

**Town of Scituate
Conservation Commission
Selectmen's Hearing Room
Meeting Minutes
June 17, 2019**

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

Not Present: Mr. Paul Parys

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 and parking. Mr. Richard Harding second. Unanimous vote accepted. (6-0)

Richard Harding joined at 6:26pm

Add trails and parking update to agenda

PUBLIC HEARINGS NOI/ANRAD

2 Dickens Row (boulders on lot line), Applicant: Lane Walsh, Representative: Greg Morse, Morse Engineering, DEP# 68-2784 (continued from May 20, 2019)

Ms. Penny Scott-Pipes motion to continue 2 Dickens Row to July 15, 2019 at 6:20pm. Ms. Lisa Caisse second. Unanimous all in favor (5-0).

61 Seaside Rd, (shed), Applicant, Paul Turcotte, Representative: Paul Mirabito, Ross Engineering, DEP# 68-2798

Paul Mirabito, Ross Engineering, representing owner and applicant. Handed in abutter notifications. Discussed proposed project of installing shed. About year ago asked for orders to raise and rebuild house. Now proposing to install 10x20 shed. Sonotube foundation. Sub surface gas line closer to house and parking area, so shed could not be closer to house. Farther away from house over taken from framities. Rosa rosga in area where putting shed, would replace, replicate and move where can. No grade change proposed. Was a sediment storage area during construction working on the house. Closest area to house is parking area for house. Less than 200 sq ft do not need building permit to install. Penny – as long as it is up so water can flow through. We have requested people to not store hazardous material in shed in orders in past. Amy – it is within 50 ft of BVW, so local by law applies. Area is on coastal dune also. Wetland regulations could be interpreted as an accessory project, a lot of grey area subject to interpretation. Effects to coastal dune 10.283A-F is the interest of Act that you are protecting. “Ability of waves to remove sand from dune, disturbing vegetated cover, destabilize dune, causing any modification to dune that would increase potential for storm or flood damage, interfering with landward lateral land, causing removal of sand from dune, interfere with bird habitat.” Would not interfere with movement of dune, bird habitat. Read the regulation regarding accessory on coastal dune regarding small shed and parking area for residence, just landward of house. Parking already next to house. How far away is shed? Paul – 30-35 feet. Amy – not sure interpretation of “just landward”. Is vegetated area and within 50 ft do not disturb buffer. It is not attached to the house. Doug – this is all in velocity zone? Yes. Even on piles, not out of harms way. Amy – suggest mitigation for alteration especially to reduce scour. Or put it adjacent to the house. Doug – concerned about it getting washed away. Although off the ground, not out of velocity. So if washes away ends up in resource area. Hard to control what is stored in there. Richard – shares Doug concern that 2 feet not high enough and will get washed away. Lisa – can it be elevated more than 2 feet? Have detachable ramp that can put way for winter. Maybe 3 feet high. Paul M – says it would be worse to have it closer to the house. Jen - concerned about being in resource area. Appreciated Amy reading the provisions allowed. Doesn't seem like a great idea to put a new structure in this area. Amy – the house is there because there was already a house there and

they were elevating it. So saying there already is a structure does not have to be interpreted like that. The shed is a new structure.

Peter Makey 59 Seaside Rd – showed photos of before new house and current photos of lot with new house that he had emailed earlier. Concerned that with house up on pilings, area is hit harder without house to block it. Concerned about vegetation there not growing back. Also abutting pond.

Bea Green – 63 Seaside. Right away give them access to their property. Brought pictures to show commission. Lived on property since 60's and has not been structure where suggesting since they have lived there. Usually about 6 feet of clearance under house, and with a storm, not even 4 feet of clearance (shown in pictures) so concerned how shed would be affected by storms and flooding that comes through there. Back in March 2018 storms, 12 pilings were chained together and stored in area where suggesting put shed. Chains were broken first day of storm and spread into several areas. If storm comes through, where will structure end up if storm comes through. Other sheds in area, sheds end up off their base with storms. Appreciate having plans that will ensure it is secure, but water will still be significantly higher.

Don Green – 63 Seaside Rd – why were we needing to put house up 17 ft? Frank – explained that garage or shed does not need to be as high as house required. Is there a foundation plan? Paul Turcotte – looking at using house builder instead of pre-fab so make more like the house, similar material. Builder has more awareness of being in compliance. Currently, filled with poison ivy, would like to see a lot of rosa rugosa there. Frank – concerned how it is secured and supported. When get a plan for house, plan with piles, depth, anchoring mechanism, etc., so secure. A shed on cement blocks, as owner said, is not wise decision. Does think there are provisions to allow for shed as assessor dwelling if can show water flow under and secure. Also would like to see replication of vegetation disturbed that would be beneficial and meaningful. Would like contractor to provide drawing so can know how it will be secured. Paul T – they are open to use the same anchoring technology as the house. They don't want it to wash away either. Amy – usually 2-1 recommended for replication and also recommend invasive management of phragmites. Want to enhance with salt tolerant plants, around shed. Conditions that have acceptable support, 3 feet up, how fastened, plantings, and invasive management. Paul M – 8.5 elevation where proposed shed is. Amy – recommend continue to can get plan to be incorporated into orders. Amy – what about if it was attached to the house? Which would speak to the recommendation of being immediate landward of existing structure.

Ms. Penny Scott-Pipes motion to continue 61 Seaside Rd to July 15, 2019. Ms. Lisa Caisse second. Unanimous all in favor (6-0).

171 Old Oaken Bucket Rd, Applicant: Popes Pond Cranberry Co., Inc., Representative: Paul Mirabito, Ross Engineering, DEP# 68-2800 WITHDRAWN

37 Otis Rd., Applicant: Chuck Welch, Representative: Greg Morse, Morse Engineering, DEP#: 68-2799
James Garfield, Morse Engineering, representing owner. Discussed plan. Raise building on concrete foundation with flood vents to 17.1 ft so 2 ft above flood zone. Amy – confirmed not changing grade. We have foundation plans. Application contains elevation certificate.

Ms. Penny Scott-Pipes motion to close 37 Otis Road. Mr. Richard Harding second. Unanimous all in favor (6-0).

27-31 Hood Rd., Applicant: St. Mary & St. Elizabeth Coptic Orthodox Church, Representative: Hazem Dani, CHA Consulting, Inc., DEP# 68-2801

Ms. Penny Scott-Pipes motion to continue 27-31 Hood Road to July 1, 2019 at 6:20pm. Ms. Lisa Caisse second. Unanimous all in favor (6-0).

PUBLIC MEETINGS/ADMINISTRATIVE, ENFORCEMENT / PERMITS and OTHER REQUESTS

Requests for Determination of Applicability: 31 Tilden St. (addition and porch)

No representative present. Amy discussed project. Working in area already disturbed. New deck in back is out of 100. Would like to discuss limit of work with someone from project.

Ms. Penny Scott-Pipes motion for continue 31 Tilden St to July 1, 2019. Ms. Lisa Caisse second. Unanimous all in favor (6-0).

Requests for Determination of Applicability: 797 First Parish Rd. (landscaping)

Tish Campbell, landscape designer Amy Martin Landscape Design, representing owner. Showed buffer areas of property. Described project. Extend rock wall (stacked rocks) that is already there, so can raise the grade in part of the yard so more usable. Penny – nothing hard going in. Amy – Last thing we have is 2009 plans for septic. Did not confirm buffer lines, they are from 2009 septic plan. Currently sees shed on property that was not mentioned in 2009 plan. Shed is in the 50. Planning to fill within 50 so thinks a little ambitious within. Maybe positive determination and file notice of intent. Or more information, more plantings, since already disturbance in that area. Frank – maybe more planting along the wall, shed Mr. Bannister, owner present. Owned house since 2009. Frank – what would you propose to plant in that area? Tish – would not be difficult to plant in area sloping down to wall. Suggested plants on other side of house, could also do near wall. Amy suggests some conservation posts on the treeline (not on 50). Revise to show plantings in buffer.

Ms. Penny Scott-Pipes motion for negative 3 determination for 797 First Parish Road. Ms. Lisa Caisse second. Unanimous all in favor (6-0).

Requests for Determination of Applicability: 17 Roberts Dr. (landscaping, grading)

Tish Campbell, Landscape designer, representing owners. Described project. Old septic in front yard, which is raised. Would like to remove old septic, regrade to driveway grade, and remove retaining wall. Doug – caution to make sure wall you are leaving will be able to still function and not be compromised as you are changing what will be round it. Confirmed old septic tank would be removed. Amy – straight forward and meets requirements of -3.

Ms. Penny Scott-Pipes motion for -3 determination for 17 Roberts Dr. Ms. Lisa Caisse second. Unanimous all in favor (6-0).

SUBCOMMITTEE/ PROJECT UPDATES / MISCELLANEOUS
OLD BUSINESS:

NEW BUSINESS: *Correspondence, Agent's Report, Violation and Enforcement Orders, Minutes 5/20/19 and 6/3/19*

Ms. Penny Scott-Pipes motion to accept minutes as written for April 22, 2019 meeting. Mr. Richard Harding second motion. Unanimous vote in favor (6-0)

Site visit Glades later this week.

Dog Park –

Trails - Gone to bid for access roads and parking for trails. Received good response and good questions asked. Jen F – had trail meeting. Good progress on brochures. So all 5 should be wrapping up. Open item is formal name of trails. Jen and Frank will talk through it. Amy mentioned the COA has a volunteer part of work-off program, if he could be helpful. Driftway will have iExcel program there this summer starting July 8.

Go Green – Penny, Richard, Frank, Amy did walk through over in Go Green. Concerned that although people think Go green is encroaching on other land, he thinks some of the walking paths have grown closer to Go Green. The piles are higher than ever, but not moving closer. Detention basin, built by people who did windmill, is not maintained.

Site visit to Glades: they were trying to figure out how to be in compliance to protect property. They are looking into grants

Assign member to Scituate Harbor Task Force committee.

Concern how to deal with issues in harbor area. Received a grant to help harbor area. Conservation standpoint would be making sure there is compliance with how anything is built. Letter requesting participation described what is needed. Maybe 10 meetings over 2 years, not monthly. Trying to make Harbor more resilient to keep continued business district. First meeting is tomorrow. Penny said she would go. Can share attending meetings. Jen F will join meetings also.

Request for Modification: 25 Bayberry Rd

One of the conditions says that the decking should be wide enough to promote growing under the deck. A year later, nothing growing under the deck at this point so thought worth asking so looks more presentable and more like rest of neighborhood. Would like to skirt the deck. Wildlife is nesting under the deck. Penny – ok with it as long as water can flow freely when storms. Doug – asked if there was expectation that something would grow there? Amy – brought in as minor modification so commission would be aware of it when he requested certificate of compliance. Frank – assuming will have skirting go pretty low, suggest plantings be used, salt tolerate plants. Paul agreed and said needed to replace other plants according to conditions already. Richard Harding arrived. Commission is accepting of request to revise plans to allow skirting under deck.

Request to issue Certificates of Compliance: 52 Edith Holmes Dr., 68-2752

9 Lightship Lane, 68-2609

49 Glades Rd 68-1614

28 Gilson Rd, 68-2706

Recommend issue all requests for certificate of compliance.

Motion to adjourn

Ms. Penny Scott-Pipes motion to adjourn at 8:00pm Mr. Richard Harding second motion. Unanimous vote in favor (6-0).

Respectfully submitted,

Jennifer Smith
Recording Secretary

CORRESPONDENCE
June 3, 2019 – June 17, 2019

1. Planning Board accepting request to continue public hearing for 27 Hood Road for a Stormwater permit
2. Planning Board accept to continue public meeting for site plan administrative review for Well 17A
3. Recommendations from Division of Marine Fisheries to Mr. Hill at DEP re: pier at 4 Revere St. that they use a different height and width ratio to allow greater light for marsh growth
4. Board of Health Agenda for May 29, 2019 meeting
5. Recording information for 23 Walnut Hill Rd, CofC, 5/23/19, Bk 51143, Pg 136
6. Recording information for 6 Brookline Rd CofC, 5/22/19, cert 117288
7. Save the Date – MOD, 5th Annual Disability Summit, Sept 27, 8:30am – 12:30pm, Boston Convention Center
8. Amended Agenda Economic Development Commission Meeting Monday, May 20
9. Planning Board Agenda, May 23, 2019
10. Recording Information 117 Lawson CofC 5/22/19, Bk 51134, Pg 177
11. Recording information 47 Gannett Rd, OofC 5/21/19, Bk 51131 Pg 80
12. Recording information 58 Dreamwold Rd OofC, 5/20/19, Bk 51126, Pg 238
13. Letter from U of MA Amherst, regarding Cost of Community Service Analyses about the fiscal impacts of open space: “that open space contributes more revenue to a town than it demands in services”
14. Recording info 20 Marshfield OofC 5/29/19 Bk 51157 Pg 300
15. Recording info 124 Mann Hill Rd OofC 5/21/19 cert 127637

16. New owner info for 135 Old Oaken Bucket Rd, Chris Schill and Cary Sakaki
17. Notice of Maintenance activity from Coneco Engineers and Scientists for National Grid to replace 30 utility poles

Minor Activity Permits

- #15 – 250 First Parish Rd- cut trees
- #16 – ATV access to spit for public safety access
- #17 – 133 Turner Rd – remove sand
- #18 – 8 Stanton – clean up road
- #19 - 84 Central Ave – generator
- #20 – 119 Humarock Beach, washed sand