

**Town of Scituate
Conservation Commission
Selectmen's Hearing Room / Remote Meeting
Meeting Minutes
Monday, February 6, 2023 6:00pm**

Members Present: Mr. Frank Snow, Chair - Townhall

Teleconference: Ms. Jen Foley, Ms. Penny Scott-Pipes, Mr. Doug Aaberg, Mr. Brendan Collins, Mr. Richard Harding, Mr. Doug Aaberg

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

Not present: Mr. Andrew Gallagher, Ms. Jen Foley

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.

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

Penny Scott-Pipes – present at home, **Brendan Collins** – present at home, **Doug Aaberg** – present at home, **Richard Harding** – present at home, **Frank Snow** – present at Townhall

b. Agenda Acceptance:

Ms. Penny Scott-Pipes made motion to accept agenda. Mr. Brendan Collins second. Roll call to vote. Unanimous vote accepted. (5-0), Mr. Doug Aaberg - yes, Mr. Richard Harding – yes, Ms. Penny Scott-Pipes - yes, Mr. Brendan Collins – yes, Mr. Frank Snow – yes

1. PUBLIC HEARINGS – NOI/ANRAD/AMENDMENT

a. 58 Egypt Beach Rd., DEP#: 068-3036 continued from 1/9/23

Applicant: Jacqueline & Daniel Carton

Representative: Morse Engineering

Proposed: Single Family Home Addition location in flood zone, buffer to BVW, inner riparian, Stormwater Bylaw Permit Application

Greg Morse – Morse Engineering – proposed addition. Reviewed resources on site. Submitted revised plans last week. Proposed gravel driveway. Proposed SW grass depression back of lot. Merrill was hired to do the peer review. Morse responded with adding details for gutters on plan, staging area; added plantings to grass depression. No DEP comments.

Agent – Merrill signed off on comments today. Can vote to close.

Penny – two driveways? Intent is to have new driveway. Richard, Brendan, Doug – no questions.

No abutter comments.

Ms. Penny Scott-Pipes made motion to close 58 Egypt Beach Rd. Mr. Brendan Collins second. Roll call to vote. Unanimous vote accepted. (5-0), Ms. Penny Scott-Pipes - yes, Mr. Doug Aaberg - yes, Mr. Richard Harding – yes, Mr. Brendan Collins – yes, Mr. Frank Snow – yes

b. **Central Ave Northern Humarock 4th Cliff, DEP#: 068-3028** continued from 1/23/23

Applicant: USAF

Representative: Jacobs Engineering

Proposed: stormwater improvements, road repair project

Scott Sheehan – USAF natural resource officer. Introduced others on call. Responded to peer review last week. New exhibit that identify areas disturbed earth and no disturbed earth. Scope of work for SW management discussed. Discussed how project improved conditions and improved safety of area while wait for funding to stabilize cliff. Propose removing asphalt from edge of cliff. Adding grass channel / swale to improve water quality on site.

Janet – HW – discussed concerns for proposed work and that needed calculations provided that indicate the size of the swale is adequate. Concern with erosion that could happen because not having anywhere to go. Asking for more information. Working on second letter which plan to send tomorrow. Turn around area – over large depression. Don't talk about what material will go in there. Looks graded to run down wall. Concern water will case gully.

Lynn Zuck project manager – KZF Design -objective is to make safe and accessible. Almost maintenance work. Water quality swale does not take all roundabout water. Also going to grass. Calculations provided show what improving in area, not whole site. Restoring grading from removing asphalt area.

Mary McConnell = slowing water down before sending it to the beach. Turn around area slopes tried to go with how it is - just trying to get drivable. Wall – redistributed load to back.

Trying not to disrupt trees in the treed area. Matching grade, not over excavating. Reducing pavement. Currently SW runs into woods. So now have some treatment before hits treed area.

Janet – HW – would like to schedule a call to talk through logic of calculations. Agent- separate meeting good idea.

Scott- anything else outstanding other than SW issues?

Frank – make sure address anything regarding habitat letter for plover habitat. Good to have asphalt removed so does not continue to fall.

Mary – area is a hazard currently. Intention is do maintenance and access safety for facility. Clean it up so back to being usable which is needed to get a funding for purpose of cliff project. Area needs to be usable if saying need to protect it. Moving sidewalk 20 feet back from guardrail, which is also being moved 20 feet from where currently.

Ms. Penny Scott-Pipes made motion to continue Central Ave Northern Humarock 4th Cliff to March 6, 2023. Mr. Richard Harding second. Roll call to vote. Unanimous vote accepted. (5-0), Ms. Penny Scott-Pipes - yes, Mr. Doug Aaberg - yes, Mr. Richard Harding – yes, Mr. Brendan Collins – yes, Mr. Frank Snow – yes

c. **61 Border St, DEP#: 068-3031** continued from 1/9/23

Applicant: Lou DeFranco

Representative: Grady Engineering

Proposed: dock, ramp, float

Ms. Penny Scott-Pipes made motion to continue 61 Border St. to March 6, 2023. Mr. Brendan Collins second. Roll call to vote. Unanimous vote accepted. (5-0), Ms. Penny Scott-Pipes - yes, Mr. Doug Aaberg - yes, Mr. Richard Harding – yes, Mr. Brendan Collins – yes, Mr. Frank Snow – yes

- d. **34 Christopher Lane**, DEP#: 068-3035 continued from 1/9/23
Applicant: Kevin & Jessica McNulty
Representative: Atlantic Coast Engineering
Proposed: rebuild pool house, addition
Jed Hannon – Atlantic Coast Engineering – there is a drainage easement on site. Proposing replacing existing pool. Walk way surface. Proposing addition in back and bump out in front of house. Net increase is below SW bylaw. Brad Holmes reflagged property. Plantings proposed Agent – no DEP comments.
Penny – better pavers instead of concrete. Richard – better if used pervious pavers.
No abutter comments.
Ms. Penny Scott-Pipes made motion to close 34 Christopher Lane. Mr. Richard Harding second. Roll call to vote. Unanimous vote accepted. (5-0), Ms. Penny Scott-Pipes - yes, Mr. Doug Aaberg - yes, Mr. Richard Harding – yes, Mr. Brendan Collins – yes, Mr. Frank Snow – yes
- e. **347 Central Ave.**, DEP#: 068-3038,
Applicant: Peter and Elizabeth Blanchard
Representative: Morse Engineering
Proposed: Single Family Home Raze/ Rebuild in flood zone, barrier beach, coastal dune
Greg Morse – Morse Engineering – propose raze / rebuild of single family dwelling. Salt marsh along back of lot. Wall is line. LSCSF. FEMA AE 15. Elevate 6 feet in back, street 15 feet. Mostly in same location. Wooden piles. Structural plan submitted. No DEP comments.
Agent – r/r on South River. DEP no comments. Barrier beach, coastal dune. Have pile plan consistent with costal building code. Maybe look for improvements, maybe plantings?
Richard – concern when elevate hoe, how will run under.
No abutter comments.
Ms. Penny Scott-Pipes made motion to close 347 Central Ave. Mr. Doug Aaberg second. Roll call to vote. Unanimous vote accepted. (5-0), Ms. Penny Scott-Pipes - yes, Mr. Doug Aaberg - yes, Mr. Richard Harding – yes, Mr. Brendan Collins – yes, Mr. Frank Snow – yes
- f. **27 Pineview Dr.**, DEP#: 068-3039,
Applicant: Colin and Kimberly Devine Reedy
Representative: ECR
Proposed: Addition and deck at a Single-family Home in flood zone and buffer to BVW
Brad Holmes – ECR – Kim Reedy on call also. Perennial stream, beyond property. No sure even exists, but mapped on site plan. AE on site. Home improvement to back of property – addition over existing deck. Back of garage and deck with stairs off addition. Two proposed parking spaces added to driveway. Landscaping around walkway area. Working with flood zone. Pile supported addition. Work inside 50ft buffer. Proposing 2:1 plantings in back yard within developed area of lawn. 510 sq ft of addition.
Agent – also water resource protection district. Confirmed sq ft increase. Impervious increase does not trigger SW.
Penny, Doug, Brendan – good.
Richard -new parking to be paved? Brad – planning to pave parking like rest of driveway.
No abutter comments.
Ms. Penny Scott-Pipes made motion to close 27 Pine View Dr. Mr. Doug Aaberg second. Roll call to vote. Unanimous vote accepted. (5-0), Ms. Penny Scott-Pipes - yes, 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. 160 Chief Justice Cushing Hwy (SBL #1-23)

Applicant: James Carmody

Representative: Grady Engineering

Proposed: footings, new decks

Darren Grady – AE16 entire site. Riverfront entire site. On going project. Erosion control in place for existing construction.

Agent – RDA proposed for 2 decks with footings. Another deck adding a roof. Concern beyond scope of original orders. Concern substantial improvement. Should be elevated.

Darren – discussed orders are expired. Not sure if extension from Covid keeps them active still.

Penny – asking for sonotubes. Richard- would like work there done.

Doug – is septic in – yes.

Frank – what about shed? Agent – allowed front porch when previously asked for a change, but the shed had to be removed. Shed is done.

Frank – road is an easement that allows access to rail bed. Constantly keeping an eye out for People dumping out there. Appreciate any feedback on any activity out there.

Ms. Penny Scott-Pipes made motion to negative determination for 160 Chief Justice Cushing Hwy. Mr. Doug Aaberg second. Roll call to vote. Unanimous vote accepted. (5-0), Ms. Penny Scott-Pipes - yes, Mr. Doug Aaberg - yes, Mr. Richard Harding – yes, Mr. Brendan Collins – yes, Mr. Frank Snow – yes

3. Administrative Items

- a. Liaison Reports:** Frank – Appleton field fence is up. Discussion about QR codes to link to trail maps. Brendan will work on it.

- b. Request for Certificates of Compliance:** 131 Glades Rd., DEP #68-3029 (septic)

- c. Order of Conditions:** DEP #68-2972, Town of Scituate (Oceanside)

Ms. Penny Scott-Pipes motion to accept orders as written for Oceanside – Seawall- Town of Scituate. Mr. Richard Harding second. Unanimous all in favor roll call vote (5-0). Ms. Penny Scott-Pipes - yes, Mr. Doug Aaberg - yes, Mr. Richard Harding – yes, Mr. Brendan Collins – yes, Mr. Frank Snow – yes

- d. Signing of Documents:**

4. Adjourn, Roll Call

Ms. Penny Scott-Pipes motion to adjourn at 8pm. Mr. Doug Aaberg second. Unanimous all in favor roll call vote (5-0). Ms. Penny Scott-Pipes – yes, Mr. Doug Aaberg – yes, Mr. Richard Harding – yes, Mr. Brendan Collins – yes, Ms. Penny Scott Pipes – yes, Mr. Frank Snow - yes

Respectfully Submitted,

Jennifer Smith, Recording Secretary