

**Town of Scituate
Conservation Commission
Selectmen's Hearing Room
Meeting Minutes
October 22, 2018**

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

Also Present: Amy Walkey, Conservation and Natural Resource Officer

Ms. Penny Scott-Pipes made motion to accept agenda as written. Mr. Richard Harding second. Unanimous vote accepted. (6-0)

DISCUSSION/ UPDATE: 90 Ann Vinal Rd, Flexible Open Space Donation, Applicant: Paul Sheerin, Welby Builders; Representative: Michael Hayes, Esq.

Mike Hayes, attorney, for the special permit, open space needs to be given to a land trust or conservation commission. On new ANR plan (approved by planning board), proposing Conservation Commission to take that piece and existing piece surrounding development. Would satisfy planning and proceed with project. Open Space parcel 3, parcel 1 and parcel 2. Three acre parcel (4 parcel) is interesting to school department because abuts Hatherly ES. If after school system decide do not need it, several years down the road, they would give it to Conservation Commission. Frank reminded other examples of when ConComm did this, land was next to reservoir, or other conservation land. In this case, difficult to manage this type of land, that abuts private homes bc people end up spreading into the land. He spoke with school system and thought maybe there are some options to use this land, maybe eventually with school system, to create a nature walk. Amy - vote would be to write memorandum in support of acquiring this property. They also offered \$3000 steward.

Mike Hayes prepared draft deed.

Ms. Penny Scott-Pipes made a motion that conservation would love to have custody of land at 90 Ann Vinal Road being offered as open space. Mr. Richard Harding second. Unanimous in favor. (7-0)

PUBLIC HEARINGS

REQUEST FOR DETERMINATION:

138 Central Ave, Mary and Richard Walsh, (septic tank only)

Peter Armstrong represented owners. Last August did Title 5 inspection. Project is to replace tank in same location. Since just the tank can do with an RDA and want to get this going before storms come in. If anything happens and project expands, need to file, especially since in Humarock area. Board of health has approved.

Vote would be -2 and -3

Ms. Penny Scott-Pipes made a motion for -2 and -3 second by Mr. Doug Aaberg Unanimous vote in favor (7-0).

48 Ocean Drive, O'Brien, (deck after-the-fact)

Kenneth O'Brien, property owner. Submitted paper showing deck plans in more detail. Replaced deck and extended 2 feet out on one side.

Ms. Penny Scott-Pipes made a motion for after-the-fact -2 and -3 second by Mr. Richard Harding Unanimous vote in favor (7-0).

NOTICE OF INTENT

Crosbie Property, Clapp Rd, (Access and Parking), Applicant: Town of Scituate, Representative: Jeff Hassett, Morse Engineering - **continued from Sept 10th**.

Ms. Penny Scott-Pipes motion to continue Clapp Road, Crosbie Property Parking to November 7, 2018 meeting and driveway to 6:20. Mr. Paul Parys second. Unanimous vote in favor to continue (6-0).

4 River St. (firehouse and Stormwater improvements), Applicant: Town of Scituate Fire Department, Chief John Murphy, Representative: Paul Mirabito, Ross Engineering - **continued from Oct 1st**
Paul Mirabito reviewed updated site plan including infiltrators. They met what we asked for.

Ms. Penny Scott-Pipes motion to close. Mr. Paul Parys second. Unanimous vote in favor to close (7-0).
Special condition that everything done in accordance with stormwater report.

Ms. Penny Scott-Pipes motion to accept orders as written with special condition that everything is compliant with stormwater report. Mr. Paul Parys second. Unanimous vote in favor to accept (7-0).

3 Driftway (Raze/Rebuild Single Family Home, Stormwater Management, Stabilize Coastal Bank), Applicant: Maureen and Robert Hayes, **continued from Oct 1st**

Ms. Penny Scott-Pipes motion to continue 3 Driftway to November 7, 2018 meeting at 6:20. Mr. Paul Parys second. Unanimous vote in favor to continue (7-0).

52 Edith Holmes Dr., Septic Repair, Applicant: Mike Donoghue, Donoghue Trust, Representative: Phillip Spath, Spath Engineering, Inc.

Handed in abutter notification. Phil Spath, putting in septic system in back side of site. No room to put in front. On sites like this with resource area along grass line. Amy suggested add posts on line with resource area so if new owners, might help prevent future issues with mowing. 3 posts would be helpful. Board of health has approved.

Ms. Penny Scott-Pipes motion to close with special condition of adding 3 posts. Mr. Paul Parys second. Unanimous vote in favor (7-0).

10 Cricket Cir., Raze/Rebuild, New septic, Applicant: Michael & Donna Rapa, Representative: Jeff Hassett, Morse Engineering. Handed in abutter notification. Property about 30,000 sq ft in size. Paved driveway. Delineation done in June by Brad. Demolish existing, build in same location. Remove paved driveway and put in new pervious driveway and new septic. Adding dry wells in each corner. No work in 50 ft buffer. Second page of plan has outline of percentages. Disturbing 7700 sq ft. Amy – permittable project. Had comments before meeting and those details were added.

Ms. Penny Scott-Pipes motion to close with special condition of adding 3 posts. Mr. Paul Parys second. Unanimous vote in favor (7-0).

9 Brunswick St., Single family home addition, Applicant: Rick LaMarre, Representative: Jeff Hassett, Morse Engineering

Handed in abutters confirmation of notification. 16x24 addition on concrete piers so in compliance with FEMA and two decks (check this word). Not digging full foundation so minimal land disturbance. Amy – is wetland line updated on plan? Because line was 14 years old from septic project done. Jeff looked at areal image and from calculations the entire property is outside of the 50 ft buffer.

Ms. Penny Scott-Pipes motion to close. Mr. Paul Parys second. Unanimous vote in favor (7-0).

PUBLIC MEETINGS/ADMINISTRATIVE, ENFORCEMENT/PERMITS and OTHER REQUESTS

Request for Minor Modification: McKenna, 13 Wheeler St – landscaping plan and stone retaining wall
Landscaping plan to go with special conditions on existing orders. Amy has had conversation with Morse, not owner. As long as they keep with plan should be OK. Tough area because in marsh. This work is to replace area where they were doing work.

Ms. Penny Scott-Pipes motion to accept minor modification. Mr. Doug Aaberg second. Unanimous vote in favor (7-0).

Request for Extension to OOC: McKenna, 13 Wheeler St, SE68-2500, 3 years

Ms. Penny Scott-Pipes motion to extend orders as written for 3 years Mr. Richard Harding second motion. Unanimous vote in favor (7-0)

CERTIFICATE OF COMPLIANCE:

Certificate of Compliance Request: 8 Hawthorne St (Septic Repair)

Ms. Penny Scott-Pipes motion to issue all certificates of compliance, Ms. Lisa Caisse second. Unanimous vote in favor. (6-0)

Certificate of Compliance Request: 124 Mann Hill Rd (New Single Family Home)

Ms. Penny Scott-Pipes motion to issue all certificates of compliance, Ms. Lisa Caisse second. Unanimous vote in favor. (6-0)

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

SUBCOMMITTEE/PROJECT UPDATES/MISCELLANEOUS

OLD BUSINESS:

Parker, 3rd Cliff, Mitigation \$ for Spit / Driftway Park; Toll Brothers Update; 2 Prospect Avenue

Crosbie – update from Jeff. Update from Merrill and have a few changes to make. Also received letter from neighbor. He double checked calculations and that the road is outside of district. Another comment about fill – 4300sqft. Same as when approved before. If reduce it, clearing would be much smaller. Doug – explained that the difference in numbers is about methodology of calculating. Currently at 2-1 slope, benefit is using wood chips. If go to 1-1 ratio, can't use wood chips, more expensive. We will address Natural Heritage response once we work out a few pieces. Jeff said he would respond to storm water question.

How to manage fill, Jeff needs to look at letter more. Maybe we meet with him to discuss in person. Discussion about how if project has environmental benefit that is part of the question for allowing disturbance above the allowed amount. There is a replication area, in addition to is being a project that is more for environmental benefit. Jeff will make changes and needs to be reviewed by Merrill before next meeting.

Agents Report:

NEW: Received NOI from 31 Candlewood. Will be on Nov 7th agenda.

Webster Street – Richard – nothing has changed.

Toll Brothers – went to pre-construction meeting, SLT on site construction. SLT did the work in Hanover on the University sports complex.

Some compliance issues with Prospect Ave project. Moving in right direction.

Parker Ave – sent letter about mitigation money.

23 Oceanside – abutters filed appeal. EO no longer active. Next will be DEP doing site inspection.

Trails – maps coming along. 4 almost 100% complete. Jen walked trails to see if any suggestions. Working on verbiage and how it will look on website. Still need to figure out kiosk.

Penny – reminder to come to town meeting November 14 to vote on 23 Sunset purchase

Ms. Penny Scott-Pipes motion to adjourn and Ms. Lisa Caisse second. Unanimous. (6-0)

Respectfully submitted,

Jennifer Smith
Recording Secretary

CORRESPONDENCE
October 2, 2018 – October 22, 2018

1. Recording info, CofC, 102 Scituate Ave, 10/4/18, Bk 50371, Pg 330
2. Recording info, OofC, 32 Gardiner St. 9/4/18, Bk 50250 Pg 252
3. Recording info, 21 Gates Circle, CofC, 10/3/18, Bk 50366 Pg 141
4. Recording info, OofC, 111 Turner Rd, 10/3/18, Bk 50365 Pg 185
5. Planning Board Agenda for October 11, 2018
6. 90 Ann Vinal Road, Flexible Open Space Special Permit proposal including from Donald Gillespie
7. MassDEP onsite meeting at Herring Brook Meadow Res Dev, Thurs, October 18, 2018 at 3pm
8. MassDEP Waterways License for Bailey's Causeway Culvert Replacement
9. MASS DEP Waterways License for Gilson Road Culvert Replacement
10. The Beacon October 2018
11. Design Review Committee Agenda October 16, 2018 meeting
12. Economic Development Commission Meeting agenda October 15, 2018
13. Recording info 101 Glades Rd CofC 68-2652 10/4/18 Bk 50370 Pg 108
14. Recording info 29 Rebecca 68-2741 OofC 10/22/18 Bk 50427 Pg 163
15. ZBA approved amendment of permit for Herring Brook Meadow Project
16. Planning Board accessory dwelling special permit application for 16 First Ave
17. Planning Board Site Plan Administrative Review Humarock Fire Station 4 River Street
18. Open Meeting Law Complaint letter to Maloney and Spelman from AG office re: 53 Border St.

Minor Activity Permits

- #88 176 Central Ave, move sand
- #89 21 Kenilworth, move sand
- #90 22 Hatherly Rd, cut tree down