

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

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

Not Present: Ms. Lisa Caisse

Also Present: Amy Walkey, Conservation and Natural Resource Officer

DISCUSSION/ UPDATE:

Ms. Penny Scott-Pipes made motion to accept agenda with as written with add on to discuss trails/parking/access and new committee meeting. Mr. Richard Harding second. Unanimous vote accepted. (6-0)

PUBLIC HEARINGS NOI/ANRAD

36 Bailey's Causeway (r/r), Applicant: Richard & Janet Walden, Representative: Greg Morse, Morse Engineering, DEP # 68-2797 (cont'd from 6/3/19) **(see applicant request to continue to July 15, 2019)**

36R Bailey's Causeway(r/r), Applicant: Richard & Janet Walden, Representative: Greg Morse, Morse Engineering, DEP # 68-2796 (cont'd from 6/3/19) **(see applicant request to continue to July 15, 2019)**

Ms. Penny Scott-Pipes motion to continue 36 & 36R Bailey's Causeway to July 15, 2019 at 6:20pm. Mr. Doug Aaberg second. Unanimous all in favor (6-0).

27-31 Hood Rd., Applicant: St. Mary & St. George Coptic Orthodox Church, Representative: Hazem Dani, CHA Consulting, Inc., DEP# 68-2801(continued from June 17, 2019)

Hazem Dani, CHA Consulting, representing church. Attending Fr Bishoy of the church. Handed in abutter notification. Described lot currently and proposed project. Described area previously mapped, as well as areas with isolated vegetated wetland that were more recently mapped. Project is two parts. After-the-fact above ground propane tanks, installed in 50ft buffer next to school building, in previously disturbed area. Meet fire code and fire department was consulted regarding location of tanks. Other part of project, propose to clear 50,800 sq ft wooded area. 1750 sq ft. impervious playground area with infiltrators trenches and 2 grass swales near site. Isolated wetland is subject to local by-law only. Frank – is there a plan for playground? Not ready yet with plan. Penny – would like to know what material will be used. Hazem – all of area where playground would go is out of 100 ft buffer. Outstanding SW issues still under review. Temporary sediment basin needed because clearing more than an acre. Doug – are the swales because of play ground? Going from wood to lawn is not usually so significant. Hazem – swales are needed. Jen – no questions, went on site visit. Amy – 2 peer reviews in process. SW and other review for resource area delineation. Our wetland scientist concurs with their lines. MassDEP person who visited site also agreed. Wanted to open tonight even though still collecting information. Both wetland scientists will be at July 15 meeting. Should have SW back in time for next meeting.

Karen Murran 540 Hatherly Rd – mother owns property that abuts. Just want to make sure won't be more run off. Hazem -reviewed that Scituate By-law requires no increase in storm run-off.

Adam Brodsky – attorney representing Mr. Chris Scanzillo. Representing Chris who could not attend.

Chris wanted encourage peer review. Can peer review be shared when ready? There was additional encroachment in buffer zone – is that unpermitted activity being addressed? He can provide photos of the activity.

Tim Montgomery - 345 Hatherly Road. Abutter to church. Compliment church for reducing plan in response to neighbors' concerns for privacy and noise. Reduced size of field by 50% and increase buffer areas around project for neighbors.

Father Bishop Mikhail, applicant – not sure about digging referred to by Adam Brodsky. Anything they did was discussed.

Jennifer Way – 17 Hood Rd – direct abutter on two sides – concerned because water table has changed over years and concerns about it changing again. Understands everyone is following restrictions and rules. Hazem – spoke to the grade of land in that area should not drain toward her property. In that area of project, it is sloping away from her property. Frank – maybe we ask consultant for an opinion on SW concerns. Concerned about soccer field project – explained that no soccer field is going in.

Fr Bishop – in response to Doug said – will not be a large playground. There will not be a soccer field.

Joe Scanzillo – Asked where several elevations lines were on the map. Asked where Ingrid lane was on the map. Isn't it fair to assume water will run towards Ingrid, the lowest point, and effect people in that area? Hazem – explained plan to manage water. Asked to show area that was cleared without permit. Concerned that are being described as isolated wetlands. Interested to see justification for resolution of the matter. Because if the isolated area connected the rules and jurisdiction change. Frank - because this has been questioned, and because state has other maps, and this is not the first time reviewing area – when Ingrid Lane was improved, we had questions about wetlands then. We had 3 specialist mark area. Three different professionals, state and several commissioner members have looked at area. Will have environmental specialists at the next meeting. Merrill doing SW, EcoTech consultant for town and Lucas hired by applicant. Frank – appreciative of comments from tonight so can try to address concerns for next meeting. Changes are being reviewed by people who should also review information.

Ms. Penny Scott-Pipes motion to continue 27-31 Hood Rd to July 15, 2019 at 6:20pm. Mr. Doug Aaberg second. Unanimous all in favor (6-0).

184 Chief Justice Cushing Hwy (septic), Applicant: Thomas Jalkut, Representative: Jeff Hassett, Morse Engineering, DEP#68-2802

Chris Mulrey, Engineer with Morse Engineering, representing Thomas Jalkut, attorney representative for family for NOI for septic at their property. Handed in abutter notification. Property backs up to Herring Brook. Also bordering vegetated wetland. Reviewed resource areas on property. FEMA flood, elevation 16. 4 bedroom house with single cesspool. Proposing replace septic 1500 gal tank and leaching field. Currently, cesspool in 100 ft buffer. Richard – seems like an improvement. Amy – why not under driveway? Plumbing and other utility going out the front. Suggest vote and issue, meets requirements of by-law.

Ms. Penny Scott-Pipes motion to close and issue 184 Chief Justice Cushing Hwy. Mr. Doug Aaberg second. Unanimous all in favor (6-0).

PUBLIC MEETINGS/ADMINISTRATIVE, ENFORCEMENT / PERMITS and OTHER REQUESTS

Requests for Determination of Applicability:

31 Tilden (cont'd from June 17, 2019)

Peter Stames from Archia Homes, Reviewed project proposing to use current addition and rebuilding it, while redesigning much of inside of house. Working in the 100 ft buffer.

Ms. Penny Scott-Pipes motion for -3 determination for 31 Tilden Mr. Doug Aaberg second. Unanimous all in favor (6-0).

Requests for Determination of Applicability: 49 Border St. (confirm resource area)

Jim Spelman – failure to notify is reason to dismiss, since they were not properly notified by the applicant. Frank – since everyone involved is present, commission will use their discretion to open, and continue to August 5th. Jim Spelman – would like to be formally notified.

Ms. Penny Scott-Pipes motion to continue for 49 Border St. to August 5th, 2019. Mr. Doug Aaberg second. Unanimous all in favor (6-0).

Requests for Determination of Applicability: 28 River Rd. (permeable pavers)

Leslie Hubbard, owner, described project. Currently, crushed stone where park car. Would like to remove crushed stone and install permeable pavers. Amy – it is in coastal resource area. We do have spec sheet for pavers. Important installed correctly so work as designed. Frank – important to have professionals install and that they understand process to install correctly. Take pictures during process. Reference spec chart in RDA.

Ms. Penny Scott-Pipes motion for -3 determination for 28 River Rd. Mr. Doug Aaberg second. Unanimous all in favor (6-0).

Requests for Determination of Applicability: 44 Ridge Hill (septic)

Chris Mulrey, engineer, Morse Engineer, representing. Described proposed project. Current system in front yard. Amy – shed is a little in the resource area. Proposed project is improvement. Has not been approved by Board of Health yet.

Ms. Penny Scott-Pipes motion for -3 determination for 44 Ridge Hill Mr. Doug Aaberg second. Unanimous all in favor (6-0).

Requests for Determination of Applicability: 238 Central Ave. (2 footings)

David Costales, representative, described proposed project. Add 2 footings to existing deck so can support new hot tub in deck. Going to try and dig by hand would rather not use excavator there. Commission thinks might need help with digging as sandy as it is there and cobble soil. Barrier beach, coastal resource area. Recommend -3.

Ms. Penny Scott-Pipes motion for -3 determination for 238 Central Ave. Mr. Paul Parys second. Unanimous all in favor (6-0).

Requests for Determination of Applicability: 24 Atlantic Ave. (repave driveway and walkway)

Kevin Douglas, owner, reviewed need for project – storm damage from 2018 storms. Brought pictures of current area showing previously paved. No added dimensions. Grandfathered in to be able to repave, even though don't think it is always the best for the area.

Ms. Penny Scott-Pipes motion for -3 determination for 24 Atlantic Ave. Mr. Doug Aaberg second. Unanimous all in favor (6-0).

Requests for Determination of Applicability: 126 Jericho Rd. (permeable pavers)

Landscaper, install permeable pavers for basketball court, landscaping by J Michael. Want to put in half court. 28x30 area for basketball. Existing gravel driveway there now. Install process discussed. Penny – ok, on street side of house. Doug – what is upkeep and maintenance? Other projects from past have not

had issues. Using driveway thickness because could end up with a car on it based on its location. Amy – spoke to Mike about getting spec sheet for file and will note using accordingly.

Ms. Penny Scott-Pipes motion for -3 determination for 126 Jericho Rd. Mr. Doug Aaberg second. Unanimous all in favor (6-0).

SUBCOMMITTEE/ PROJECT UPDATES / MISCELLANEOUS / OLD BUSINESS:

NEW BUSINESS: *Correspondence, Agent's Report, Violation and Enforcement Orders, Minutes 6/17/19*

Stockbridge – update, send enforcement letter

Townsend – sent reminder letter.

Toll brothers – trying to come to resolution regarding turtle, phase II work. Met with TA today about how to quantify it. They are anxious to move on. There is more to clear back to Wampatuck School. But we require that more milestones of phase I are met and stable before sig up more area, replication area is mostly done. Cleaned marsh across street. Still plan to clean vernal pool. Working with Planning Board on Stormwater.

Boyajian – installed infiltrators at 23 Oceanside. Reports of extra loom came in last Friday according to neighbors.

Letter from attorney of resident regarding **Go Green** using chemicals to treat mulch. Frank spoke with Dan Smith to work on other issue of lines of where go Green, windmill, DPW, etc. can work. Question of dyes, when commission did walk, did not see staining, and were told he uses carbon to dye.

Request to talk about recommending support to **purchase lot on Country Way**. Less than an acre. CPC is considering support. Penny – doesn't seem buildable lot, but does connect to reservoir. Mostly wet, probably 90% wet. Land owner is sponsoring proposal. Frank – if purchased with CPC funds, needs to have CR on it, which is hard to do for small piece of land. Penny – it will be presented at CPC next week. She did tell him that sometimes ConComm does not do letter of support until after CPC decides to purchase.

Harbor Resiliency group – had first meeting. Received grant and can use for how to create a plan to make harbor more resilient. Opportunity to get more people to think about how area is changing.

Trails - Bids for access and parking for trails. Bids were over budget. Going back out to bid after modification made to plan and different time of year. Paul Scott will reach out to those who did not bid to find out why and let know putting out to bid again. Crosbie and Bates are two main projects. Higgins can at least be accessed from Bates Lane. Damon has rough parking an driveway currently. Frank's though is priority would be Crosbie and Bates and then see what is left over. Also try to work with DPW. Need to be careful regarding doing turtle sweep in correct time frame. Jen F emailed Cindy (Maxwell trust) to share maps we have to date.

Ms. Penny Scott-Pipes motion to accept minutes as written for June 17, 2019 meeting. Mr. Richard Harding second motion. Unanimous vote in favor (6-0)

OOO: 37 Otis Rd., Applicant: Chuck Welch DEP#: 68-2799

Motion accept orders as written for 37 Otis Rd. Mr. Richard Harding second motion. Unanimous vote in favor (6-0).

Certificate of Compliance issued: 21 Bradford -68-1527

292 Central Ave., 68-2331

8 Northey Farm, 68-1504

264 Central Ave., 68-2344

117 Lawson, 68-1264

119 Jericho, 68-2702

Motion to adjourn

Ms. Penny Scott-Pipes motion to adjourn at 8pm Mr. Richard Harding second motion. Unanimous vote in favor (6-0).

Respectfully submitted,

Jennifer Smith
Recording Secretary

CORRESPONDENCE
June 17, 2019 – July 1, 2019

1. RDA 331 Gannet Rd
2. RDA 280 Gannet Rd
3. NOI 132 Maple St
4. NOI 52 Central AVE
5. NOI updated new plan, Well 17A project
6. CofC request 156 Summer St
7. Photos from Peggotty Beach Road resident about mosquito project shared with Ross Rossetti, Plymouth County Mosquito Control
8. Complaint letter from attorney of neighbors of Go Green regarding chemical dyes to color mulch
9. Abutter notification for project at 132 Maple St
10. Memo from Planning Board regarding Form A Application for 443-461 C J Cushing Hwy
11. Board of Health agenda for June 24, 2019
12. Planning Board agenda June 27, 2019
13. Recording info OofC 310 Hatherly Rd 6/20/19, Bk 51359 Pg 297
14. Decision of Zoning Board for allowing special permit for 20 Marshfield Ave
15. Decision of Zoning Board to allow reconstruction of pre-existing dwelling at 36 & 36R Bailey's Causeway
16. Recording info Extension requests 6/17/19 for 46 Town Way Ext 68-2245 (cert 114955) and 68-2255 (cert 114955)
17. Recording info Extension 27 Town Way Ext cert 109567 5/16/19
18. Project schedule for new track and fields
19. Amended Agenda Planning Board, June 27, 2019
20. Abutter notification for 96 Tach Factory Pond Road, Well 17A project
21. Pre construction Turtle Survey Summary Report
22. Amended Final OofC – Stockbridge Woods from 12/15/14 Memo from Patrick Gallivan
23. RDA filing for 54 Moorland

24. EcoTech peer review for 27 Hood Rd
25. 132 Maple NOI – update from Gary James, engineer, and things needed to complete filing

Minor Activity Permits

- #21 – 14 Sea Gate – one footing for mud room addition
- #22 – 278 Central Ave – move sand
- #23 – 127 Turner Rd – repair walkway
- #24 – Newport St – move sand