed meeting dates and filing deadlines for the first half of 2024, through June 30. Meetings will be on the first and third Wednesdays of the month, in the Select Board Hearing Room.
- CH moves to accept the meeting dates and deadlines for January 1 through June 30, 2024. SC second. Approved 5-0-0.

PUBLIC HEARING (ON OR AFTER 6:40PM)

23-24 Corbett, 34 Elmhurst Avenue (Raze & Rebuild SFH).....NEW (Craig)

- The matter is continued to the December 6 meeting due to an issue with the legal notice.

23-25 Safe Harbor Marina, 239 Dyke Road, Changing from Diamond Piers to Sono Tubes.....NEW (Jesse)

- The matter is continued to the December 6 meeting due to an issue with the legal notice.

3064 Pinheiro, 193 Pinehurst Road (New SFH).....cont. from 10/15/2023 (Susan)

- Continued hearing; SC Hearing Officer.
- The proposed activity is construction of a home, driveway, grading, and utilities. A home had previously been permitted on this lot, before construction of the road, but was never built. The previous hearing was continued to allow for Commissioner site visits to inspect the mitigation plantings required under the previous permit. SC notes that applicant has made 16 additional plantings, which she and CH observed to be doing well. New erosion control barriers have been deployed in the field. SC suggests that the conservation markers in the field

be added to the site plan, and that two annual monitoring reports for the plantings be made a special condition of approval. CH suggests that the first report be due early next spring so any issues can be quickly addressed.

- SC motions to close the hearing and issue Orders of Conditions with special conditions drafted by MS. JP second. Approved 5-0-0.

23-12 Recreational Trails Committee, 172 South River St. (Shoulder Improvements)...cont. from 6/21/23 (Craig)

- Continued per applicant request pending additional commentary from Wildlands Trust.
- CH motions to continue the hearing to the December 6th Conservation Meeting. JP second. Approved 5-0-0.

3056 Celiberti Realty LLC, 0 Main Street (ANRAD).....cont. from 8/16/2023 (Bert)

- Continued per applicant request pending peer review delineation.
- CH motions to continue the hearing to the December 6th Conservation Meeting. JP second. Approved 5-0-0.

3015 Medlin, 60 Foster Avenue (Addition, Garage & Porch).....cont. from 12/21/2022 (Susan)

- Continued per applicant request.
- CH motions to continue the hearing to the December 6th Conservation Meeting. JP second. Approved 5-0-0.

23-21 Good, 0 Assumption Road (Beehives on Diamond Piers).....cont. from 8/16/2023 (Craig)

- CH notes that the Commission voted to accept the applicant's request for withdrawal of RDA 23-21 at the November 1 meeting.

3051 Russo, 3 South Street (Deck Replacement).....cont. from 7/5/2023 (Craig)

- Continued per applicant request.
- CH motions to continue the hearing to the December 6th Conservation Meeting. JP second. Approved 5-0-0.

REQUESTS FOR CERTIFICATE OF COMPLIANCE AND EXTENSIONS

2981 Sasserson, 12 Branch Street [COC]

- MS noted that the pervious paver/gravel area to the side of the house is larger than permitted but all additional ground cover is pervious. Conservation markers are in place.
- CH motions to issue a COC for SE42-2981 at 12 Branch Street. JP second. Approved 5-0-0.

2923 Tedeschi, 162 Bay Avenue [COC]

- An unpermitted enclosure beneath the home has not been addressed.
- CH motions to continue the hearing to the December 6th Conservation Meeting. JP second. Approved 5-0-0.

ADJOURNMENT – CH makes a motion to close the hearing at 6:53 PM. SC second. Approved 5-0-0.

Respectfully submitted,
Liz Anoja, Conservation Agent

Marshfield Conservation Commission	
Mike Seele, Conservation Administrator	
Craig Hannafin, Chair	Bert O'Donnell, Vice Chair
Jesse Platt	Susan Caron
John O'Donnell	Corey Miles