

MEMBERS PRESENT – Robert Conlon, Chairman (RC), Frank Woodfall (FW), Chad Haitisma (CH), Bert O'Donnell (BO), James Kilcoyne (JK), Art Lage (AL), Bill Grafton, Conservation Administrator (BG).

MEMBERS NOT PRESENT –

CALL TO ORDER – RC motioned to open the meeting at 7:00 p.m. FW second. Motion approved 6-0-0.

MINUTES 11/07/2017; 11/21/2017; 12/5/2017; 12/19/2017; 2/20/2018; 3/20/2018; 4/3/2018

PUBLIC HEARINGS

18-12 Filder, 410 Union Street (septic).....NEW (Bert)

- RC Reads Legal Ad. BO Hearing Officer.
- Pat Brennen (PB), Amory Engineering proposing a septic replacement, existing cesspool failed Title V. Not proposing any work activities within the 100 ft riverfront. The existing cesspool is located between the 25 and 50 foot buffer zone to wetlands. The new septic system will be between the 75 foot buffer to the wetlands and 200 ft riverfront.
- BO asked BG to comment on the wetlands. BG spoke with Pat Brennen who had John Zimmer (JZ) flag the wetlands. BG discussed that his site visit observations included that the flagging was complete incorporating soils and plant communities, the previous owner planted wetland plants accounting for presence of high bush blueberry in a row and the applicant located the new septic system in the best possible location on the property to minimize adverse impacts to the wetlands and setbacks.
- BO would like to know if any Commissioners have comments. RC would like to know what would change if they filed a Notice Of Intent (NOI). BG explained that it is required for this type of work; the NOI is used when applicant knows the proposed work is within wetlands, resource areas or their setbacks and the proposed work is also in an undisturbed area so exemptions to the wetlands setbacks don't apply.
- CH would like BO to read the Positive determinations on a DOA. BO reads the 5 Positive Determinations details.
- BO asks if there are any comments from the audience?
- CH struggling with why the applicant would need to apply for a NOI. BG reiterates his reply to RC.
- BO asks BG if there is any more information on the NOI or site plan that need to be depicted on the plan. BG would like the applicant to transplant some of the wetland plants from the proposed work area to a mitigation area closer to the recently flagged wetlands, add additional new plantings, post conservation markers, update the site plan with the two areas to be mowed on a their separate schedules and submit the final plan as part of the NOI filing.
- BO makes motion to issue Positive Determination 1, 2A, 4 and 5. FW second. Motion approved 6-0-0.

27xx McLaughlin, 4 Trouants Island (sfh).....NEW (Art)

- RC Reads Legal Ad. AL hearing officer.
- AL covered tax status, abutter notification and inquired about the WPA Filing No. Liz Anoja (LA) stated that a WPA Filing No. has not been assigned yet so the proposed project can be heard but not closed.
- AL gave an overview to Commission. AL site walk and Due Diligence review indicates that there used to be a home on the property that was demolished in a fire on the property. AL reviewed aerial photos, 2013/2014 showing the existing foundation and viewed the site as a disturbed site. The subject property is on an island and it is part of a condominium arrangement and each owner has 1/13th ownership of the island.
- AL asked who would be presenting on behalf of the applicant, Kevin Grady (KG) Grady Consulting presenting- the proposed work is a single family home (SFH) within buffer zone and riverfront. KG has submitted a narrative on how the project meets the performance standards for each resource area. The existing site is previously disturbed. They have moved the house back as far as possible away from the resource areas. John Zimmer, South River Environmental performed the delineation of the property and identified coastal bank, riverfront, velocity zone and land subject to coastal storm flowage. Most of property is lawn and shrubs. KG states the proposed home is outside of the 75-ft no build zone and construction will have no adverse impact on coastal bank. The proposed project includes a landscaping plan including red cedar, beach plum, Carolina rose, among others. The existing driveway will be used.
- AL asks if any Commissioners have any questions?

- BO states that BG sent out documentation showing the previous septic system and BO would like to know if the septic system will be enough for the amount of bedrooms in the home. KG said that are still going before the Board of Health (BOH) and this will be addressed with BOH.
- AL would like to see some new plantings in the area of the old foundation increasing the proposed mitigation area to be more consistent with the 2011-12 aerals. AL states that during his site walk he could not find the foundation but noticed that the vegetation was greatly diminished in relation to the aerals. KG states the existing trees will be remaining and additional plantings will be included.
- BG possible site plan updates: provide an updated NOI showing the proposed alteration within the 0-100 riverfront and 100-200 riverfront setbacks, and include the 25' foot setback on an updated site plan as per the Conservation Permit Checklist. BG walked the property and the bank and observed several trees and shrubs that had been cut back. This was consistent with observations of the aerals that indicate that the property was more covered with vegetation back in 2011-2012. Not sure if this was ever permitted and best way to address this unpermitted work. FW would like to come to an agreement to amount of plants to plant. BG suggests that the environment is a tough coastal environment and requires a qualified wetland scientist like John Zimmer to provide a diverse and robust planting plan and 3-year monitoring plan. KG 5 different plant species already proposed and they will enhance the amount of plants to mimic the conditions back in 2011.
- JK does not see the point of an After-The-Fact NOI for previous cutting when the applicant is proposing a robust planting plan with Conservation markers.
- AL would like to continue and requests a revised site plan showing a more robust planting plan similar to conditions observed in 2011 aerals and Conservation markers on the property edges and several within the property as well.
- AL motions to continue until May 1st to submit a revised NOI and Site Plan. JK second. Motion approved 6-0-0.

2627 Bedig, Richard Street (sfh).....(cont from 2/20/17) (Chad)

- Continued hearing. CH hearing officer.
- CH reminds all parties to be concise and professional in their public commentary and states Commissioners should be deliberating on the preponderance of evidence presented and whether a clear and convincing showing that the proposed project will not have adverse impacts on the resource areas in making a decision.
- Rick Servant (RS), S&T presents background and new material on behalf of the applicant, Gregg Bedig (GB). RS presents an overview including updates to site plan: mean high water is 4.4 feet and 560 feet from site, added limit of work, dry wells to control roof run off and planting plan prepared by ECR, Cameron Larson (CL) is present to take questions on the planting plan, and the planting plan will be initiated after the home is built.
- CH asked BG about his comments. BG stated improvements are noted including the planting plan but Spring Tide Elevation is still not depicted on the site plan and this is important to the definition for salt marsh under the Wetlands Protection Act.
- CL stated ECR was on the site on March 19th, hand augering was done to test soils and the findings were mostly sandy soils. The proposed planted areas surrounding the home within the limit of work will consist of American beach grass, bluestem grass, beach heather, switch grass and other coastal grasses. They will clear areas of household debris that are located in the rear of the site beyond the limit of work. Some of the species are invasive plants such as honey suckle and multi-flora rosa and will be remedied by a professional licensed chemical applicator. In the rear of the lot, they proposed to plant salt tolerant species and to create habitat for animals and create a snag to provide a nesting and perching habitat for birds. They identified eastern red cedar in the rear of the lot beyond the limit of work that would be suitable for cutting into the tree to kill it in place so that it loses its needles and becomes a perching or nesting habitat for avian species.
- CH asks the Commissioners their feedback. AL states this is a new undeveloped lot within 3 resource areas that require variances and variances should only be granted in rare and unusual circumstances. AL does not see this as a rare and unusual circumstance. JK inquired of RS if this property is within barrier beach and coastal dune. RS stated he believes so. BG added Lenore White (not present) had previously stated at the February 20th public hearing for the record on video that this is a coastal dune but the project can continue. JK inquired about the isolated wetland in the back where the household debris is located and agrees with cleaning it up and notes that the planting plan is greatly improved. JK recalls that this area does not meet the definition of an isolated vegetated wetland because of the presence of salt water under Marshfield Bylaw and Regulations. JK recalled that Lenore White accounted for the presence of salt water plants due to the presence of salt in the soils and presence of salt water so salt tolerant plants inhabit this area. JK referenced BG's request for the Spring Tide Elevation would be relevant to the Commission's determination pertaining to whether the area in the rear of the lot is salt marsh or a remnant salt marsh. JK also notes that the property regularly floods offering the opportunity for this area to be renourished with salt water, the area is a lower elevation, the salt stays in the soil and provides the conditions for salt tolerant wetland plants to establish and continue to grow. JK indicates that the discussion

on this subject was never flushed out. AL states that this is the 3rd natural resource area associated with this project. RS states that the Spring Tide Elevation is absolutely not that high that it reaches the area under discussion. It is at the MHHW line; the MHHW is higher or the same as the Spring Tide Elevation and he will show that on the Site Plan. JK stated that the property is exposed to regular and storm-related flooding and the area in question is nourished by salt water. RS states that the salt water gets trapped in there as it is a lower elevation and prevent it from draining. BO no further comments. FW stated that the remnant salt marsh was going to be flagged but has not been flagged yet. BG recalled that Lenore White said that she would flag the area but then the Commission would naturally respond that it is a wetland. BG responded to this that the Commission requires all jurisdictional boundaries on site to be identified and flagged. BG stated that he went to the site today to give it the latest chance possible to review the wetlands flags and found that the flagging had not been completed. FW stated that he cannot identify it without the wetland delineation. RS stated that the area had not been flagged. RC likes the plan.

- CH stated that the Commissioners have to evaluate the mitigation plan based on the chance of success. CH inquired of CL what he thought were the chances of success of the proposed mitigation plan. CL stated that he felt this planting plan would be highly successful. CH asked for a qualification of highly successful. CL stated that they are looking at 75% success rate for the planting plan at a minimum. He expects it to be more successful than 75%.
- CH asks if there are any additional questions by the Commissioners if they have any further questions. JK reads the definition of a salt marsh being a no touch zone in 310 CMR and details the dominate plants in a salt marsh includes Saltwater cord grass. CL states that this is *Spartina Patens*. JK inquires wasn't this found on the property. CL states yes but that there is not a salt marsh on the property. JK stated that MassDEP has zero tolerance for adverse impacts to salt marsh and this is a no touch zone. The area in question is flood by salt water, has presence of salt in the soils and salt water plants and there is a good probability that this could be a salt water marsh therefore this is a no touch zone. RS states if it were not above the Spring Tide Elevation then it could possibly be a salt marsh. BG stated that is correct and why it needs to be on the Site Plan. BG recalled Lenore White's comments about reading the definitions so BG did go back and read the definitions.
- BG hands out a copy of Chapter 505 and 310 CMR for Commissioners to reference the definitions in relation to the Spring Tide Elevation. BG states that Chapter 505 includes any marsh but there is no definition so we look to the 310 CMR definition of salt marsh that includes the Spring Tide Elevation. This emphasizes the point that knowing the actual location of the Spring Tide Elevation is required for the Commission to make a determination. RS states the spring high tide is at the edge of marsh and states the area does not flood under spring tide. BG asks if this could be included on the site plan. RS states that they have made their presentation that it does not reach the property and they will include on a revised site plan. CH concludes that the Spring Tide Elevation will be included on the revised site plan.
- BG would like to show evidence of the March 2, 2018 Winter Storms demonstrating that during a storm surge the area does flood delivering salt water. BG states that he has pictures of the rear of the subject site and the property directly behind it showing standing water and it stays for many days and more than a week at times so the area is nourished with salt water. FW states that this is a 100-year storm. BG points out that we had (4) 100-year storms in March. FW & JK discuss. JK states that the 100-year storm can occur 1% of any given year; it does not mean it happens only once in a 100-year period so you can have multiple 100-year storms in any given year.
- BG states the conditions are changing and needs to be considered. BG also states that Parker which is in close proximity to the subject site needed an Emergency Permit to be pumped out as several homes were under water as was the street for multiple days after the storm that delivered the water abated. BG referenced the aerial of the area stating that this is a plain subject to coastal storm flowage. BG spoke to experts who said that remnant salt marsh can exist within a dune.
- BG stated having the Spring Tide Elevation on the site plan would help provide the information for the Commission to determine whether it is salt marsh or a similar wetland remnant. BG asks CL if he is a coastal geologist, CL replies he is not but a Professional Wetland Scientist in Training. BG notes CL has respected skills but is not a coastal geologist and neither is RS. CH would like to know what BG would like a coastal geologist for. BG states that a specialist such as a coastal geologist or PWS would provide the Commission with a level of confidence that the Spring Tide Elevation is accurately identified and depicted by RS on the site plan. CL states that Spring Tide Elevation is a calculated number based on elevations and high tide charts so a PWS would not be appropriate to identify it. BG suggests that a coastal geologist identify the Spring Tide Elevation and RS depict it on the revised site plan.
- JK asks if the DEP allows building in non-developed coastal dune regardless of mitigation. BG stated that he was told that it could not be mitigated due to the permanent removal of the vegetation and disturbance to the

dune. JK believes that a salt water remnant exists that cannot be altered and there are other natural resources involved as well that will be altered. JK does not feel this property is developable.

- BG states there are about 50-70 parcels of land within Marshfield that he feels are not developable. BG had recently spoken to the former Conservation Administrator, Jay Wennemer (JW) who said the same thing. CH stated he was present when he made the comment.
- JK states that are we going to approve 3 variances for proposed work within 3 natural resource areas when DEP is stating that undeveloped coastal dune cannot be mitigated? AL notes that there has never been a dwelling at the subject site.
- Walter Sullivan Esq. (WS) asks whom BG spoke with at DEP. BG states he spoke with Greg DeCeasre from DEP but does not have specific references yet. However, it is BG's responsibility to collect, review and present the information and his opinion on the information presented to the Commission. BG and RC look for references in 310 CMR. RC does not see the presence of a dune at this property. BG stated it is barrier beach so it is either coastal beach or coastal dune. BG reads the definition of coastal dune performance standards from 310 CMR 10.28 (3) b, c, and d. WS stated they came to the Commission with intentions to mitigate and elevate home which is not common in the neighborhood. His client has a hardship to meet the performance standards and obtain the variances so that is why he has brought his experts to represent the applicant. BG discussed how barrier beach has closure lines that can be composed of glacial till but this requires a soil survey but this property is well within barrier beach.
- RS states that the client is improving the site and does not feel the dune will be relocated or hinder the movement of the dune. BG provides the reference to 10.28 (3) b, c & d. RS feels that the project with the mitigation meets the performance standards. Asks CH how this property differs from any other property in the neighborhood or in similar areas. CH states that those properties are existing lots and this is an undeveloped lot which is a serious matter to the Commission.
- JK inquired how big is the house? RS 43'X30'. JK so about 1,200 square feet. How big is the lot? CH 5,000 square feet. So JK would like to know how much of the plantings will go underneath the home? He notes that there are well established plantings that will be removed. CL replies the planting will be within 4 to 5 ft from the edge of foundation and nothing will be planted under the home as nothing will grown under the home. RC feels the land under the home can still move and migrate as a coastal dune and the vegetation impedes the dune migration. BG notes that about 30 eastern red cedars in the front portion of the lot are going to be removed and this will affect the dune stability. BG appreciates the mitigation planting plan but this is a tough coastal environment to re-establish new vegetation. It is a hot, hostile environment so maintaining the current vegetation is preferred.
- AL notes that if there was a home on the lot previously, this discussion would be different. He notes that a similar condition existed on the Cut River where a home was proposed within the riverfront and this was approved by the Commission because a previous existing home is located there. If a previous dwelling had been located on that lot, he could not imagine the Commission approving that project. RC notes that another home at the mouth of the Cut River is being built in the river. AL/BO states this predates this Commission and is not the focus of the current project.
- CH mentions that the Commission needs to make a decision based on the preponderance of evidence provided by the applicant, WSI and BSC. CH states that he feels if any variances are approved then the Commission is taking a risk that the likelihood of success of the proposed project will be met. He is not convinced that anyone has presented adequate information that the Commission's deliberation to take the risk is satisfied. He is not stating that the Commission is not willing to take that risk but he defers to the individual Commissioners. CH would like to know if the Commissioner have enough evidence to close the hearing tonight or if they would like to close and issue separately at another public hearing. CH takes a poll. All commissioners feel they have enough evidence to close hearing tonight.
- CH proposed to close the hearing and deny the project. BG read the denial motion: The commission denied the project on the basis of variances required on undeveloped coastal dune, barrier beach and salt marsh. The project will have adverse impacts on flood zone public safety interest and nine of the town bylaw regulation interests are adversely impacted by the proposed work to the 3 resource areas which are coastal dune, barrier beach and salt marsh. CH stated that additional detail will be in the denial Orders of Conditions.
AL second. Motion Denied 5-1-0.

27xx Abbott, 43 Union Street (cat boarding facility)...**WITHDRAWN**.....NEW (Frank)

- RC motion to accept withdrawal. JK second. Motion approved 6-0-0.

2710 Brown, 7 Branch Street (addition and deck)...**CONTINUED**.....(cont from 4/03/18) (Frank)

REQUESTS FOR CERTIFICATES OF COMPLIANCE & EXTENSIONS

2530 Abelli, 2 Porter Street – Request for EXTENSION (WPA form 7)

- RC motion to issue EXT. FW Second. Motion Approved 6-0-0.

2550 DPW, Foster Ave at Shepard Ave – Request for EXTENSION (WPA form 7)

- RC motion to issue EXT. FW Second. Motion Approved 6-0-0.

2556 DPW, Foster Ave – Request for EXTENSION (WPA form 7)

- RC motion to issue EXT. FW Second. Motion Approved 6-0-0.

ENFORCEMENT ORDERS

Smith, 38 Liberty Street (Email Response 12/20/17)

Drosopoulos, 7 Ladyslipper Lane (TC Letter 11/18/17)

White, 180 Atwell Circle (Escalation letter in Process)

Levangie, 3 Cove Creek (Communication in Progress)

Stifter, 102 Bartlett's Island (unpermitted revetment wall)

Mahaney, 46 Preston Terrace

McCarthy, 46 Bay Avenue (ATF NOI by 05/01/2018)

New Owner, Winslow Avenue Ext.

Tamara Macuch, 237 Webster Avenue

Jogi's Liquor Store, 951 Ocean Street (unpermitted cutting)

BUSINESS

Mounces Meadow Farming Contract - Lorrie Dahlen (LD)

- Not present. Will be rescheduled.

Commission Needs/ Commissioner Search (candidate meeting) - Rick Carberry (RC)

- BG states Rick Carberry (RC) is looking to become a Commissioner. Typically, there are two stages for the Commission to review applicants. The first is to review the application and submittal documents and the second is to formally interview the applicant. RC is here to meet with the Commission to fulfill the second requirement. After this, the Commission makes a suggestion to the Board of Selectmen to appoint the candidate or not.
- Chair RC inquires of RC why he wants to be on the Commission. RC takes the floor and states that he has been through the Commission as an applicant and is currently working with Kevin McGuire on his dock which is approved under Orders of Conditions. RC mentions he has a history of volunteering and been on parents of Boston College and MMA. He believes everyone should volunteer. By trade, RC is a chemist and biologist by training. Travels for work but can organize travel around the Commission's meetings. He believes that the Commission is likely under a lot of pressure due to the recent storms and developed pressure which he understands but he feels that growth needs to be accomplished in a responsible manner following the guidelines. He loves the Town and wants to do his part.
- CH impressed by RC as an achiever and feels the Commission would be well served to have another achiever.
- BG stated that we have expectations and RC will be a good fit. BG suggests that the Commission would be well served to establish an expectations checklist for new Commissioners.
- FW suggests that BG draft a letter to the Board of Selectmen recommending RC's appointment.

Marshfield Regulation - Jason Zimmer

- BG handed out documents prepared by Jason Zimmer (JZ).
- JZ is here as a Marshfield Resident and parent. Officially, he is the District Supervisor for MassWildlife. He has lived in Marshfield all his life and is also an archery hunter since his youth. He is a former Conservation Commissioner and was on the Commission in 2009 back when deer hunting was a topic of discussion. He is fully aware of the topics, obstacles and controversies that stem from the debate on deer hunting. Things have changed since the Commission made its decision back in 2009. The commission has changed; the deer population has grown and is negatively impacting the habitat and is widely discussed by professional wildlife biologists, conservationists and general public. Established literature shows that when you have deer population densities in excess of 18 per square mile that you begin to see adverse impacts to natural habitat. The region including Marshfield has on the order of 20-30 deer per square mile. JZ is pro-open space and identifies with priorities such as maintaining natural habitat and wildlife and providing passive recreation opportunities.
- JZ would respectfully request that the Commission take a fresh look at the current conservation land rules and regulations and possibly review for consideration of a limited hunting policy. He has looked at a variety of

models at some other towns throughout Massachusetts and more locally Duxbury, Hingham and Braintree that just established a hunting policy. He is suggesting a controlled archery hunting program. He suggests that the Commission can look at how other Towns are managing their hunting policies. He would be happy to come back and speak to the Commission again or arrange for other professionals such as Tom Rawinsky, a biologist with the USDA who performs deer population studies to speak on the matter if that was beneficial.

- From a conservation perspective, there are associated issues with increased deer densities including tick and other deer borne illnesses have increased as a result of the increased deer population. Also, increased vehicle collisions with deer have been documented.
- BG states there are many hunting options that Marshfield could adopt and a large body of data on the topic of deer hunting and deer management. BG stated that additionally there are existing rules and regulations about hunting at the state level that prohibits hunting within established distances to dwellings and roadways known as the discharge setbacks or "overlaps". These overlaps eliminate hunting from a large inventory of properties within Marshfield. BG states that the Mass Environmental Police and Marshfield Police Department have the authority to enforce the hunting regulations. JZ reiterated that 85-90% of the town is within discharge setbacks so the amount of the land that is huntable is not that much. He estimates that roughly half of the conservation lands would be potential candidates for a hunting policy. JZ understands the safety concerns and realizes that you will not be able to change certain people's minds despite the supporting evidence. However, considering that 50% of the existing conservation lands and 85-90% of the town in general are not huntable, a hunting policy could be established so there are limited or no conflicts with other interests.
- BO asks if the only hunting request is only archery hunting for deer. JZ stated that this is the most popular form of hunting so this is what he is suggesting. He indicated that under Colonial Ordinances of 1641-47 that covers the right to fish, fowl and navigate hunting is allowed on conservation land below the mean tide line.
- BO inquired about the season? JZ states the season for hunting for archery begins around Oct 15th and ends Dec 31st. JZ indicated that the season within conservation lands could be controlled by the Commission. JK states that the Commission can control the time allowed for hunting on conservation land.
- BG states each hunter needs to have a license from the Commonwealth and get permission from the property owner to comply with state hunting and private property ownership rules and regulations. BG detailed the case of Hingham which adopted a simple hunting policy allowing archery hunting during state posted hunting seasons in specific locations. The type of hunting was from fixed positions; ranging was not allowed. This was accomplished with a letter permit that required proof of the state hunting license. The program helped to curb the burgeoning deer population in the area.
- JK would like to take more of an active role to find out more information on behalf of the Commission.
- BO asked JZ what options other towns in the area utilized. JZ said that Duxbury opened some of their larger open space areas and allowed hunting there. Hingham requires written permission from the Conservation Commission and follow state hunting rules and regulations. Other towns require proof of capabilities and proficiency testing. BO clarified where does this go after a decision is made by the Conservation Commission? Typically, the Conservation Commission oversees the rules and regulations that apply to Conservation Lands. Back in 2009, the Board of Selectmen (BOS) voted to allow hunting on lands owned or under the care and custody of the BOS but the Conservation Commission (Con Comm) voted not to allow hunting on lands owned or under the care and custody of the Con Comm. JK stated that Con Comm is the custodian of town conservation lands. JZ mentioned that an article was presented at Town Meeting in 2009 to not allow hunting in the Town. Town Counsel at the time, Robert Marzelli (RM) stated that it was technically not an illegal article as only the Marshfield Conservation Commission can dictate what happens on conservation lands.
- BG asks about how the Commission wants to proceed. They would like to review the hand outs and gather information individually at the present time.

Marshfield Rod and Gun Club/Donations - David Greenwood (DG)

- David Greenwood (DG), President of Marshfield Rod and Gun Club would like to ask for a vote for the commission to accept 14 parcels of land as a donation. FW and RC support it. CH asked about clearance protocols. BG said that DG has provided clearance of the taxes and title. This is a land donation to be differentiated from land acquisition which is under the care and custody of the Open Space Committee.
- RC makes motion to accept all donated land. FW second. Motioned Approved 6-0-0.
- DG asked about next steps. BG will reach Town Administrator and Town Counsel to advance the process.

Recreation Trails Committee-signage Jose Carreiro Woodland – Ned Bangs (NB)

- BG introduced Ned Bangs (NB) who presents the first prototype of the kiosk signage for the Recreation Trails Committee (RTC). NB stated that the RTC committee chose Brenner Signs of Plymouth to refine and produce a number of kiosk signs. There was an intensive search and the committee feels comfortable with the decision.

Greg Brenner (GB), Bill Grafton (BG) and others walked the Jose Carriero Woodland to develop the initial signage and designated sign areas. NB mentions that the Marshfield High School carpentry class will be assisting in the construction of the kiosks. NB said that the goal is to have 6 kiosks built by the time school is out. The history and other language were drafted by Karen and Katie O'Donnell who knew Jose Carreiro. The goal is to make this a bit more concise. Discussion on whether to include No Hunting as a Rule and Regulation. The RTC was responding to a single member of the Open Space Committee who voiced interest in adding No Hunting to the sign. Signs will be made with high pressure laminate and the design will follow a template. All trails will be marked with color markers and not named. The initiative includes kiosk supplements identifying "You Are Here." so people have some orientation. Partners who are involved with the property will be included on the kiosk for recognition.

- JK wanted to know who would be the point of contact for "Trail Questions" which is posted on the sign. BG suggested that the Conservation Office would be an appropriate center for this effort for response and distribution to other town departments as needed.
- JK since this is Conservation owned land then we should probably use a consistent logo to ensure that the logo emphasized that Conservation is the custodian.
- NB said that RTC and Conservation are key partners. JK stated that there are costs to the sign production so we should be careful about what is included on the sign in case it changes in the future.
- BO would like to know what the cost would be to modify a sign if it is needed and wonders if anyone has raised this question. NB states he does not know the cost of the modifications but it is not the intention to modify the signs once they are up. NB will add the topics of concern to the Commission to the next communication with Brenner Signs. JK noted that Conservation has 21 Rules and Regulations and we are not putting all 21 on the sign then he suggests that No Hunting should not be included on the sign as the Commission's position could change in the future. BG said that we don't want to make the sign too prescriptive as it might require change in the future. Best to include the primary rule and regulations that will not change. AL said that the language should clarify the users' understanding of the rules and regulations. Liz Anoja (LA) wondered if the No Hunting regulation would get lost on the sign and suggested a separate sign be considered where appropriate. BO stated that there are a lot of ideas that need to be considered. BG said that the only way to actually stop hunting with signage requires compliance with state regulations that are highly intensive and easily challenged if signs are not accurately posted. AL said that if hunting is allowed then it needs to be well advertised for public awareness. BG said that the kiosk signage is helpful to a trail visitor but will not give teeth to a no hunting policy so it has little value to the effectiveness of a no hunting policy.
- RTC Committee is also working with the COA for Life Long Learning group to promote walking. They are facilitating several walks on 8 different properties to spread the word about these wonderful trails that are open to the public.
- BG mentioned that one of the RTC members introduced a silhouette background of the final logo on the fill between the various features of the kiosk signage. This would add some imagery and presence to the kiosk signage. NB said that future kiosk designs will be presented to the Commission. JK likes that the RTC and Con Com are working together on this project and wants to confirm that as the sign passes through the various stages that Conservation have the opportunity to review it.
- Jason Zimmer (JZ) inquired if public comment was acceptable. He stated that he wishes that they had something similar on the MassWildlife lands that his region manages for the state. JZ suggested a topo map to identify the salt marsh might be something to think about so people are aware there is salt marsh. JK also suggested a locus map should be placed on the sign.
- JZ suggests limiting the regulations and be sure to only include what obviously will not be changed. Use words such 'as prohibited' for example dogs or hunting or "as otherwise not allowed". The changes can become expensive so foresight is needed. He also stated that it is important to make it as clear as day that the land is under the care and custody of the Conservation Commission. The land should be clearly marked as conservation land.
- NB said that street signage would include the international hiker symbol.
- Liz Anoja (LA) suggests supplemental signage for hunting and dogs as each property has different regulations.
- BG would like a digital proof of the map to share with the Commission and public. NB said that the RTC will communicate in person or through e-mail and is flexible.

NEW BUSINESS

11 Rexham Road Emergency Certification – Jack Clancy

- BG stated a home nearly fell into the ocean at 11 Rexham Road during the first Winter Storm on March 2nd.

- Multiple Emergency Declaration Forms were filed with the state and they resulted in new gas lines, road repairs and initial stabilization of the home at 11 Rexhame Road but they now need to reestablish the foundation and this requires an Emergency Certification Form.
- BG reviewed the site plan from Jack Clancy prepared by Stenbeck & Taylor. FW would like an NOI as he feels that the foundation work exceeds 50% and would be considered substantial.
- BG said that the Commission had given him permission to issue Emergency Certification Forms on their behalf but this one requires a review by the Commission. BG is looking for feedback on best practice to proceed.
- RC states that this is a velocity zone and an NOI is appropriate. BG would like to give the applicant an extension perhaps a week to file the NOI. FW said that we can extend the extra time as this is an Emergency but we are not giving a 9-month permit.
- BG said that there are only 2 emergency permit options: Emergency Declaration (state) and Emergency Certification (town). The work exceed the Emergency Declaration so either an Emergency Certification or an NOI is required for the remaining foundation repair work. BG stated they stabilized the house with timbers under the foundation and need to take action sooner rather than later to save the house from additional damage. FW inquired about the work schedule. BG stated that he has observed the site and it is severely damaged and requires a lot of foundation work. AL said that the Commission needs more details as it is being asked to vote on something that is not well defined.
- CH wants to know when the emergency repair will be completed. CH wanted to know if BG thought that the site was stabilized. BG is not qualified to make that determination. BG suggested that the Emergency Certification allows up to 30 days. FW wants additional information. JK said that major repairs would have to come under separate permitting. BG said that he is hearing that the Commission requires an NOI. BG suggests that we give the applicant additional time to prepare the NOI so he can return to the Commission within 2 weeks for review and deliberation by the Commission and then expedite him into the field through quick issuance of the NOI. BG stated that DPW, Columbia Gas, Jay Wennemer and Bill Grafton observed the conditions at 11 Rexhame and they are perilous. The emergency remains in BG's opinion but he agrees that an NOI should be required and the Commission has to make that decision.
- BO states that the Building Commissioner would define substantial repair.
- BG states the collective decision of the Commission is for the applicant to file an NOI.

ADJOURNMENT – RC motioned to close hearing at 9:25pm. FW second. Motion approved 6-0-0.

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

Bill Grafton, Conservation Administrator
Robert Conlon, Chairman
Frank Woodfall
Chad Haitsma

Bert O'Donnell
James Kilcoyne
Art Lage