

**Town of Scituate
Conservation Commission
Town Hall Selectmen's Hearing Room
Meeting Minutes
November 16, 2016**

Meeting was called to order at 6:17 p.m.

Members Present: Mr. Snow, Mr. Harding, Ms. Caisse, Mr. Parys, Mr. Mitchell, and Ms. Scott-Pipes.

Also Present: Patrick Gallivan, Agent and Carol Logue, Secretary

Agenda: Motion to amend the agenda to discuss date change for second meeting in December, update Scouts and Indian Trail, Open Space announcement, Informal for 11 Priscilla, pilings for a shed and Summer Street lots will be on hold until December 7 Ms. Scott-Pipes. Second Mr. Harding. Motion passed by unanimous vote.

Request for Determination: Historical Society, 16 Country Way (install 7 steps to complete access to Gristmill) (cont.)
Talk to Dave Ball. Motion to continue the hearing to December 7, 2016 Ms. Scott-Pipes. Second Mr. Harding. Motion passed by unanimous vote.

Request for Determination: O'Brien, 19 Kenilworth St. (asphalt drive / concrete had been removed) (cont.)
Barry O'Brien was present at the hearing. Paved area was removed when the septic was repaired. It was suggested that only the septic be discussed and not discuss pavement. Would like the same footprint. Mr. Harding: have been by and the driveway looks pretty good, is there a specific reason to pave it? A lot of dirt gets in the cottage. Would you consider pavers? Asphalt is cheapest. Ms. Caisse: would gravel work? Tough on the feet. Mr. Snow: the septic did receive a Certificate of Compliance. Looking at septic plan; doesn't even show or reference a driveway. Driveway was concrete before. Order #27 says it can't be replaced and you agreed to that. Mr. O'Brien was told not to complicate the matter; went with that. Any pictures that show the old driveway? Not with him. Kenilworth is an unpaved street. At the time the orders were issued don't know what was said. Is septic designed to have something impervious over it? Doesn't matter. Going to eliminate some of it. Will plant a couple feet of flower beds along the fence. Too bad it happened, but would prefer some pavers or shells. Mr. Snow: Notice description states that concrete slab will be removed and covered with gravel or pavers. Ms. Scott-Pipes: it was a continuing order also. Mr. Mitchell: it was in the orders and recorded. Trying to create more pervious areas on these beaches. Request for Determination states you are going to keep the same amount. Commission would be more than willing to accept pavers. Pervious asphalt is also expensive\ and it may not work either. If you are going to change surface, it is important to know what you are going to do. Can't afford pavers. Not increasing coverage. Was led to believe pavement would be grandfathered. Is there a compromise? Maybe put enough for the tires; then more than 50% would be pervious. You could revise the plan, but not here to design tonight. If there is a compromise it is up to Mr. O'Brien to propose. If I was asking for a brand new driveway that would be different. Come up with a reasonable compromise. Motion to continue the hearing to December 14, 2016 Ms. Scott-Pipes. Second Mr. Harding. Motion passed by unanimous vote.

Meeting Date: Motion to move the December 21st meeting to December 14th Ms. Scott-Pipes. Second Mr. Harding Motion passed by unanimous vote.

Wetlands Hearing: Hummel, 91 Surfside Road (repair rip rap) (cont.)
Applicant's representative requested a continuance, waiting for homeowner to come back into the country. Motion to continue the hearing to January 4, 2017 at 6:30 p.m. Ms. Scott-Pipes. Second Mr. Parys. Motion passed by unanimous vote.

Wetlands Hearing: Hubbard, 28 River Road (raze/rebuild)*
Jeff Hasset from Morse Engineering and Jeff and Leslie Hubbard were present at the hearing. Abutters' notification was submitted. This is a raze & rebuild. There are three assessors parcels, just under 20,000 sq. ft. in size, 10,700' is upland; presently developed. Deck off the rear, shed, septic, gravel driveway and lawn around the house. Wetlands delineated by Brad Holmes which includes a bordering vegetated wetland highlighted in blue, the 50' buffer is marked in red, the 100' in green and the salt marsh with a second blue line. It is not within the riverfront area. Entire property is in the current flood zone AE elevation 15'. Existing house is at elevation 11.5'. Demolish and reconstruct a new house with open deck on front and back on wooden pilings. Feel no adverse impact; walls of house are no closer to the wetlands. Decks are closer but above the ground where there is currently lawn and it will be pervious. Currently concrete foundation with concrete shower. All concrete will be removed. At the rear the lawn goes right up to the wetland line; proposing about 320 sq. ft. to be planted with bushes to create a wetland buffer zone. Septic is in good condition. No increase in bedrooms, positioning as close to the road as existing so need relief from the Zoning Board; meeting is tomorrow evening. Will use an erosion control barrier along the entire down gradient area. Also submitted elevation of the house. Preliminary architectural plans were handed out; structural plans were previously submitted. Ms. Scott-Pipes: shed going to stay? Not proposing to remove. What about the tree and brush line stay the same? Removing 63 sq. ft. of brush in the front corner to keep the house no closer to the wetland. Leaving brush line in back? Yes. Mr. Gallivan: very good narrative and wetland report was great. Mr. Gallivan: do you need floodplain bylaw approval? Will verify that. Attorney is going to Zoning. Run by the building department. Structural plans are in draft form, would like the final version when approved. Where the shed is, there is a natural tree line, would like to keep that. Where you are removing the vegetation on the other side there is a lot of bittersweet and other invasive vegetation that should be taken care of, otherwise it will take over. Mr. Snow: received a call from Attorney Jeff Delisi who was going to be here tonight to answer any questions about Zoning, must have had a last minute conflict. Wonder if we should leave the hearing open until after that meeting. Could close and set orders the same night, unless Zoning requests changes. Maybe Pat could write an e-mail to Zoning saying we have no issues. Where does the tree line near the shed go? Behind it 2' or 3'. Motion to continue the hearing to December 7, 2016 at 7:00 p.m. Ms. Scott-Pipes. Second Mr. Harding. Motion passed by unanimous vote.

Wetlands Hearing: McMillan, 105 Glades Road (septic tank)*

Paul Seaberg from Grady Consulting and Jim and Mary McMillan were present at the hearing. Abutters' notification was submitted. Proposing a 2000 gallon tight tank 71' from the salt marsh and between 11' and 12' to the coastal dune. Proposing erosion controls and will pump and fill cesspool that is between the barn and the house. Board of Health has enthusiastically supported it, but is currently reviewing the plans. The house was lost in '91. The only proper septic is a tight tank; 2,000 gallon is on the minimal size. House has been there since 1902. Mr. Gallivan: big improvement. Some information is missing for us and DEP. Buffer zone, flood zone AE elevation 15', coastal dune on page 2 of the application, also subject to coastal storm flowage. Will get orders ready for next week, but if for some reason the Board of Health has any issues we should keep it open. If we close we can't take any new information. If we continue we can close it and issue Orders the same night. It has been discussed two or three times, don't think there will be any changes. If we don't close you lose nothing. Motion to continue the hearing to December 7, 2016 at 7:05 p.m. Ms. Scott-Pipes. Second Mr. Harding. Motion passed by unanimous vote.

Wetlands Hearing: Martin, 264 Clapp Road (remove dead, storm damaged trees & debris and replant native vegetation) (cont.)

Amy Martin was present at the hearing. Concern about additional impervious that went in. Blue stone where the patio was, cleared out when first visited site, then there was bluestone. It has been there quite a while. Ms. Scott-Pipes. it wasn't there when we went out. Been there about a month and a half. Don't understand the issue with the pavers, when you said I could keep the patio; it was stonedust at the time. But you hadn't filed. Pat told you to go ahead with the plantings. Remember clearly that he told your husband that if you were going to do any hardscape you would have to come to us. What did you mean when you said I could keep the patio? Had patio pavers out there in an area to the right; actually there was a stack around the fish pond. That area had been prep with stonedust. Thought because it was all prepped that it was clear what was happening. Plan from 2009 is the same, had stepping stones before, now pavers. Didn't understand that that was not OK. Ms. Caisse: around the pond, versus to the right was different material; also additional plantings where they weren't supposed to be; a progression of things that were not understood. Didn't think there was anything additional going around the pond, just the little circle area to the right of the pond. Ms. Scott-Pipes: when we were out there it was never mentioned. Mr. Gallivan: focus was on getting the wetland line established and move the boulders. There have been a number of misunderstandings. There was concrete removed, large treehouse and concrete footings. Not trying to trash the wetlands. All planting has been done. Don't remember not allowing any hardscape. Part of the issue is, ordinarily there would be a 50' buffer. Does the plan reflect hardscape around the pond? Mr. Snow: back up and do a time line. Started the work when? Taking out the existing bluestone was probably June. Original letter went out in April. Then we started to have some discussion about the project. You were told to file the Notice of Intent. When did we get the filing? Started doing some of the cleanup; was told to include anything she wanted to do in the Notice; restoration and any additional work. During the cutting of the trees the violation letter went out. Filing seems to be a little loose. Usually we would want a complete plan before work started. You are working in a buffer zone without permission. Didn't understand there was a problem because something was already there and I was just changing material. Didn't think it called for a Notice of Intent. Another filing in 2008 and Steve Ivas did a plan and all these elements were there. Now the Koi pond has bluestone around it; more manicured. There has been several miscommunications. Red line on plan for proposed stones. Ms. Scott-Pipes: you just kept working. The 2008 planting plan was at the edge of the buffer zone, now it is at the wetland line; also grass was planted. Ms. Caisse: are you going to do any more work? Handed out a new plan with a proposed 8' x 15' asphalt surface for a hot tub; definitely out of the 50' buffer. Have to dig down 6". All the plants died from 2009. Mr. Snow: all the work that was done should be on the plan. All the plantings and all the hardscape. Ms. Caisse: since this is going to be a final plan, you need to make sure everything is on it. Mr. Harding: eliminate any miscommunication. There is also a pergola bench that sits on a paved surface. Is it OK to do the hot tub thing? People come with a proposal, have the hearings and the Commission either approves or disapproves; set the orders and you do the work. This is an ongoing project as we are trying to condition it. All summer long construction has continued. Technically you don't have permission to do any of that work yet. Put everything on a plan and don't start any more work. Motion to continue the hearing to January 4, 2017 at 6:35 p.m. Ms. Scott-Pipes. Second Mr. Harding. Motion passed by unanimous vote.

Wetlands Hearing: McCarthy, 10 Country Club Circle (garage bay/relocate deck/pave) (cont.)

This is the house that is in the middle of being elevated. They are going to revise the Notice of Intent and send back to DEP. Motion to continue to December 7, 2016 at 6:30 p.m. Ms. Scott-Pipes. Second Mr. Harding. Motion passed by unanimous vote.

11 Priscilla: shed.

Dan Kitchen, 11 Priscilla by Egypt beach. Planning to put a shed in a flood zone; under 200 sq. ft.; complicated factors. Flood elevation is 15' Talked to building, they don't want it floating away. Discussed putting it on pilings. Have taken up a lot of impervious. Mr. Harding: get it raised 1-1/2' to 2'. Dwelling at 45 Seaside went up and has a ramp; there was an engineer involved. Very difficult to get to 17'. There was an old garage that blew away in '78; hasn't been a claim on the house since '91. Current shed moved a little bit, but it was on the ground. It is not in a velocity zone. Under the new maps it is and DEP calls it a structure. You can file, but take a look at where you want to put in. Try and get it in the AE flood zone; AE line crosses, but V zone is throughout the site.

Order of Conditions: Raphel, 12 Blanchard Road (unattached garage/in-law apartment above)

Motion to condition the project Ms. Scott-Pipes. Second Mr. Harding. Motion passed by unanimous vote.

Order of Conditions: Nash, 22 Indian Trail (raise deck/extend kitchen/screened porch & deck)

Motion to condition the project Ms. Scott-Pipes. Second Mr. Harding. Motion passed by unanimous vote.

Update: 21 Peggotty Beach Road: turning everything over to the attorney.

23 Sunset Road: on for the 7th not finalized with wetland people. Don't think the price is as big an issue. Ms. Scott-Pipes: who do you think can do the job correctly? Mr. Schmid: need some time to read the files. Have to know what is out there and how far down it goes.

Enforcement Discussion & Updates:

Rousseau, contractors yard off NewDriftway (behind South Shore Auto) Trying to get information from before the MBTA stepped in. Attorney has an engineer on board; waiting for paperwork from us. Mr. Snow: no contaminants now? Storm drain is covered.

25 Egypt Beach Road: next to Bill's house. Plan was going to be done by Morse engineering. Probably be on 14th. As long as it has been stabilized. Tell them to throw down rye grass. Will send an e-mail tomorrow.

97 Edward Foster Road – looks like they graded.

Certificate of Compliance:

39 Otis Road: structural plan isn't the same as site plan regarding decks, retaining walls and elevations. Attorney is making sure the owner is held to what was supposed to be done.

62 Cornet Stetson: septic with no additional conditions; bare ground right now. Get them to throw down something to control any erosion. No plants are required. OK to issue.

16 Hawthorne: allowed to put in an asphalt driveway, took up three quarters of the concrete, didn't realize there was an order. Vegetation is good to the left of the driveway. OK to issue.

Scouts almost done with whole trail from Indian Trail to Old Gannett Road. It was done with all hand tools. Met the other day and signed off on the Eagle Scout project. Nice walking trail. Trail head on Indian Trail is almost to the end Lightship, goes straight ahead, bears left half way down. Nice post that says Hubble Trail. Need to park along the road. Selectperson Maura Curran: Damon property access? Met with TA and she has agreed to continue with the rest of the design work. All the parking areas should come to fruition. DuVoisin would still like to exchange the property. Pulled out South Swamp flagging to see what we would potentially get. Maybe we could do some sort of trade; wouldn't preclude us from creating access and parking. Had wetland person at Bartlett Fields property. Gave TA the map of the upland. There is a lot of wetland. Trisha and Sean brought to CPC; looking for funds to do study. They understand the wetland line cuts it in half. Ms. Scott-Pipes: at Teak Sherman Park scout is clearing the trail, putting down wood chips and repairing the bridge. There is a real push for Eagles Scout badges. Want to get them to the meeting December 14, 2016. Have to have them early because they also have a Scout meeting.

Ms. Scott-Pipes: Open Space plan. Just came to light that multi-use trails have to be in the Open Space Plan. The Country Way and Hatherly Road multi-use trails are key to Greenbush. Some legislation, if not in Open Space Plan not supposed to create them. Mr. Snow: handicap accessibility not only has to do with how wide it has to be, but also be part of the master plan; probably stems from the mess in Norwell.

77 Cedar Street: Work has started without an Order of Condition. There is a history to this site. Looking for a new RDA or Notice. Landscape architect is putting an application together.

Lot on Glades Road where work has been done; not on the agenda; it is in litigation.

Coastal Advisory Commission: meeting scheduled for next Tuesday.

Beach Committee: not much going on.

Open Space Access and Parking: going forward.

CORRESPONDENCE

November 3, 2016 – November 16, 2016

1. DEP File #68-2638 – Stewartia Realty Trust, Lot 1 Summer Street (in file)
2. DEP File #68-2639 – Stewartia Realty Trust, Lot 2 Summer Street (in file)
3. Board of Health Agenda for 11/7/16
4. North Scituate Beach Improvement Association – Glades Road Pocket Park re: CPC (show Pat)
5. The Beacon
6. Request for CofC for 68-2595 – 39 Otis Road – Request, site photo, post construction; letter explaining stormwater performance standards met to the greatest extent practicable, as-built and \$100 (in file)
7. DEP File #68-2640 – JAC Realty Trust, 27 River Road (in file)
8. Planning Board re: Accessory Dwelling Special Permit Application 91 Humarock Beach (given to Pat)
9. Plymouth County Mosquito Control re: 35 Richfield Road – will begin December 7, 2016 weather permitting.
10. Notification to Abutters re: McMillan, 105 Glades Road (in file)
11. Revised submittal re: 68-2639 – Lot 2 off Summer Street – Wetland Delineation DEP Data Sheets, wetland flags on entire property, septic design (in file)
12. Revised submittal re: 68-2638 & 68-2639 – Lots 1 & 2 off Summer Street wetlands B & C are located 300' away from proposed work (in file)
13. Request for CofC for 68-2419 – Kimmel/Stearns, 62 Cornet Stetson Road – Request, CofC Plan, Engineer's letter, check (in file)
14. Request for an Amendment re: 68-2491 – deck – 129 Turner Road (in file)
15. Recording of Order of Conditions for 8-2628 – Schindler Revocable Trust, 15 Tenth Ave. (in file)
16. Ross Engineering re: 21 Peggotty Beach Road – memorialize the events that occurred on property between 2007 & 2009. (in file)
17. UMass Extension – Publication "Increasing Forest Resiliency for an Uncertain Future"
18. #37 & 39 Collier Road plan – latest revision 8/16/16
19. Revised plan for 105 Glades Road – Proposed Tight Tank (in file)
20. Request for CofC for 68-1517 – 16 Hawthorne Street Request, \$100 check, pictures (Pat has files)

Motion to adjourn the meeting Ms. Scott-Pipes. Second Mr. Harding. Motion passed by unanimous vote.
Meeting adjourned 8:20 p.m.

Respectfully submitted,
Carol Logue, Secretary