

**Town of Scituate
Conservation Commission
Selectmen's Hearing Room
Meeting Minutes
January 7, 2019**

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

Not Present: Mr. Paul Parys and 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. (5-0)

PUBLIC HEARINGS NOI/OOC

0 Edward Foster Road (vegetation management), Applicant: Michael & Virginia Ayers, Representative: Brad Holmes, Environmental Consulting & Restoration, LLC (cont'd from Dec 17, 2018) 68-2763

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

20 Newton Street (rebuild existing porch), Applicant: Myron Osborne, Representative: Robert Crawford, EET, Inc. (cont'd from Dec 17, 2018), 68-2764

Ms. Penny Scott-Pipes motion to continue 20 Newton Rd to January 28, 2019 at 6:20PM. Mr. Richard Harding second. Unanimous all in favor (5-0).

87 Glades Rd (raze & rebuild with septic system repair), Applicant: Doris Crary, Representative: Greg Morse, Morse Engineering Co., Inc., 68-2765

Ms. Penny Scott-Pipes motion to continue 87 Glades Rd. to January 28, 2019 at 6:20PM. Mr. Richard Harding second. Unanimous all in favor (5-0).

157 Turner Rd (elevate), Applicant, Daniel McAdam, Representative: Paul Mirabito, Ross Engineering, Co., Inc., 68-2766

Received abutters confirmation for 157 Turner. Paul Mirabito, Ross Engineering, existing home in velocity zone. Propose to elevate on concrete piers. 3.1 feet above FEMA. No changes to elevation of land around house. Work would take place underneath of house. Question about being OK to use continuous footings. Frank - looks like cutting down to finishing grade. Looks like keeping pre-existing footings. Removing sections of concrete walls so water can flow through. But leaving sides – so not complete flow. Not sure what is allowed. Amy – maybe we ask CZM if it meets requirements, especially since pre-existing. Maybe call Peter and ask why designed this way. Paul will ask Peter for letter explaining. Question – is it OK to modify foundation that is there and continuous footings on back of house to support decks, is that OK. Erosion control is silt sock. Will remove in front to get equipment in and out, and put back.

Ms. Penny Scott-Pipes motion to continue 157 Turner Rd. to January 28, 2019 at 6:20PM. Mr. Richard Harding second. Unanimous all in favor (5-0).

33 Oceanside Dr. (raze, move dwelling), Applicant, Alfred Boyajian, Representative: Paul Mirabito, Ross Engineering Co., Inc.

Handed in abutter confirmation. Paul Mirabito, Ross Engineering, representing applicant. Permission to raze existing dwelling and replace with another dwelling. Add two car garage. Elevation 16ft, so 1 foot above 15 foot flood zone. Landscape wall 2 feet high. Silt sock for erosion control. Although not required, infiltrators for roof run-off. Wall will pick up grade of property. House was taken down before January 1 – building department issued demo permit. Plans are for a full foundation - no breakaway panels. Elevation of land is 12, add landscape wall and fill behind it.

Damion Grozier – 72 Kenneth Rd. – lives across street, and concerned that adding 3 feet of fill will push water toward his house. Also, he says fill was already brought in. And digging did happen to dig out break away foundation. He has pictures of trucks and fill. He brought stonewall in after buying house.

Nancy McDonald - 37 Oceanside- concerned about wall on their side. Also concerned how will effect water moving toward their house. Should be a huge consideration that there is moving water towards another house.

Richard Harding – concerned about not having permission to do work already mentioned to property, the wall and it deflecting water, both concerning. Wall might solve his problem but causes problems for others.

Penny – would rather see house on pilings and no walls. If there is going to be foundation, would rather breakaway. Paul – doesn't need breakaway if does this plan.

Doug A. – would also rather see house on piles. Hard to understand why this is cheaper build-out then what plan to do. Wishes we had some direction. Going to end up with same problem as other properties.

Jen – what can we do to condition this project considering applicant has already acted outside of the rules.

Is applicant open to piles instead of lower level. Paul thinks no bc wants to use the space.

Frank – issue is filling of lot and construction of walls. He understands that the fill being brought in, is not enough to change if there is flooding from ocean. When we are talking about properties in V zone – we do not allow walls or structures that change the flow of water.

Amy – what was there before allowed water to flow through. Important to know when conditioning project.

Damion Grozier – 72 Kenneth Rd. – land owned by town across street – what is that zoning for that lot?

Why is that property unbuildable? He has flood insurance. Elevation of 33 Oceanside is already higher with fill brought in. Brought pictures in for the file.

Amy Grozier - 72 Kenneth Rd – you made valid point about when big water comes in, can't do much about it – but between rainfall and small about of flooding and knowledge that he will probably overstep. Part 2 is moving house – what is process for that part of project? Frank – he has no permission to work on that if earth work is needed. No conditions for removing that foundation.

We should continue? Yes. Should we give enforcement order since did work in ground. We should issue EO, Cease and desist and fine. He should remove fill. Amy – continue because need to see if any pre-existing conditions on property and direction from other organization about what is allowable.

Paul M. will ask applicant if will consider piles so water can flow under freely.

Ms. Penny Scott-Pipes motion to continue 33 Oceanside Dr. to January 28, 2019 at 6:20 PM. Mr. Richard Harding second. Unanimous all in favor (5-0).

15 Bassin Ln. (raze & rebuild), Applicant: Henry Askew, Representative: Greg Morse, Morse Engineering Co., Inc.

Abutter notification handed in. Jeff Hassett, Morse Engineering, representing owner. Existing pool in front and basketball in back yard. Proposed work to demolish home and build new home more in location of where current pool is. When started renovation of current house, found many structure issues. Some grading in 50 foot buffer, new house is outside of 50 foot. Minor changes made to plan. Some changes to work area and details to area of disturbance. Added construction entrance.

Proposed 10 foot right away is proposed plan in correct location, which is different where currently is location. Will need to be acceptable to neighbor. Some fill coming in where driveway, most of which is outside of 100ft buffer.

Frank – how determined top of coastal bank. Jeff - Field decided.

Amy – can we see details for dry wells for direction for contractor. Does believe project meets requirements. **Mr. Richard Harding motion to close 15 Bassin Lane. Ms. Penny Scott-Pipes second. Unanimous all in favor (5-0).**

PUBLIC MEETINGS/ADMINISTRATIVE, ENFORCEMENT / PERMITS and OTHER REQUESTS

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

SUBCOMMITTEE/ PROJECT UPDATES / MISCELLANEOUS

Change to foundation plan for 58 Oceanside Dr. New shape pilings. Amended order not needed.
Ms. Penny Scott-Pipes Motion to accept changes made for 58 Oceanside Dr.

OLD BUSINESS:

Certificate of Compliance: 21 Dreamwold Ave **ISSUE**

Partial Certificate of Compliance: 135 Old Oaken Bucket Road
Everything done, but two years observation of plantings not done. Recommend \$500 escrow until observation period over. **ISSUE with \$500 escrow**

Request to Extend: none

SUBCOMMITTEE/ PROJECT UPDATES / MISCELLANEOUS

OLD BUSINESS:

OOC: 7 Revere St., (Septic Repair), Applicant: Dynamic Planet LLC
Ms. Penny Scott-Pipes motion to accept orders as written for 7 Revere St. Mr. Richard Harding second motion. Unanimous vote in favor (5-0)

OOC: 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
Ms. Penny Scott-Pipes motion to accept orders as written for 31 Candlewood Dr. Mr. Doug Aaberg second motion. Unanimous vote in favor (5-0)

ORAD: 119 Mann Hill Rd. & 390 Hatherly Rd., Applicant: Lewis, Lewis,
Ms. Penny Scott-Pipes motion to issue ORAD for 119 Mann Hill & 390 Hatherly Rd. Mr. Richard Harding second motion. Unanimous vote in favor (5-0)

ORAD: 606 Chief Justice Cushing Hwy (Track & Athletic Field Restoration) Applicant: Town of Scituate
Ms. Penny Scott-Pipes motion to issue ORAD for 606 Chief Justice Cushing Hwy. Mr. Richard Harding second motion. Unanimous vote in favor (5-0)

Motion to adjourn

Ms. Penny Scott-Pipes motion to adjourn 7:52 p.m. Mr. Doug Harding second motion. Unanimous vote in favor (5-0)

Respectfully submitted,

Jennifer Smith
Recording Secretary

CORRESPONDENCE
December 17, 2018 – January 7, 2019

1. Recording info OofC 28 Inner Harbor Road, 12/18/18 Bk 50641 Pg 175
2. Notice of Environmental Sampling at location Route 3A (100 ft north of Mann Lot Road)
3. Recording info 304 Clapp Rd Ext of Orders of Condition 11/21/18, Bk 50545 Pg 145
4. Recording info: 7 Marshfield Ave CofC 12/14/18 Bk 50626 Pg 1
5. Notice to abutters for 33 Oceanside Dr.
6. ZBA decision for 96-100 Stockbridge Rd to amend order approved
7. Recording info for 56 Oceanside Dr OofC 12/21/18 Cert 125348 Bk00626 Pg 148
8. ZBA Amended Agenda January 17, 2019
9. Planning Board Memo re: Application for accessory dwelling at 185 First Parish Rd. Public hearing scheduled for January 17, 2019
10. ZBA approve to amend permit for 96-100 Stockbridge Rd
11. ZBA decision to allow special permit for 9 Brunswick St
12. ZBA decision to allow project for 60 Collier Rd
13. ZBA decision allowing special permit for 37 Moorland Rd
14. ZBA decision allowing permit to 47 Brook St
15. Planning Board Agenda for January 10, 2019
16. 53 Border St, response to motion to dismiss from Jim Spellman, Dec 21, 2018 email
17. 53 Border St, email from Jim Spellman to MASS DEP OADR, Jan 3, 2019
18. Recording information 136 Indian Trail 1/2/19, Bk 50692 Pg 81
19. NHESP confirmation of receipt of deck and footings at 20 Newton St and request for filing
20. Site work at 10 Cricket Cir – site was baited for rodents as preventative application before demolition
21. Recording OofC 28 Inner Harbor Rd, 12/18/18 Bk 50641 Pg 179
22. Notice of Environmental Sampling at 3A 100 feet north of Mann Lot Road
23. Geotechnical Summary for proposed residence at 70 Surfside Rd from Kevin Martin, PE
24. Site Plan Admin review 87 Glades Rd proposed project for 3 unit multi family dwelling
25. Coneco Engineers and Scientists request to 1 Aberdeen Dr for Pole Mounted Electrical Transformer

Minor Activity Permits

#99 – 59 Glades Rd – demo