

**Town of Scituate
Conservation Commission
Town Hall Selectmen's Hearing Room
Meeting Minutes
April 2, 2014**

Meeting was called to order at 6:19 p.m.

Members Present: Mr. Snow, Chairman, Ms. Caisse, Mr. Parys, Ms. Scott-Pipes, and Mr. Schmid.

Also Present: Patrick Gullivan and Carol Logue, Secretary

Agenda: Motion to accept the agenda Ms. Scott-Pipes. Second Mr. Schmid. Motion passed by unanimous vote.

Fern Property – Deed for Open Space: Motion to accept the deed for open space at 214 Clapp Road Ms. Scott-Pipes. Second Mr. Schmid. Motion passed by unanimous vote.

Informal Discussion: Matthews, 72 Grove Street (additions)

Emily Matthews was present to discuss renovations for the above address. Possibly put an addition on the back or the side. Mr. Gullivan: Possible way to mitigate to allow an addition or deck would be to clean up the wetlands. The whole lot is within the 50' buffer. Maybe eliminate the garage and move it forward. Has a new septic system. Ms. Scott-Pipes: went out to the site, the whole back yard is wet, probably 2' of water; concerned about vernal pools. There is no way to build toward the back. The two houses on either side had to stay on their original footprint. You will have to file a Notice of Intent. Mr. Parys: you are not getting an approval tonight, but what you are trying to do is something more likely to be approved, moving structures away from the wetlands. Garage is on stilts in the back. Trampoline is definitely in the wetlands. It is feasible. Mr. Snow: Look for other improvements for mitigation. Deck is dangerous as well. Think about everything you want to do within the next 5 years. Just replace the deck, not enlarge. With a P&S you could file. Mr. Bjorklund: you do have the right to represent the owners in front of the town boards.

Informal Discussion: Kirby, 11 Ocean Drive (deck expansion)

Doug Sullivan and Ken Kirby were present. Mr. Gullivan: went to the site today. They are looking to do a deck expansion. Mr. Kirby: Replacing siding, roof and original roof deck. There is an existing deck 8' x 15', not proposing to exceed the footprint, but wrap the deck around the front of the house, between elevation 9' & 12'. It is in the VE flood zone. Mr. Gullivan: surprised if it was in the VE zone, now anyway. Mr. Snow: the town has a program for elevating. Trying to get to the point to be able to drop the insurance. 10" sonotubes will support the deck. File a Request for Determination. Regarding the roof, the only thing we'd be looking for is where the dumpster was placed. Will you be using equipment for sonotubes? Dug by hand. Probably want to show footings on plan. Need to know what flood zone. Request to e-mail a Request for Determination form to both Mr. Sullivan and Mr. Kirby.

Request for Determination: Gavin, 66 Jericho Road (raze/rebuild block wall, foundation & footing)

Thomas Gavin was present at the hearing representing Satuit Boat Club. Proposing to repair 25' of existing block wall; raze concrete block wall, dig out old footing, install new footing, with new poured foundation, and continue with 7" block wall. It's the back wall, not the wall facing the water. Motion for a negative 3 determination - "The work described in the Request is within the Buffer Zone, as defined in the regulations, but will not alter an Area subject to protection under the Act. Therefore, said work does not require the filing of a Notice of Intent, subject to the following conditions (if any)." Ms. Scott-Pipes. Second Mr. Schmid. Mr. Snow: when digging, maybe put some haybales around to control silt. Motion passed by unanimous vote.

River Clean Up day – April 12, 10:00-12:00 Noon – Same as Ship Shape Day. Anyone interested in helping.

Damon Property: CPC article for Town Meeting 40 acres on Clapp Road - Maxwell Trust brought it to CPC. Have been explaining the acquisition of the parcel to the various town boards; it will be voted on at town meeting April 14. Selectmen have endorsed, the Advisory Committee is concerned about how much open space, but actually just about how much money. Personally very much in favor of acquiring this parcel. It is adjacent to the South Swamp. Hopefully we get good support at town meeting. Certainly hope we go the route again of acquiring property. Make sure someone is there to rebut any issues. Think some folks are concerned about how the property that has been acquired is being used. Want to get parking areas going. Important to note that it is right adjacent to South Swamp and it is core habitat. If it were sold to other than CPC, it could be a 25 home subdivision. Also there are wetlands surrounding the other side and there is a classic Vernal Pool out there. Part of it is in the watershed. This is a fairly important piece of property to acquire. Nice piece to add to already acquired pieces. The other good part is the Damon family want to it kept open space and are selling to the town at a lower price. This is a good value for the town. Again, hope to get good support at Town Meeting; it protects other resource areas including our drinking water and the South Swamp. Mr. Bjorklund: it is a good piece for the town to acquire.

Wetlands Hearing: Moran, 46 Town Way Extension (septic / tight tank) (cont.)

Mr. Bjorklund called Greg Morse because he wasn't present. Mr. Morse apologized for not attending, but had not gotten approval from DEP yet and would like to continue the hearing. Motion to continue the hearing to April 16, 2014 at 6:30 p.m. Ms. Scott-Pipes. Second Mr. Schmid. Motion passed by unanimous vote.

Order of Conditions: DPW/Musquashicut Pond, Surfside Road to Mann Hill (repair stone barrier)

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

Order of Conditions: Cubellis, 55 Collier (addition & patio)

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

Order of Conditions: Raftery, 135 River Street (r/r)

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

Stockbridge Landing: trying to get a settlement outside of the DEP hearing process. John Chessia is reviewing. Meeting with Attorney Jim Toomey and others tomorrow afternoon.

305 Country Way: Mr. Krusell withdrew the appeal.

Old Oaken Bucket Road: Bruce Bouck pulled the diversion ditch out of Zone A. The diversion structure will drain all the bog water away from the drinking water supply. Not sure the town took the proper steps in dealing with the work there. Ms. Scott-Pipes: will that involve us? If it is a Zone A, it doesn't. He did do work along the brook to get to the diversion structure. DEP told the town to keep it working. Permit may be appealed. Cemented together. There was the question; if there was a really big storm would the water go around the structure?

Minutes: Motion to accept the minutes of March 5, 2014 Ms. Scott-Pipes. Second Mr. Schmid. Motion passed by unanimous vote.

Ms. Scott-Pipes: Was there a letter sent to Mr. Conway? Yes, he did come in and said he knew he had to file. Think we need to send another letter and give him a time limit of two weeks. Afraid it will just continue if we don't set a date.

CORRESPONDENCE

March 20, 2014 – April 2, 2014

1. Planning Board Agenda for March 27, 2014
2. DEP's Motion to Dismiss for lack of Standing – 305 Country Way (in file)
3. Planning Board – Form A – 31 Mann Hill Road – create 1 buildable lot. Discussing 3/27/14. COMMENTS no later than 3/25
4. Pat's letter of support for the Mass Bays Coordinator hosted by NSRWA.
5. Recording of OofC for 68-2500 – 13 Wheeler Ave. (in file)
6. Site Access Agreement for 87 Maple Street (copy in file)
7. Coastal Services Magazine
8. Recording of OofC – 68-2101 - Moshfegh, 26 Gardiner Road (in file)
9. DEP re: Stockbridge II Realty Trust: Post Conference Report Issues & Schedule: Petitioner's Direct Case, 4/28; Respondent's Direct Case, 5/27/14; Petitioner's Rebuttal, 6/3/14; Hearing 6/10/14 10:00 SERO; Final Decision 7/11/14 (in file)
10. Zoning Board re: Special Permits 135 River Street, 6 Foam Road, 47 First Parish – 4/17/14 7:00 p.m.
11. Zoning Board Agenda for April 17, 2014
12. Recording of OofC 68-2501 – Solimando, 8 Dartmouth Street (in file)
13. Request for CofC – 68-2012 – Gouthro, 110 Central Ave.: enclosed - Engineer's verification, as-built, check (in file)
14. Open Meeting Law Complaint – Lynda Carroll – re: property owner of half the stream/diversion ditch
15. DEP File #68-2505 – Moran, 46 Town Way Extension (in file)
16. DEP File #68-2506 – Raftery, 135 River Street (in file)
17. DEP File #68-2507 – Cubellis, 55 Collier Road (in file)
18. Recording of CofC for 68-2194 - Leondike, 13 Brunswick Street (in file)
19. Planning Board re: 138 & 138R Hollett Street – One new buildable lot is proposed. COMMENTS no later than April 9, 2014
20. Recording of OofC for Connell, 68-2499 – Great Rock Island (in file)
21. Nancy Litchfield "Beneficial Interest" through its Conservation Commission

Meeting adjourned 7:15 p.m.

Respectfully submitted,

Carol Logue, Secretary