

**Town of Scituate
Conservation Commission
Selectmen's Hearing Room
Meeting Minutes
April 1, 2019**

Members Present: Chairman Mr. Frank Snow, Ms. Penny Scott-Pipes, Ms. Jen Foley, Ms. Lisa Caisse, and Mr. Doug Aaberg

Not Present: Mr. Richard Harding and Mr. Paul Parys

Also Present: Amy Walkey, Conservation and Natural Resource Officer

DISCUSSION/ UPDATE:

6:15PM: Call to Order and Agenda Acceptance

Ms. Penny Scott-Pipes made motion to accept agenda with as written. Mrs. Lisa Caisse second. Unanimous vote accepted. (5-0)

PUBLIC HEARINGS NOI/ANRAD

190 Glades Rd (new dwelling), Applicant: Jeffrey Burek, Representative: Brendan Sullivan, Cavanaro Consulting, DEP #68-2779

Brendan Sullivan, Cavanaro, representing owner. Made revisions as discussed from last meeting. Updated and revised and submitted new plan. Estimated amount of ledge to be removed – about 1600 cu yds to be removed. 2 feet of loam and soil will go on ledge area, as noted on plan. Submitted sketch to show footprint of house and status of trees that will need to be taken down. A couple of trees are 18in, others are 12 in. They are not more than 20 ft tall – trees don't get much taller in that area. Trees shown on plan are the ones coming down. Landscape plan with plant list had already been approved. Discussion about wanting to encourage natural vegetation. Concern that after disturbing the area, often what happens is phragmites do well and can take over. Suggestion to have something in orders to help prevent phragmites from establishing. Drilling and blasting most likely is method for removing ledge. Is there any planting of trees since so many mature ones coming down. Currently, only a shrub list, but could be considered planting trees near the conservation area. Well has been decommissioned. When writing orders, considered removing and maintaining so that no phragmites get established and include planting trees. Also, 2-3 conservation posts near the 50 ft buffer.

Ms. Penny Scott-Pipes motion to close 190 Glades Rd. Mr. Doug Aaberg second. Unanimous all in favor (5-0).

97 Edward Foster/ ANRAD, Applicant: Maureen Colvin, Representative: Lucas Environmental, DEP #68-2782
Chris Lucas with Lucas Environmental. Delineated site. Representing owner. 3 areas subject to jurisdiction of conservation: Land subject to coastal storm flowage, coastal bank, salt marsh. Showed areas on plans. Coastal bank on property which is new as of 2016. Salt marsh also. All phragmites in that area. Submitted updated plan with only the new salt marsh line. Frank discussed the history of area. Amy found property on 1948 plan there was lawn going toward marsh. This is before Wetland Act. There is documentation of discussion between previous Conservation agent and owner about adding loam.

Maureen Colvin – owner – they built addition a few years ago. Used what was dug out for addition to go in area that had sunk from previous winter damage. Attempted to put back to original height, not to raise it. Discussion stone wall and how there was a driveway there to a barn that used to exist. Frank – being careful about any altering because make significance in how property can be used and where flood line is located. Chris – all the property is in the flood plain as it is.

Ms. Penny Scott-Pipes motion to close 97 Edward Foster. Mr. Doug Aaberg second. Unanimous all in favor (5-0).

278 Central Ave., (elevate house & expand deck) Applicant: Richard Campbell, Representative: Jeffrey Hassett, Morse Engineering, DEP 68-2783

Abutter cards handed in. Jeff Hassett, Morse engineering, representing owner. FEMA velocity zone, elevation 18. Plan is to elevate house to FEMA compliance, move house on lot and reconstruct deck. 33 piles for total disturbance of 26 sq ft. House is coming up about 4 ft. Doug – at the time of construction add a construction bench mark to a plan- even though you guys get it from the satellite? Explained how they mark the bench mark. Agreed to do it how they plan to mark. Amy – is this part of grant? Jeff – not sure how they are funding it. Amy – is there an elevation certificate? Yes. Septic system? Septic is in front yard. Can it be added to plan? Exact location is not known currently. They did inspection on it a few years ago but did not give ties to it. Contractor is going to locate that first and put metal plates on it. Amy – can we add note about approx. Note about location and tbd and what plan is should all be added. Yes. Contractor is lined up. Amy – driveway is going to remain unpaved? Yes, remaining unpaved. Jeff – they are also rotating house so lined up squarely with property lines. Need plan with revisions or will make note in orders.

Ms. Penny Scott-Pipes motion to close 278 Central Ave., Mr. Doug Aaberg second. Unanimous all in favor (5-0).

2 Dickens Row (boulders on lot line), Applicant: Lane Walsh, Representative: Greg Morse, Morse Engineering, DEP #68-2784 – **see applicant request to continue to 4/22/19**

Ms. Penny Scott-Pipes motion to continue 2 Dickens Row to April 22, 2019 at 6:20pm. Mr. Doug Aaberg second. Unanimous all in favor (5-0).

3 Driftway AMENDMENT (coastal bank stabilization), Applicant: Hayes, Representative: Paul Mirabito, Ross Engineering, DEP #68-2751 – **see applicant request to continue to 4/22/19**

Ms. Penny Scott-Pipes motion to continue 3 Driftway to April 22, 2019 at 6:20pm. Mr. Doug Aaberg second. Unanimous all in favor (5-0).

44 Captain Peirce (upgrade existing barn to single family dwelling), Applicant: Bethany Versoy, Representative: Greg Morse, Morse Engineering, SC#19-9 (Local By-Law Only)

Frank recusing from this hearing, Doug Aaberg opened hearing. Jeff Hassett, Morse Engineering, representing owner. Discussed project. Isolated wetland so jurisdiction to by law only, not state. Barn is partly in 50 foot buffer, but not looking to expand footprint of barn. New foundation. Septic being added for 2 bedroom. Mulch sock around down gradient of limit of work. Septic needs to be in its location because needs to be 10 ft from barn. Amy – does not have board of health approval yet. Recommend continuing until after approval from BOH in case any changes.

Ms. Penny Scott-Pipes motion to continue 44 Captain Peirce to April 22, 2019 at 6:20pm. Mrs. Lisa Caisse second. Unanimous all in favor (4-0).

PUBLIC MEETINGS/ADMINISTRATIVE, ENFORCEMENT / PERMITS and OTHER REQUESTS

Requests for Determination of Applicability: 89 Neal Gate St., septic repair

Jeff Hassett, Morse Engineering, representing owner. Discussed project. Had wetlands professionally delineated. Septic tank is out of 100 foot buffer, leaching field goes into 91 feet of buffer of BVW. Discussion about why location why chosen. Chambers are out of buffer. Amy – good that had professional delineated because the GIS overlay showed the resource area farther into yard. Seems like there should be more opportunity to move system farther out of buffer. But happy that trees are being planted. Down side of RDA, there are no conditions issued. No Board of Health approval. Doug - Concern that there is no oversight over decision on RDA. Concern that the system does not move any closer to buffer. Frank – reminded that with septic repair, saves time and money to home owner. If board of health doesn't approve this plan and has significant changes, system has to move closer to resource area, then they would need to refile with us. Also, Frank explains that we are only making decision on this plan; if the plans changes, new submission might be needed.

Ms. Penny Scott-Pipes motion for -3 for 89 Neal Gate St. Mr. Doug Aaberg second. Unanimous all in favor (5-0).

Request for Determination of Applicability: 136 Booth Hill Rd., septic repair
Jeff Hassett, Morse Engineering, representing owner. Discussed plan. Wetlands delineated by Brad Holmes. Proposing septic tank and pump chamber into leaching fields. Cess pool will be abandoned. Amy – meets requirements for negative determination.

Ms. Penny Scott-Pipes motion for -3 for 136 Booth Hill Rd. Mrs. Lisa Caisse second. Unanimous all in favor (5-0).

NEW BUSINESS: Correspondence, Agent's Report, Violation and Enforcement Orders, Minutes

Ms. Penny Scott-Pipes motion to accept minutes as written for March 4, 2019 meeting. Mr. Doug Aaberg second motion. Unanimous vote in favor (5-0)

ADMINISTRATIVE REVIEW:

SUBCOMMITTEE/ PROJECT UPDATES / MISCELLANEOUS OLD BUSINESS:

OOB: 43 Oceanside Dr, (Raze, Move dwelling), Applicant, Alfred Boyajian, DEP #68-2781

Ms. Penny Scott-Pipes motion to accept orders as written for 43 Oceanside Dr. Mr. Doug Aaberg second motion. Unanimous vote in favor (5-0)

OOB: 222 Central Ave., Applicant: Mark Aho, DEP #68-2785

Ms. Penny Scott-Pipes motion to accept orders as written for 222 Central Ave. Mr. Doug Aaberg second motion. Unanimous vote in favor (5-0)

OOB: 40 Central Ave (elevate), Applicant: Patrick Carey DEP #68-2786

Ms. Penny Scott-Pipes motion to accept orders as written for 40 Central Ave. Mr. Doug Aaberg second motion. Unanimous vote in favor (5-0)

OOB: 663 Hatherly Road, Hatherly Country Club, Irrigation system, pond dredge DEP# 68-2761

Ms. Penny Scott-Pipes motion to accept orders as written for 663 Hatherly Road, Hatherly Country Club. Mr. Doug Aaberg second motion. Unanimous vote in favor (5-0)

Request for Extension of OofC:

31, 39, 47, and 48 Town Way Ext 68-2245 (clearing road for access)

Ms. Penny Scott-Pipes motion for 3 year extension for 31, 39, 47, and 48 Town Way Ext. Mr. Doug Aaberg second motion. Unanimous vote in favor (5-0).

47 Town Way Ext. 68-2249 (clear rock/cobble under deck and immediate area)

Ms. Penny Scott-Pipes motion for 3 year extension for 47 Town Way Ext. Mr. Doug Aaberg second motion. Unanimous vote in favor (5-0).

31 Town Way Ext. 68-2250 (clear rock/cobble under deck and immediate area)

Ms. Penny Scott-Pipes motion for 3 year extension for 31 Town Way Ext. Mr. Doug Aaberg second motion. Unanimous vote in favor (5-0).

AGENT REPORT:

DPW project on Gardiner Road starting this week. Asked for dewatering plan. They are working on that.

27 Hood Rd - Coptic Church property issue – large property. New owner had it delineated for a project planning, but did not do entire land, since was so far away from where planning to do project. Project changed, so now need to look at rest of land that was not previously delineated. Meeting Friday with professional wetland scientist church hired and someone from DEP to give conservation commission feedback. NOI has not been filed at this point. We know there are some area near Ingrid land about 12 years ago when Ingrid Road was being developed.

Toll Brothers – met with them last week. They continue to have violations with stormwater. However, they are addressing issues quickly. Working on getting permanent entrances in. Making quick progress. They asked for permission to go into phase 2. Town appears hesitant. Several conditions from conservation orders would say no to phase 2 at this point. Replication progress needs to be substantial before they start phase 2.

Trails - Great progress clearing out Crosby trails. Contract up with Ivas end of May, so trying to get maps completed. Marla and Jen have tried to contact Scituate history.com to get their website up to date. We are good on the 3 maps that have parking. Hubble, Driftway and Ellis. Amy and Jenn Smith will work on logistics of website.

We should talk about Driftway park improvements and bridge. Plan to meet this week – Amy, Frank and Jen. RDA on bridge. Frank – there is a scout that will do one of the bridges.

***EXECUTIVE SESSION - To discuss strategy with respect to litigation. (24 Webster St)**

Ms. Penny Scott-Pipes motion at 7:43 pm to go into executive session to. Mr. Doug Aaberg second motion. Roll call vote: Penny Scott-Pipes, Yes; Frank Snow, Yes; Lisa Caisse, Yes. Jen Foley Unanimous individual vote in favor to end executive session (5-0)

Ms. Penny Scott-Pipes motion at 8:40 pm to come out of executive session to. Mr. Doug Aaberg second motion. Roll call vote: Penny Scott-Pipes, Yes; Frank Snow, Yes; Lisa Caisse, Yes. Jen Foley Unanimous individual vote in favor to end executive session (5-0)

Motion to adjourn

Ms. Penny Scott-Pipes motion to adjourn Mr. Paul Parys second motion. Unanimous vote in favor (5-0).

Respectfully submitted,

Jennifer Smith
Recording Secretary

CORRESPONDENCE
March 18, 2019 – April 1, 2019

1. Recording info 37-39 Collier Rd 2/14/19 – Bk 50810 Pg 204
2. Agenda for Economic Development Commission Meeting, April 1, 2019
3. Agenda Planning Board March 28, 2019
4. Letter from Lisa Berry Engler, CZM, to Mr. Sheehan regarding 4th Cliff
5. Thank you note from Realtor Corie Nagle regarding 14 Kimberly
6. Site Plan Administrative Review by Planning Board for Well 17 A on March 14, 2018
7. Zoning Board March 21, 2019 Public Hearing Notice
 - a. 68 Seaview Ave
 - b. 8 Hillcrest Rd
 - c. 65 Marion Rd
 - d. 52 Otis Place
 - e. 126 & 132 Chief Justice Cushing Hwy
8. Agenda Board of Health March 25, 2019
9. Design Review Committee Agenda April 2, 2019
10. Letter to Joseph Motzi of 4 Revere Road (pier project) from Army Corp of Engineers
11. Info on Permeable Pavers by Ideal
12. Letter from Vin Doyle, abutter to 14 Kimberly, to Conservation Commission regarding drainage to his lot, that did not have drainage issues before.
13. Memo re: Rear of Driftway/Rousseau property. Summary of meeting with Joseph Polsinello
14. Recording info CofC 77 Border St (81 Border St) Book 50961 Pg 108

Minor Activity Permits

#2- Sewer Repair work, Sewer Department, William Branton, Egypt Beach