

**Town of Scituate
Conservation Commission
Remote Meeting
Meeting Minutes
Monday, November 13, 2023 6:00pm**

Teleconference: Mr. Brendan Collins, Mr. Doug Aaberg, Mr. Richard Harding, Mr. Frank Snow, Chair

Also Present: Amy Walkey – Conservation Agent, & Jenn Smith – Recording Secretary

Not present: Ms. Jen Foley, Mr. Andrew Gallagher, Ms. Penny Scott-Pipes

Frank Snow: This meeting is being held remotely as an alternate means of public access pursuant to Chapter 20 of the Acts of 2021 temporarily amending certain provisions of the Open Meeting Law. You are hereby advised that this meeting and all communications during this meeting may be recorded by the Town of Scituate in accordance with the Open Meeting Law.

The Scituate Conservation Commission is committed to providing an environment of respect during meetings. We ask all members to interact in a polite manner even when there is disagreement.

We value the participation of our community and want all participants, including marginalized and minoritized communities, to feel welcomed and respected.

We ask our committee members, and all who participate, to commit to these standards to support and respect our community.

1. Call to Order, 6:00 pm Roll Call of Commissioners

Doug Aaberg – present remote, **Richard Harding** – present remote, **Brendan Collins** – present remote, **Frank Snow** – present at Townhall

2. Agenda Acceptance:

Mr. Doug Aaberg made motion to accept agenda with addition of Border Street parking, choosing representative for Mordecai Lincoln committee liaison. Mr. Brendan Collins second. Roll call to vote. Unanimous vote accepted. (4-0), Mr. Doug Aaberg - yes, Mr. Richard Harding – yes, Mr. Brendan Collins – yes, Mr. Frank Snow – yes

3. PUBLIC HEARINGS – NOI/ANRAD/AMENDMENT

a. 453 Chief Justice Cushing Hwy., SCC#: 23-22-5

Applicant: Town of Scituate, DPW

Representative: LEC Environmental

Proposed: Stearns Meadow Water Treatment Plant

Mark Mangenello – LEC – described plan for new water treatment plant complex and the SW management. Septic also on plan. There are isolated Vegetated wetland onsite – so only jurisdictional by the local Scituate By-Law, not Wetland Act. Wetlands were confirmed by previous ANRAD filing. There are 5 IVWs. No work in other area. This complex is to replace the existing water treatment plan – plan to demo existing one when this is complete. ENF filed in May. New facility within non jurisdictional uplands. Need to fill in one IVW. Will replicate and plan to connect with replication with another IVW replication will adequately mitigate filling.

Agent – Art Allen reviewed filing. He also reviewed ANRAD. Comments were to avoid impacts to wetland E. replication area needs plantings pl and details. In agreement good idea for location of replication.

Agent – planning board reviewing SW proposed. Planning Board will manage SW since this is on location by-law for ConCom
Brendan – confirmed location wetland E.
Richard – question about cemetery access.
Mark – will make LOW adjustment on plan and provide planting plan for mitigation.
Frank – IVW from past perc test. How much fill needed? Make sure don't clear what don't need to clear. Mark – will find the number for amount of fill being brought in. Frank – good to save some of the trees on side of plant would be great.
Michael Gibbons – 142 Old Forge Rd – Think there are places to save some trees.
Mentioned 50 foot buffer when presented project in past. Would like to see that. Has not seen comprehensive planning plan.
Frank – see trying to be farther from resource area, but challenged with LOW distance varies from homes property lines on northern end.
Doug – confirmed LOW is erosion line.
Frank – looking for planting plan, updated plan, SW from planning.

Mr. Richard Harding made motion to continue 453 Chief Justice Cushing Hwy to 12/4/2023. Mr. Doug Aaberg second. Roll call to vote. Unanimous vote accepted. (4-0), Mr. Doug Aaberg - yes, Mr. Richard Harding – yes, Mr. Brendan Collins – yes, Mr. Frank Snow – yes

b. 8 Westgate Lane DEP #: 068-3058– continued from 10/23/2023

Applicant: Dina Wigmore

Representative: Morse Engineering

Proposed: Raze/rebuild SFD

Agent – needed revised form, fee and plan. All received.

James Garfield – moved 4 dry wells to side yard. Updated form with riverfront and fee. Other change made o plan. ZBA approved.

No questions. No abutter questions.

Mr. Richard Harding made motion to close 8 Westgate Lane. Mr. Brendan Collins second. Roll call to vote. Unanimous vote accepted. (4-0), Mr. Doug Aaberg - yes, Mr. Richard Harding – yes, Mr. Brendan Collins – yes, Mr. Frank Snow – yes

c. 72 Glades Rd., DEP# 068-3075

Applicant: Horace & Emily Tjakra

Representative: Morse Engineering

Proposed: rebuild of single family home

James Garfield – raze/rebuild; house destroyed home that was there. 7136 sq ft size property. Beach, dune, landward of seawall. VE 19 & 20, AE 15 on road side of property. Timber driven piles. Septic under the house.

Agent – had NOI other properties. Home fires so rebuilding. Beach, dune, LSCSF, seawall on side. Driven open pilings consistent with state building code. BOH not signed off septic yet.

James – deck, open deck on ocean side.

Frank – leaching system moving under house why. James no easements. Leaching was off site before. Have to bring onto property. Also meeting set back with property lines.

Frank – would like to see pulled as far away from ocean as can. Especially out of the V zone. House expanded towards ocean with deck going toward seawall. Would like to know change in footprint.

Mr. Richard Harding made motion to continue 72 Glades Rd. to 12/4/2023. Mr. Brendan Collins second. Roll call to vote. Unanimous vote accepted. (4-0), Mr. Doug Aaberg - yes, Mr. Richard Harding – yes, Mr. Brendan Collins – yes, Mr. Frank Snow – yes

d. 13 Hillcrest Rd., DEP # 068-3077

Applicant: Kristen West

Representative: Morse Engineering

Proposed: Raze/rebuild SFD, Stormwater Bylaw review

James Garfield – Morse engineering – raze/rebuild, SW permit. 10,185 sq ft site, single family home, septic and driveway. BVW offsite. 50 ft and 100 ft buffer onsite. Gravel driveway. Delineated by John Zimmer. Outside 50 foot buffer. Only grading in 50 and on existing lawn. Art Allen reviewed – suggested plantings to mitigate. SW comments received today. Need to respond. No DEP comments.

Agent – HW doing SW review. Minimize disturbance in 50 ft setback.

Doug – retraining wall in 50 and some grading.

James – planning to use existing foundation. Addition on one side and garage on the other. Addition causing SW review.

Brendan – agree with Doug – mitigation planting would be good. Maybe markers.

Mr. Richard Harding made motion to continue 13 Hillcrest Rd to 12/18/2023. Mr. Brendan Collins second. Roll call to vote. Unanimous vote accepted. (4-0), Mr. Doug Aaberg - yes, Mr. Richard Harding – yes, Mr. Brendan Collins – yes, Mr. Frank Snow – yes

e. 817 Country Way, DEP#: 068-3042 cont'd from 10/23/2023

Applicant: Option C Properties, LLC

Representative: Grady Consulting

Proposed: New multi-unit apartment complex with SW and septic improvements

Bill Ohrenberger – attorney representing applicant – been to planning board. Have reduced project.

Kevin Grady – Grady Engineering – met with Design Review, Planning Board. Oct 19 latest plan. Art Allen submitted comments on Oct 16. BVW to the west of the property. Access is Country Way. River to east of property. Revised plants and form and additional fee to include riverfront.

17400 sq ft of riverfront on property. Much in riverfront is already developed. Adding accessibility along road. Country Way road separates river and project. Currently no SW control. Providing SW control and treatment and recharge. Maintaining 50 ft buffer. Erosion control on pan. Fence at 50ft buffer.

Agent – dense project on property. Peer review for resource area being worked out. SW still in process and will be part of orders. DEP no comments. Much project out of jurisdiction.

Brendan – other mitigation? Or just SW within 100.

Kevin – planning asked to review a couple parking places. Discussed SW treatment and recharge. Discussed buildings and landscape.

Beverly Bruce – 19 Mordecai Lincoln - Is existing grading at entrance to keep from going into Bound Brook? Kevin – yes it is adequate. Discussed existing and proposed grade.

Slope is around 8%. Trench drain has maintenance that goes with it. Proposed double catch basin.

Kathleen des Jourdy – 429 S Main St – adjacent to property. Concern regarding velocity of run off from driveway. Catch basin there does not catch much during storms. Don't want frozen drains and clogged drains so doesn't go to their driveway.

Kevin – catch basin on Cohasset Town line. Discussed how calculated water going off site now and after development cannot be greater. Required to equal or reduce.

John DeWaal – 431 S Main St – heard comments about storm drains. Water pools there enough of a curve making large puddle during storms that cars drive around. Mentioned concern between project site and property. Kevin Grady – described SW system drainage plan. And drainage areas on site. Confirmed treatment of SW before leaves site.

Mr. Richard Harding made motion to continue 817 Country Way to 2/12/2024. Mr. Doug Aaberg second. Roll call to vote. Unanimous vote accepted. (4-0), Mr. Doug Aaberg - yes, Mr. Richard Harding – yes, Mr. Brendan Collins – yes, Mr. Frank Snow – yes

f. opposite 280-286 Central Ave., DEP # 068-3071 continued from 10/23/2023

Applicant: Janwillis Realty Trust, William Pappastratis

Representative: Kevin Maguire

Proposed: new pier/ dock

Mr. Richard Harding made motion to continue opposite 280-286 Central Ave to 12/18/2023. Mr. Brendan Collins second. Roll call to vote. Unanimous vote accepted. (4-0), Mr. Doug Aaberg - yes, Mr. Richard Harding – yes, Mr. Brendan Collins – yes, Mr. Frank Snow – yes

g. 0 & 40 Crescent Ave. ANRAD DEP#: 068-3074 cont'd from 10/23/2023

Applicant: Mary-Louise Pitts-Bohn, Trustee

Representative: Ross Engineering / Grady Engineering

Proposed: ANRAD

Mr. Richard Harding made motion to continue 0 & 40 Crescent Ave to 12/4/2023. Mr. Doug Aaberg second. Roll call to vote. Unanimous vote accepted. (4-0), Mr. Doug Aaberg - yes, Mr. Richard Harding – yes, Mr. Brendan Collins – yes, Mr. Frank Snow – yes

2. Public Meeting / Request for Determination of Applicability

a. 17 Mordecai Lincoln Rd (SBL #21-23)

Applicant: William Logan & Susan Branch-Logan

Presentative: Morse Engineering

Proposed: septic repair

James Garfield, Morse Engineering – reviewed resources on site. Ledge in area in front yard. Cesspool currently. New system with gravity system. Erosion control proposed.

Improvement to site. Area picked is where soil was appropriate.

Agent – upgrade – not accepting delineation of site. Not confirming resources for future projects. Has BOH approval.

No abutter comments.

Mr. Richard Harding made motion for negative determination for 17 Mordecai Lincoln Rd. Mr. Doug Aaberg second. Roll call to vote. Unanimous vote accepted. (4-0), Mr. Doug Aaberg - yes, Mr. Richard Harding – yes, Mr. Brendan Collins – yes, Mr. Frank Snow – yes

3. Administrative Items

a. Agent Update:

Frank – Border St field – would like ideas where to put parking. Doug offered to do a few preliminary sketch for parking to discuss at future meeting. Hoping some funding will come from monies from group who project forward

Mordecai Lincoln Community liaison

Mr. Frank Snow nominated Penny Scott-Pipes to be the liaison for Mordecai Lincoln committee. Mr. Doug Aaberg second. Roll call to vote. Unanimous vote accepted. (4-0), Mr. Doug Aaberg - yes, Mr. Richard Harding – yes, Mr. Brendan Collins – yes, Mr. Frank Snow – yes

b. Meeting Minutes:

c. Requests for Certificate of Compliance: 215 Tilden Rd.

d. Signing of Documents:

Mr. Richard Harding made motion for adjourn meeting at 8:15pm. Mr. Brendan Collins second. Roll call to vote. Unanimous vote accepted. (4-0), Mr. Doug Aaberg - yes, Mr. Richard Harding – yes, Mr. Brendan Collins – yes, Mr. Frank Snow – yes

Respectfully Submitted,
Jennifer Smith, Recording Secretary

CORRESPONDENCE

October 23, 2023 – November 13, 2023

1. NOI – 5 Shoal Water Rd – raze/rebuild
2. RDA – 22 Town Way – deck
3. Summary of Gulf River Sampling Data 2023 – 817 Country Way
4. ZBA application for 208 CJC Hwy
5. Zoning Enforcement Officer letter to 70 Glades Rd
6. Chapter 91 Waterways License Application for 61 & 63 Border St
7. ZBA decision for 3 Chester St
8. Letter from Humarock resident regarding activity on property owners' seawalls
9. Letter from Conservation to applicant for 3 Seagate
10. James Landing Condo Association letter to ConCom regarding start of work of RDA 10-23
11. RDA – 385 Clapp Rd – septic