

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. JO second. Approved 5-0-0 by roll call: JP y, SC y, JO y, BO y, CM y, CH y.

MINUTES

- The minutes of the October 18, November 1, and November 15 meetings were presented for approval.
- CH moves to accept the October 18, November 1, and November 15, 2023 minutes as written. SC second. Approved 5-0-0 by roll call: JP y, SC y, JO y, BO y, CM y, CH y.

BUSINESS

B1 Knight, 807 Union Street – Driveway Resurfacing

- Tabled

B2 Voelkel, 183 Ridge Road – Unpermitted Revetment

- Tabled

PUBLIC HEARING (ON OR AFTER 6:40PM)

23-26 Marshfield Beaches, 365 Standish St. (Trail, Parking lot mgt, lifeguard stand).....NEW (Bert O'Donnell)

- CH reads the legal ad. Hearing Officer BO confirms administrative requirements are complete.
- MS notes that the purpose of the filing is to allow sand displaced onto the Rexhame Beach parking lot to be periodically pushed back onto the access trails, and to seasonally install and remove a lifeguard stand using the Avon Street access. Beach Supervisor Cindy Castro notes they have received a similar authorization for periodic maintenance in the past. The request has been sent to NHESP for comment, but no response has been received; CC states that any maintenance will be done after April 1, after the piping plover nesting season.
- The request is approved with the condition that any Time of Year constraints or other conditions required by NHESP will apply. There was no public comment.
- JO motions to issue a Pos. #5, Neg. # 3 DOA with special conditions drafted by MS. SC second. Approved 5-0-0 by roll call: JP y, SC y, JO y, BO y, CM y, CH y.

23-12 Recreational Trails Committee, 172 South River St. (Shoulder Improvements).....(Craig Hannafin)

- Continued hearing; CH hearing officer.
- Ned Bangs present for the Recreational Trails Committee. DPW has updated the site plan to show the new layout of the pathway; NB notes it will be slightly shorter than shown on the plan. The town Safety Officer and Wildlands Trust agree that the project will improve pedestrian travel accessing Pratt Farm. Erik Boyer of Wildlands has emailed his support for the project. MS and LA visited the site with Town Engineer Rod Procaccino, who has staked out the trail location. The pathway follows the contours of the wetlands in order to avoid erosion of the embankment. DPW may add trap rock between the path and the road to prevent erosion and encourage pedestrians to stay on the trail, but will also retain as much natural vegetation as possible.
- CH asks about the base width of the pathway; NB indicates it will have a stone dust base and be up to five feet. CH also asks about expected maintenance; NB expects it to be similar to the Bridle Path and Rail Trail, both of which have compacted over time and have not required significant work. RTC trail ambassadors will handle routine maintenance, notifying the Conservation Office as needed.
- CH notes that the pathway is along a scenic roadway, and would like to know what the pathway will look like, whether there will be a guard rail, and whether any trees greater than 8" diameter will be removed. There will

be selective cutting; NB is unaware of the sizes. MS indicates the path had been laid out in the least invasive route, but one or two of the trees to be removed may be greater than 6" diameter. CH notes that Planning Board approval will be required if any of these trees are greater than 8" diameter, and would like conservation markers to be posted about every 30 feet along the inner edge of the pathway.

- SC asks if the stone dust for the path could possibly erode into the wetland; MS thinks this can be addressed by a landscape or railroad tie in areas close to the wetland. CH asks whether there will be a guard rail along the perimeter; NB notes they did not propose a guard rail and Safety Officer Jason Lucchetti did not suggest one. BO believes the path will improve pedestrian safety since it is located away from the road.
- There was no public comment. The matter is continued pending information regarding trees to be removed, location of trap rock on the shoulder, exact path width, and conservation marker location.
- CH motions to continue the hearing to January 17, 2024. SC second. Approved 5-0-0 by roll call: JP y, SC y, JO y, BO y, CM y, CH y.

30 Cataldo, 32 Carolyn Circle (Raze & Rebuild).....(Bert O'Donnell)

- Project Engineer James Garfield has updated the filing to reference the state WPA as well as the town bylaw; the matter is continued pending receipt of a DEP file number.
- CH motions to continue the hearing to January 3, 2024. SC second. Approved 5-0-0 by roll call: JP y, SC y, JO y, BO y, CM y, CH y.

3056 Celiberti Realty LLC, 0 Main Street (ANRAD).....cont. to 1/17/23 (Bert O'Donnell)

- The matter was continued to January 17 at the previous MCC public meeting.

3051 Russo, 3 South Street (Deck Replacement).....(Craig Hannafin)

- Continued hearing; CH hearing officer.
- Applicant Mary Russo present; the proposed activity is replacement of an existing 12 by 18 ft deck with 24 by 12 ft deck 4 ft higher than the existing one so it is over the recently elevated seawall. The new deck will be on helical piles; the stairs to the new deck will have open risers and be on sonotubes. MS indicates these will meet the performance standards for the area.
- CH notes that the site plan from Stenbeck & Taylor needs to be updated to reflect the change to helical piles for the deck and sonotubes for the landing at the bottom staircase. LA will contact Rick Servant to request the updated plan.
- There was no public comment; the conditions of approval will include submission of an elevation certificate.
- CH motions to close the hearing and issue Orders of Conditions with special conditions drafted by MS. SC second. Approved 5-0-0 by roll call: JP y, SC y, JO y, BO y, CM y, CH y.

REQUESTS FOR CERTIFICATE OF COMPLIANCE AND EXTENSIONS

2199 Tedeschi, 1 Atlantic Street [COC]

- CH notes that although the requirements for the COC have been met, there are a number of outstanding issues with Zoning and Building, including lack of certificate of occupancy and ongoing litigation. Mark Tedeschi (MT) states these issues date back to a "personality conflict" with previous Building Inspector Mark Clancy; he has since reduced the shed size, received a certificate of occupancy, and resolved the litigation.
- CH reads off the issues raised by current Inspector Andrew Stewart, which include shed size bigger than 8' by 8', finished basement walls need to be removed and only basic utilities to remain; finished floor can remain provided it was flood-damage resistant. Additionally, AS stated there was a 5' by 5' bulkhead that must be replaced with a traditional bulkhead and an "As Built Plan certifying the conditions meet the ZBA special permit conditions" was to be submitted.
- MT states these additional issues have been addressed and notes the property was sold in 2017, which could not have been done without the certificate of occupancy. CH suggests that MT circle back with AS. MT asks if the COC could be issued in the interim; MS states, according to AS, there is no record of an inspection beneath the home to verify the walls have been removed, and AS needs to make a final inspection. MT states there was no structure beneath the house at the time the property was sold; one may have since been added by the new owners, but this shouldn't preclude the Commission from closing out the OOC.

- MT adds there is \$20K in an escrow account held by the closing attorneys since 2017 that cannot be released without the COC. CH agrees that something seems to have been lost in translation; MT will circle back with Building but would like to close out the OOC first. MS suggests that the matter be continued to the next meeting so that all parties can gather additional information; CH concurs. MT maintains the area beneath was clear when he sold, and he cannot get AS to go to a house he does not own for an inspection. CH indicates she will contact Town Counsel for additional information and options.
- CH motions to table the matter to January 3, 2023 pending further investigation. JO second. Approved 5-0-0 by roll call: JP y, SC y, JO y, BO y, CM y, CH y.

2998 Parsons, 17 Middle Street [COC]

- The home has been elevated and the project completed in accordance with the approved site plans.
- CH motions to issue a COC for SE42-2998 at 17 Middle Street. JO second. Approved 5-0-0 by roll call: JP y, SC y, JO y, BO y, CM y, CH y.

2891 Dickinson, 938 Summer Street [COC]

- Tabled; as-built plans will be ready for the next meeting.
- CH motions to table the matter to January 3, 2023. SC second. Approved 5-0-0 by roll call: JP y, SC y, JO y, BO y, CM y, CH y.

2923 Tedeschi, 162 Bay Avenue [COC]

- Tabled due to unresolved floodplain violation.
- CH motions to table the matter to January 3, 2023. SC second. Approved 5-0-0 by roll call: JP y, SC y, JO y, BO y, CM y, CH y.

ADJOURNMENT – CH makes a motion to close the hearing at 7:26 PM. JO second. Approved 5-0-0 by roll call: JP y, SC y, JO y, BO y, CM y, CH y.

Respectfully submitted,
Liz Anoja, Conservation Agent

Marshfield Conservation Commission
Mike Seele, Conservation Administrator

Craig Hannafin, Chair
Jesse Platt
John O'Donnell

Bert O'Donnell, Vice Chair
Susan Caron
Corey Miles