

**Town of Scituate  
Conservation Commission  
Selectmen's Hearing Room  
Meeting Minutes  
December 3, 2018**

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

Members not present: Ms. Lisa Caisse

**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 changes. Mr. Doug Aaberg second. Unanimous vote accepted. (6-0)**

**PUBLIC HEARINGS NOI/OOC**

**7 Revere St.,** (Septic Repair), Applicant: Dynamic Planet LLC, Representative: Darren Grady, PE, Grady Consulting, continued from Nov 19

**Ms. Penny Scott-Pipes motion to continue 7 Revere St. to December 17, 2018. Mr. Richard Harding second. Unanimous all in favor (6-0).**

**ANRAD, 119 Mann Hill Rd. & 390 Hatherly Rd** Applicant: Lewis, Lewis, Representative: Paul Mirabito, Ross Engineering – (continued to December 17, 2018)

**Ms. Penny Scott-Pipes motion to continue ANRAD 119 Mann Hill Rd & 390 Hatherly Rd. to December 17, 2018. Mr. Richard Harding second. Unanimous all in favor (6-0).**

**31 Candlewood Dr,** (restoration of disturbed BVW and BZ, planting of pear trees for agricultural use, removal of existing shed and gravel pathways), Applicant: Jerald Kamman, Representative: John Zimmer, South River Environmental, (continued to December 17, 2018)

**Ms. Penny Scott-Pipes motion to continue 31 Candlewood Dr. to December 17, 2018. Mr. Richard Harding second. Unanimous all in favor (6-0).**

**28 Inner Harbor Road (raise and reconstruct), Applicant: Sara and Arthur Gibbs, Representative: Paul Mirabito, Ross Engineering**

Paul Mirabito from Ross Engineering, representing owners. March storm filled first floor of house with sand. Structural plans filed with NOI. Existing septic, is intact, and will continue to be used. Plan to elevate on piles according to FEMA regulations. House clearly has damage, so going up is good solution. Same number of bedrooms. As long as driven piles, which we can condition. Frank concerned might be enforcement issues with this property, but the office is not aware. If there are no outstanding issues, Frank is OK with issuing orders, but to add that to the orders. Some other properties in that area the town is discussing with them retreating.

**Ms. Penny Scott-Pipes motion to close 28 Inner Harbor Road . Mr. Richard Harding second. Unanimous all in favor (6-0).**

**6 MacDonald Ter (raise and rebuild), Applicant: RJB Development Corp., Representative: Gregory Morse, Morse Engineering**

Gregory Morse, Engineer with Morse Engineering. Representing owner. 12,512 sq ft. upland land area. Previously developed with single family dwelling. Resource area near property is Herring Brook. 200 ft set back runs through part of lot about 1/3 way through lot. NOI depicts new building and new parking lot with landscape around building. All utilities from MacDonald, not near the Herring Brook. Planning Board approved. Soils good for infiltration. 4,841 sq ft already altered. DEP had no comments. Planning board reviewed Stormwater. Project gets some leeway because already developed site. Seems approvable.

Abutter: 22 4 place. Concern about the building so large on lot so small. Worried will be problems with water and drainage in houses nearby. Frank responded that the soil is good for drainage and other houses are upland from project. This project also is upland from lot next to it. This lot is higher than the parking lot where Duval Dance, ice, CP's – water would go that direction. When the train went in, the town created district to provide opportunity in that area. Definitely has changed the flavor of that area. The commission is trying to look at riverfront area in consideration with development. They are removing a fair amount of vegetation, the mitigation suggested does not seem to be permanent vegetation. Greg – there is a planting plan prepared by Kennedy's. This was approved by Planning Board. The easement area is where most of the plantings are going. He will also submit the planting plan to Conservation. We can incorporate reference to planting plan in the orders.

**Ms. Penny Scott-Pipes motion to close 6 MacDonald Ter. Mr. Paul Parys second. Unanimous all in favor (6-0).**

**ANRAD 606 Chief Justice Cushing Hwy (Track & Athletic Field Restoration) Applicant: Town of Scituate (continued to December 17, 2018)**

**Ms. Penny Scott-Pipes motion to continue ANRAD 606 Chief Justice Cushing Hwy. to December 17, 2018 at 6:20pm. Mr. Richard Harding second. Unanimous all in favor (6-0).**

**PUBLIC MEETINGS/ADMINISTRATIVE, ENFORCEMENT / PERMITS and OTHER REQUESTS**

*NEW BUSINESS: Correspondence, Agent's Report, Violation and Enforcement Orders*  
Dickens Row issue – letter went to owners.

MEPA meeting on Wednesday about Hatherly CC NOI. If you would like to join, let Amy know so golf carts can be arranged. Letting other agencies provide input before have hearing.

Border Street adjudicatory hearing did not settle. He has to show how he was aggrieved in order to take further. February 28<sup>th</sup>, 2019 is next significant date. Trying to see if parties will settle.

Meetings will be set up to set up process for following orders of conditions regarding plowing in Humarock. Franks concern is that the corrections be taken care of better. After a storm it is difficult to know where the road is when it comes to plowing.... But important to come back to clean up and do correctly. Or even in cases when it takes days to get there, it can be done correctly initially.

**SUBCOMMITTEE/ PROJECT UPDATES / MISCELLANEOUS**

Beach Committee, CPC, Coastal Advisory

CPC update – n/a

Coastal advisory – reorganizing – Frank has been serving on it, but wants to know if anyone else interested. He will remain liaison

Trails – for next meeting will get draft of 5 maps and language to review. Hopefully, after next meeting can get them up on the conservation website. RFP for access to trails will go out first of year.

**OLD BUSINESS:**

**Certificate of Compliance:** 115 Glades Rd 68-2705, ISSUE  
7 Marshfield Ave 68-2470, ISSUE  
136 Indian Trail 68-2282, HOLD  
Mordacai Lincoln Rd 68-2633, HOLD  
41 Wampanatuck Ave 68-2120, ISSUE  
151 Border Street 68-2612 & 68-2568 HOLD  
41 Cavanagh Road 68-2284 ISSUE

**Request to Continue:** Motion for 3 year extension for 36 Border Street. Accepted.

**Ms. Penny Scott-Pipes motion to for 3 year extension of 36 Border Street orders. Mr. Doug Harding second motion. Unanimous vote in favor (6-0)**

**SUBCOMMITTEE/ PROJECT UPDATES / MISCELLANEOUS**

**OLD BUSINESS:**

OOC: Crosbie Property, Clapp Rd, (Access and Parking), Applicant: Town of Scituate

**Ms. Penny Scott-Pipes motion to accept orders as written for Off Clapp Road, Crosbie Property Trail Drive. Mr. Doug Harding second motion. Unanimous vote in favor (6-0)**

OOC: 47 Brook St., (Proposed Garage), Applicant: Patrick and Elizabeth Reynolds

**Ms. Penny Scott-Pipes motion to accept orders as written for 47 Brook St. Mr. Doug Aaberg second motion. Unanimous vote in favor (6-0)**

**Motion to adjourn**

**Ms. Penny Scott-Pipes motion to adjourn 7:14pm. Mr. Doug Harding second motion. Unanimous vote in favor (6-0)**

Respectfully submitted,

Jennifer Smith  
Recording Secretary

**CORRESPONDENCE**

**November 19, 2018 – December 3, 2018**

1. MassDEP – Notice of Environmental Sampling Route 3A, 100 ft North of Mann Lot Rd
2. 53 Border, DEP Appeal – handed out at pre-hearing 11/27/18
3. 53 Border St – letter from Mr. Spelman to Bridget Munster, Office of Appeals and Dispute Resolution, 11/21/18
4. Letter from Atty. Nagle (re. 23 Oceanside Dr.) to Mr. Mahala (MassDEP) requesting dismissal of appeal of Orders of Conditions
5. Letter from Humarock residents Chris and Denise Robbins to Conservation requesting cobble moved from right of way to the beach to elevation prior 2018 storms and removal of railroad ties next o phone pole at edge of their property. Pictures included

6. Letter from Water Resources Committee requesting they be notified when items on conservation agenda relate to the town's water resources such as new developments located in the water resource protection district
7. ZBA allowing special permit for 8 Allen Place, raze and reconstruct
8. Letter from Karen Canfield to Mrs. Kathleen Hillman, abutter to project at 2 Prospect Ave.
9. Recording info 224 Central Ave CofC 11/27/18 Cert. 124747 Bk 00632 Pg 147
10. Recording info Partial CofC 101 103 1058 Hatherly Rd 8/21/18 Cert 126683 Bk 00633 Pg 83
11. Abutter notification for ANRAD for 606 CJ Cushing Hwy (Scituate High School)
12. 53 Border Memo – pre screening conference memorandum from MassDEP Office of Administrative Appeals and Dispute Resolution
13. Agenda Planning Board Thurs, Nov 29, 2018
14. Agenda Board of Health Mon, Nov 26, 2018
15. Recording info Off Old Oaken Bucket Road (40 Garrison Drive) CofC 11/15/18 Bk 50523 Pg 301
16. 92 Neal Gate St Scituate Planning Board Application for Endorsement of Plan Believed not to require approval
17. Construction Inspection of Curtis Estates
18. MEPA site visit – Wed, Dec 5, at 10am, Hatherly CC Irrigation Supply System Improvement Project
19. Recording info OofC 7 Marshfield, 11/30/18 Bk 50572 Pg 126

**Minor Activity Permits**

#93 – 28 River Rd – regrade with fresh material unpaved road

#94 – 12 Alden Ave – repair bulk head