

**Town of Scituate  
Conservation Commission  
Selectmen's Hearing Room / Remote Meeting  
Meeting Minutes  
Monday, June 1, 2020 5:15pm**

**Members Present:** Chairman Mr. Frank Snow,

**Teleconference:** Mr. Richard Harding, Ms. Penny Scott-Pipes, Ms. Jen Foley, Mr. Brendan Collins

**Not Present:** Mr. Doug Aaberg, Mr. Andy Gallagher

**Also Present:** Amy Walkey, Conservation and Natural Resource Officer

**Call to Order, Roll Call of Commissioners, Agenda Acceptance**

Call to Order, Roll Call of Commissioners

Mr. Richard Harding – present, at home, alone, Ms. Penny Scott-Pipes - present, at home, alone, Ms. Jen Foley - present, at home, alone, Mr. Brendan Collins - present, at home, alone, Frank Snow – present, Selectman Hearing room with Amy Walkey and Jenn Smith in the room.

Ms. Penny Scott-Pipes made motion to accept agenda with additions mentioned by chair regarding progress with trails and other townwide items. Mr. Richard Harding second. Roll call to vote. Unanimous vote accepted. (5-0)

Frank Snow, Chair: This meeting is being held remotely as an alternate means of public access pursuant to an Order issued by the Governor of Massachusetts dated March 12, 2020 Suspending Certain Provisions of the Open Meeting Law. You are hereby advised that this meeting and all communications during this meeting may be recorded by the Town of Scituate in accordance with the Open Meeting Law.

**Dial-in Number:** +1 646 558 8656

**Website:** <https://zoom.us/j/92199056641?pwd=QitKUE1abXRjRENiOU41R2VEUHdkUT09>

**Meeting ID:** 921 9905 6641

**Password:** 250775

*Plans and other materials relevant to the following agenda items are posted on the Conservation Commission website:* <https://www.scituatema.gov/conservation-commission/pages/pending-applications-requests-for-determination-of-applicability>

**Request for Determination of Applicability:**

**22 Peggotty Beach Rd.,** Applicant: Town of Scituate, DPW, Representative: Sean McCarthy, DPW, Town of Scituate, Proposed: Peggotty Beach Parking lot repaving  
Sean McCarthy, DPW, Town of Scituate, gave brief review of project. Jeff DeLisi, attorney, asked when project is scheduled to start. Sean- no date yet to start. Waiting for estimates. Will manage access both for beach and to homeowners in that area. Agent – project is in a coastal resource area. It is consistent with a negative finding.

**Ms. Penny Scott-Pipes motion to issue -3 determination 22 Peggotty Beach Rd. Ms. Jen Foley second. Roll Call Vote. Unanimous all in favor (5-0).**

**112 Humarock Beach Rd.,** Applicant: Alice's House Inc., Representative: Morse Engineering, Proposed: platform for lift

Jeff DeLisi, Attorney, ODH, on Board for Alice's House. Gave brief description of Alice's House and of project. Piles will be needed for lift and extension of deck. Would be removable for storms. Work will be done on driveway side of house. Greg Morse – Morse Engineering, discussed how piles will be driven and how work will be done. House was elevated several years ago, so is about 7 ft above the ground. No ADA access at this point. The lift would allow for that access. Piling plan is part of submittal. Piles driven with excavator with hydraulic hammer on end of it. Agent – Little tight between residents. Barrier beach, flood zone, coastal dune. Project is consistent with a negative determination.

**Ms. Penny Scott-Pipes motion to issue -3 determination 112 Humarock Beach Rd. Mr. Richard Harding second. Roll Call Vote. Unanimous all in favor (5-0).**

**10 Utility Rd.,** Applicant: Bertrand & Sharon Plourde, Representative: Morse Engineering, Proposed: septic system repair

Greg Morse, representing applicant. Septic system repair. Upgrading current system, which has failed. Will require work in the 100ft and 50 ft buffer. Some grading in the 50ft buffer, but that area is already lawn and will be restored as lawn. Agent – buffer zone only. Repair where previously disturbed. Consistent with negative determination.

**Ms. Penny Scott-Pipes motion to issue -3 determination 10 Utility Rd. Mr. Richard Harding second. Roll Call Vote. Unanimous all in favor (5-0).**

**13 Garfield St.,** Applicant: Robert DiBenedetto, Representative: Applicant, Proposed: three hand dug concrete footings

Agent presented project. Applicant are asking for 3 hand dug footings for addition of a deck to their home. Image of project shown shows 4 footings. Frank suggests give approval for 4 footings, in case 4 are needed. Agent – consistent with negative determination. Frank – there is not another spot on the lot for the system.

**Ms. Penny Scott-Pipes motion to issue -3 determination 13 Garfield St. Mr. Richard Harding second. Roll Call Vote. Unanimous all in favor (5-0).**

## **New Business/Other Business / Agent Report**

### **Agents report:**

Townhall has been closed to public since end March with essential duties only. This is first meeting where trying to accomplish permits with signatures, which is legal document. Reminder that there is still a 10 day appeal for any DEP, town issue permit. State has additional 45 days on their window to appeal. Should recognize by the applicant working on your risk if working in appeal window, if start work earlier than 45 days. Some town are suggesting the applicant to write to local DEP office after 10 appeal window to ask if plan to appeal. Decks and septic don't rise to that level of typical appealable projects. On June 15 plan to have several NOI on agenda – less complicated, less controversial filings. June 8<sup>th</sup> the town hopes to go into phase 2 of reopening plans. Conservation departments would be open appointment only. Still limits on numbers in Townhall and in a room. The June 15 meeting will still be too soon to gather meet in person. Farther into phases, more opportunities to discuss in person. Currently the Emergency Declaration was extended to beginning July and expected to be extended again. Planning on having next meetings as scheduled.

### **Updates:**

Musquashet Berm grant awarded. Project will be happenings with access through Surfside.

Third Cliff revetment study under review by several agency.

FEMA regulation changes might need to be retracted because other communities rely on town meeting to pass their changes so Covid is affected Town Meeting scheduled, so FEMA will extend deadline, which means, we can't adopt new regulated that the panels have not been adopted by FEMA. So if the retract that date for their deadline, we need to retract the regulations we adopted since FEMA will not have adopted them yet. Pending regulations with state that, might make OK.

**Pending Grant** for 50 Year Coastal Vision – put vision into action plan, applicant going in June. CZM supports that project.

**Signs** – Penny confirmed parking signs at Marinetime Park should be on both sides of posts. Brought to Michael Breen.

Scott McFadden from **Wild Lands Trust** – good things to say about property.

**Spit Access** – Lt. Norton of Scituate Police contacted her about Spit access. The entrance created last year to provide public safety is blocked and they were concerned that the fence and lawn. Turns out the right away is still there, but the lawn and fence were new, so there was concerned maybe something changed.

**EO-** several examples of unpermitted work that has been called into the office. List is growing. Today receive EO from DEP issued to 33 Oceanside property owner for overstepping his orders. Cease and Desist. At our next meeting, we should talk more about action Commission should take.

24 Webster – had agreement about walls coming down, and has not been done.

3 Garfield – asked for restoration plan. They have started work and making progress with restoration.

62 Glades – encroachment and unpermitted work. House is for sale so might need to renew intentions there. DEP recommends in situations like this, recording EO, would then put it on the deed so pass with chain of ownership.

100 Edward Foster – house taken down before permit issues

156 Summer – trees taken down in buffer

20 Marshfield Ave – several misc unpermitted work

Jen and Penny think all EO should be issued. And should cease work until file and receive orders.

**Other Business:**

Jeff DeLisi voiced concern about particular NOI filing not being heard. Would like to know why commission thinks their concerns cannot be addressed through zoom conference. Chairman and Agent explained that commission is starting slow with agenda of tonight to make sure commission is well represented and then next meeting will hear NOIs. It has taken a while for the town to have technology needed. Under legal council of the town, advised to take projects that are less complicated and easily approvable, so can become comfortable with process of new format. Jeff – at last hearing was asked to provide additional information and it was provided. If more is needed, he would like to know that. Chairman – if additional information is needed, can we hear it at next meeting so they can receive input need of any additional material/information needed. Don't want to push them out further.

Next meeting – scheduled for June 15. Planning to take on four NOI and one RDA.

Trails: Working with Ivas to make final updates with maps of the trails. Need to put signs up for parking and access. Waiting for sign-off from all the contractors.

Met with Andy about Driftway Park and discussed some options to improve it.

Appreciate the help from everyone to keep things moving.

Motion to adjourn

**Ms. Penny Scott-Pipes motion to adjourn. Mr. Richard Harding second motion. Unanimous Roll call vote in favor (5-0).**

Respectfully submitted,

Jennifer Smith  
Recording Secretary

**CORRESPONDENCE**

**April 27, 2020 – June 1, 2020**

1. Geoff Hunts comments on 22 Peggotty Beach Road Parking lot projects.
2. Planning Board Agenda for May 14, 2020
3. Economic Development Commission agenda for May 18, 2020
4. Email from Monica Martin on May 7, 2020 re: notification of start of project for dock
5. Chapter 91 license for 67 Border St
6. Acceptance of modifications to chapter 91 license for 5 Dartmouth St, South River
7. Coronavirus Guidance dates from March 2020
8. Planning Board accepted motion to continue 0 Country Way to June 11, 2020
9. Reviewed received re: 138 River St, project does not occur within Estimate Habitat for Rare Wildlife or Priority Habitat.

**Minor Activity Permits**

- 14 – 212 Central Ave – move cobble
- 15 – 208 Central Ave – move cobble
- 16 – 218 Central Ave – move cobble
- 17 – 220 Central Ave – move cobble
- 18 – 272 Central Ave – move cobble
- 19 – 12 Atlantic – move overwash
- 20 - 111 Humarock Beach – move cobble, sand
- 21 – Memorial Benches at Museum Beach
- 22 – 178 Central Ave – move sand
- 23 – 32 Atlantic Ave – move sand