

**Town of Scituate
Conservation Commission
Remote Meeting
Meeting Minutes
Monday, October 23, 2023 6:00pm**

Teleconference: Ms. Penny Scott-Pipes, Mr. Richard Harding, Ms. Jen Foley, Mr. Andrew Gallagher, Mr. Frank Snow, Chair

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

Not present: Mr. Brendan Collins, Mr. Doug Aaberg,

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

Jenn Foley – present remote, **Richard Harding** – present remote, **Penny Scott-Pipes** – present remote, **Andrew Gallagher** – present remote, **Frank Snow** – present at Townhall

2. Agenda Acceptance:

Ms. Penny Scott-Pipes made motion to accept agenda with addition of CPC update, Mt Hope and Appleton Field update. Mr. Richard Harding second. Roll call to vote. Unanimous vote accepted. (5-0), Ms. Jen Foley - yes, Mr. Richard Harding – yes, Ms. Penny Scott-Pipes – yes, Mr. Andrew Gallagher – yes, Mr. Frank Snow – yes

3. PUBLIC HEARINGS – NOI/ANRAD/AMENDMENT

a. 8 Westgate Lane DEP #: 068-3058– continued from 9/25/2023

Applicant: Dina Wigmore

Representative: Morse Engineering

Proposed: raze/rebuild

Agent – received comments from Art Allen this morning.

Greg Morse – revised plan 9/26/23 added wetland flags, top of bank of river. Unable to document enough days water not flowing. Added 100 foot top of bank of river. Re-development of site. Revised bank yard portion. Proposed home is 492 ft larger in size. Also proposing 2.1 to 1 mitigation area about 1050 sq ft – designed by Brad Holmes. Some grading in mitigation area and +/- 6 inches – needs to be grubbed, has invasives. SW mitigation proposed also. Roof filters connected to dry well.

Art Allen – EcoTec – originally filed buffer only. Revised to be riverfront. Should be additional filing fee and should also submit revised plan to DEP. Flags revised on plan represent riverfront area. Proposed improvement with mitigation area – agree a re-

development. Area previously lawn – has been cleared out before filed. Belie eve meets re-development standards. Seems to be an improvement. Still a lot in the 50 foot. Not sure how ConCom wants to handle. NOI should be revised also for complete record. At least the page with resources.

Agent – does appear to be better project. Giving good amount of mitigation. Have accuracy in plan for resource area. SW proposed good. Concerned with plantings – when will happen and how maintained. Goof if done upfront.

Richard – question regarding increasing area. Greg – explained total degraded on site. 1934 currently. Proposing 3053

Penny – asked about reason for location of leaching field – Greg – bc reusing existing septic. But also explained that in back is leaching for the roof drainage.

Frank – concerned new plan shifts towards resource area. Is mitigation sufficient.

Art Allen –

Need additional filing fees, corrected forms, and forms submitted to state also.

Ms. Penny Scott-Pipes made motion to continue 8 Westgate to 11/13/2023. Ms. Jen Foley second. Roll call to vote. Unanimous vote accepted. (5-0), Ms. Jen Foley - yes, Mr. Brendan Collins – yes, Mr. Doug Aaberg – yes, Mr. Andrew Gallagher – yes, Mr. Frank Snow – yes

b. opposite 280-286 Central Ave., DEP # 068-3071 continued from 9/25/2023

See applicant request to continue to November 13, 2023

Applicant: Janwillis Realty Trust, William Pappastratis

Representative: Kevin Maguire

Proposed: new pier/ dock

Ms. Penny Scott-Pipes made motion to continue opp 280-286 Central Ave. to 11/13/2023. Mr. Richard Harding second. Roll call to vote. Unanimous vote accepted. (5-0), Ms. Jen Foley - yes, Mr. Richard Harding – yes, Ms. Penny Scott-Pipes – yes, Mr. Andrew Gallagher – yes, Mr. Frank Snow – yes

c. 817 Country Way, DEP#: 068-3042 cont'd from 9/11/2023

See applicant request to continue to November 13, 2023

Applicant: Option C Properties, LLC

Representative: Grady Consulting

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

Ms. Penny Scott-Pipes made motion to continue 817 Country Way to 11/13/2023. Mr. Richard Harding second. Roll call to vote. Unanimous vote accepted. (5-0), Ms. Jen Foley - yes, Mr. Richard Harding – yes, Ms. Penny Scott-Pipes – yes, Mr. Andrew Gallagher – yes, Mr. Frank Snow – yes

d. 0 & 40 Crescent Ave. ANRAD DEP#: 068-3074

Applicant: Mary-Louise Pitts-Bohn, Trustee

Representative: Ross Engineering / Grady Engineering

Proposed: ANRAD

Paul Mirabito – next door home at 56 Peggotty Beach Road has coastal bank delineated in May 2023. FEMA flood zone on property. Land above VEzone x, which is not flood zone. Discussed function of coastal beach.

Agent – Merrill hired to review. Waiting for comments.

Ms. Penny Scott-Pipes made motion to continue 0 & 40 Crescent Ave. to 11/13/2023. Ms. Jen Foley second. Roll call to vote. Unanimous vote accepted. (5-0), Ms. Jen Foley - yes, Mr. Richard Harding – yes, Ms. Penny Scott-Pipes – yes, Mr. Andrew Gallagher – yes, Mr. Frank Snow – yes

e. **294 Central Ave, DEP# 068-XXXX**

Applicant: Mark & Karen Perfetti

Representative: Morse Engineering

Proposed: elevate, addition

Greg Morse – reviewed resource area on site. VE 18. Proposed timber piles. FF at 22 feet. Need to continue, no DEP number and structural not complete.

Agent – confirming project is elevating existing home and adding an addition. Slightly related on site. Good using driven piles, no footings. Reviewed resources in area. Developed barrier beach. Not wanting to see wall reinforced. Don't want to leave wall on site. That should come out. Looks like no work on septic.

Greg – no septic work. Proposing leaving concrete wall. Will talk to home owner if can remove.

Richard – would like clear understanding where moving house on lot. Concerned about removed wall and effect it will have – the consequences of removing it.

Ms. Penny Scott-Pipes made motion to continue 294 Central Ave. to 12/4/2023. Ms. Jen Foley second. Roll call to vote. Unanimous vote accepted. (5-0), Ms. Jen Foley - yes, Mr. Richard Harding – yes, Ms. Penny Scott-Pipes – yes, Mr. Andrew Gallagher – yes, Mr. Frank Snow – yes

2. **Public Meeting / Request for Determination of Applicability**

a. **809 Country Way (SBL #20-23)**

Applicant: Kate Connelly

Presentative: Morse Engineering

Proposed: septic repair

Greg Morse – Morse Engineering- upgrading septic. Grassed over when done. Parking area for 11 cars. Upland area but in 200 foot from Bound Brook which is on other side of street. Current building planning to be repurposed into a 9 bedroom group home. Erosion control on plan. No questions from ConCom.

Agent – not agreeing to resource line. Under BOH review. Agree negative determination appropriate.

No abutter comments.

Ms. Penny Scott-Pipes made motion for negative three determination for 809 Country Way. Ms. Jen Foley second. Roll call to vote. Unanimous vote accepted. (5-0), Ms. Jen Foley - yes, Mr. Richard Harding – yes, Ms. Penny Scott-Pipes – yes, Mr. Andrew Gallagher – yes, Mr. Frank Snow – yes

3. **Administrative Items**

a. Agent Update:

- Frank will check with Paul Scott about helping with the engineering for the Bates Lane regrading and other roads.
- Penny will follow up with Paul Scott about the Higgins Mcallister Bridge repair.

West End Projects Completed, Funds to Be Rescinded

Penny announced that all West End projects have been completed. Unless a major issue arises, before the town meeting, unspent funds will be rescinded. The projects involved access and parking lots, with some money taken from open space to be returned.

- b. Meeting Dates for 2024** - *Ms. Penny Scott-Pipes made motion to accept meeting dates 2024. Mr. Richard Harding second. Roll call to vote. Unanimous vote accepted. (5-0), Ms. Jen Foley - yes, Mr. Richard Harding – yes, Ms. Penny Scott-Pipes – yes, Mr. Andrew Gallagher – yes, Mr. Frank Snow – yes*

- c. Requests for Certificate of Compliance:** 57 Garrison Rd (pool/ pool house); 83, 83R, 87 Glades (new multi-family dwellings)

Glades Road projects CoC requests – discussed issuing CoC. Growing season not done on 83R. 83 Glades is the property next to it and looking to close. Greg Morse – plants are in. 2 years not completed yet. 83 Glades is not waterfront. 83 R is the property with plantings. Work done for 83 Glades.

Jen – concern additional work not on plan – patio, fence, etc.

Greg – will review design and as built for projects.

- d. Order of Conditions:** 74 & 74C Glades Rd., 74B Glades Rd., 49 Seaside Rd., 42 Brunswick St. AMENDMENT

Ms. Penny Scott-Pipes made motion to accept orders as written for 74 & 74C Glades Rd, 74B Glades Rd, 49 Seaside Rd and 42 Brunswick Rd. Ms. Jen Foley second. Roll call to vote. Unanimous vote accepted. (5-0), Ms. Jen Foley - yes, Mr. Richard Harding – yes, Ms. Penny Scott-Pipes – yes, Mr. Andrew Gallagher – yes, Mr. Frank Snow – yes

- e. Signing of Documents:**

4. Adjourn, Roll Call

Ms. Penny Scott-Pipes made motion to adjourn. Ms. Jen Foley second. Roll call to vote. Unanimous vote accepted. (5-0), Ms. Jen Foley - yes, Mr. Richard Harding – yes, Ms. Penny Scott-Pipes – yes, Mr. Andrew Gallagher – yes, Mr. Frank Snow – yes

Respectfully Submitted,

Jennifer Smith, Recording Secretary

CORRESPONDENCE

October 2, 2023 – October 23, 2023

1. Planning Board Agenda for October 12, 2023
2. ZBA issuing special permit for lot at 62 Collier Rd
3. ZBA issuing special permit for 5 Collier Ave Extension
4. ZBA issuing special permit for 13 Hillcrest Rd.
5. Planning Board Form A Application for 62 R Booth Hill Rd

6. Planning Board Form A Application for 40 Crescent Ave
7. Planning Board Accessory Dwelling Special Permit Application for 27 Sherman Drive
8. Stormwater Solution magazine for Sept/Oct 2023
9. ZBA decision for permit for 162 Central Ave.
10. Amended Agenda Planning Board for Sept 28, 2023
11. Notification to abutters from DPW for work at 453 CJC Hwy re: Title 5 subsurface Sewage Disposal Facility
12. Amended Agenda Economic Development Commission meeting Oct 23, 2023
13. Planning Board Form A Application for 747 Country Way
14. Recording info for OOC for 146 First Parish Rd 68-3062
15. Abutter notification for 72 Glades Rd NOI
16. ZBA decision for special permit for 62 Collier Rd,
17. ZBA decision for special permit for 5 Collier Ave Ext.
18. ZBA decision for special permit for 13 Hillcrest Rd
19. Revised plan for 817 Country Way NOI
20. NOI for 453 CJC Hwy – Stearns Meadow Drinking Water Treatment Plant
21. NOI – 13 Hillcrest Rd – r/r

Minor Activity Permits

- #35 – 10 Meadow Lane
- #36 – 23 Deer Common Dr – tree
- #37 – 465 First Parish Rd – trees
- #38 – Peggotty Beach – beach grass