

**Town of Scituate
Conservation Commission
Selectmen's Hearing Room
Meeting Minutes
September 30, 2019**

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

Not Present: Mr. Paul Parys, Mr. Doug Aaberg

Also Present: Amy Walkey, Conservation and Natural Resource Officer

DISCUSSION/ UPDATE:

Mr. Richard Harding made motion to accept agenda with addition of 167 Jericho Certificate of Compliance. Mr. Doug Aaberg second. Unanimous vote accepted. (5-0)

PUBLIC HEARINGS NOI/ANRAD

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

Ms. Penny Scott-Pipes motion to WITHDRAW 61 Seaside Rd. Mr. Richard Harding second. Unanimous all in favor (5-0).

0 Country Way (drainage basin), Applicant: Bradford Merritt, Representative: Kevin Grady, Grady Consulting, LLC, DEP#: 68-2805

Mr. Richard Harding motion to continue 0 Country Way to October 21, 2019 at 6:20pm. Mr. Richard Harding second. Unanimous all in favor (5-0).

780 First Parish Rd. (new dwelling/ SW review), Applicant: Gerald & Linda Dwight, Representative: Jeff Hassett, Morse Engineering Co., Inc.

Ms. Penny Scott-Pipes motion to continue 780 First Parish Rd. to October 21, 2019 at 6:20pm. Ms. Lisa Caisse second. Unanimous all in favor (5-0).

36R Bailey's Causeway(r/r), Applicant: Richard & Janet Walden, Representative: Greg Morse, Morse Engineering, DEP # 68-2796 (cont'd from 6/3/19)

36 Bailey's Causeway (r/r), Applicant: Richard & Janet Walden, Representative: Greg Morse, Morse Engineering, DEP # 68-2797 (cont'd from 6/3/19)

Greg Morse, Morse Engineering. Reviewed project. Bob Gray of Sabatia Inc, reviewed project and Brad Holmes delineated. Property located in zone AE. Secured Board of Health septic approval for both houses. Proposal to raze and construct new house. Moving gravel driveway to western side of property. New septic system proposed; so no more cesspool. Houses elevated on piles, allowing free flow of water. BOH approved septic plans. Penny – was waiting on BOH approval. Planting plan, with 26 plants, put together for area where driveway used to be. Richard – confirmed new driveway is going over new septic system. Jen – concerned about house sq. ft. increasing for rear house, even though elevated. Currently on concrete foundation, and going to piers. So area calculated for impervious is the footings for piers. Current plan, fill used for removal of cesspool, not doing other grading previously proposed. Zoning board involved in permitting because non-conforming lots. Jen - What about swale? Greg Morse – instead of grading in that area, putting in swale. Amy – they received approval needed from BOH, gave us planting plan, do we want to condition requesting infiltrators, in regards to increase roof size? Elevating is good, allowing storm flowage to flow, but are adding increased impervious roof area.

Jane Davidson, 34 Bailey's Causeway– how far back does swale go? To the back of the back house. In between plantings and new house - what will be between? Grass, split rail fence, and then plantings. In between houses, is retaining house where fill will go? Yes, outside of retaining wall where cesspool was.

Frank – can you explain one area elevation around retaining wall? 2 ft. high on one side (by Davidson) and 3 ft on other. Split face versa lock / split face concrete block. There has been a lot of discussion about this property. One question is to have berm opened - should some openings be created in berm to help function more naturally? Or keep in tact? Greg – creating openings is an option, maybe add into conditions, but town is planning to update culverts on Bailey's Causeway, so maybe need to see how that goes first. Further concern, is the trend of small summer cottages expanding year round homes really what we want to have happen in these areas of marginal sites. In area for that type of location. When you get this kind of expansion in an area, you wonder if this is what we really want to see happen in these areas? It is a pretty aggressive expansion on back house. Putting houses in vulnerable areas is concerning. Greg – understands concerns. Conservation aspects considered – flood requirements being met by today's standards, moving driveway farther from salt marsh, septic is improvement. Frank – regarding septic and chambers, this is area that floods – Greg – they are constructed with anti floatation tanks. Not your average system. Hoot septic system. Water tight tank.

Mr. Richard Harding motion to close 36 & 36R Bailey's Causeway. Ms. Lisa Caisse second. Unanimous all in favor (5-0).

ANRAD 115 Grove / 577 First Parish Rd., Applicant: Henry Holmes, Representative: Morse Engineering

Need green cards. We do not have number assigned from DEP. Tomorrow is deadline for submitting for Oct 8 meeting. Need to continue to October 21. Need to look abutter notification. Abutters do not always know what ANRAD request is about, so concerned that this is properly advertised. Abutter at 581 First Parish, did not receive any notification. Continuing to October 21 means there is enough time to resolve any abutter notification issues.

Ms. Penny Scott-Pipes motion to continue ANRAD 115 Grove / 577 First Parish Rd. to October 21, 2019 at 6:20pm. Ms. Lisa Caisse second. Unanimous all in favor (5-0).

97 Booth Hill Rd. (septic repair), Applicant: John Burns, Representative: Greg Morse, Morse Engineering, DEP #:68-2814

Greg Morse, Morse Engineering. Abutter notification submitted. Reviewed project. Septic system repair project. Existing system is in back yard. Proposing upgrade with HOOT tank, pump, chamber, drip disposal leaching field. Reviewed set back 22.2 to wetland. Fence would remain, serves as lot line. Looks at other locations property, but other areas did not work. Board of Health has reviewed but has not approved yet. BOH had asked for deed restriction be required. Amy – any preference on where shed is relocation? Abutter cards submitted.

Ms. Penny Scott-Pipes motion to continue 97 Booth Hill Road to October 8, 2019 at 6:20. Mr. Richard Harding second. Unanimous all in favor (5-0).

38 Inner Harbor Rd. (septic), Applicant: Jane Everett, Representative: Darren Grady, Grady Consulting, DEP #: 68-2815

Ms. Penny Scott-Pipes motion to continue 38 Inner Harbor Rd to October 21, 2019 at 6:20. Ms. Lisa Caisse second. Unanimous all in favor (5-0).

ANRAD 0 Rear Summer St., Applicant: Genevieve & George Davis, Representative: Grady Consulting, DEP #: 68-2816

Ms. Penny Scott-Pipes motion to continue 0 Rear Summer St. to October 21, 2019 at 6:20pm. Ms. Lisa Caisse second. Unanimous all in favor (5-0).

23 Bradford Ave. (raze/rebuild), Applicant: Leonard Getz, Representative: Brendan Sullivan, Cavanaro Consulting, DEP#:68-2819

Brendan Sullivan, Cavanaro Consulting, representing owner, Leonard Getz, owner, Chris Pratt, builder. Brendan reviewed project. Existing house not flood compliant. Same footprint, pushed back a little bit. Garage under portion of house and paved driveway in front. Moving shed closer to house and connecting to deck. Gravel driveway to access house in the back of property. New structure will be flood compliant. Garage floor will be 15 high and first floor will be 18.5 and will still install flood vents. Decreasing impervious over lot by 1500 sq ft. Driveway to east of house that is paved is being removed. Brick walkway around being removed. Deck over concrete slab currently in back corner of house, both being removed and returned to lawn. Amy – does not appear altering elevation/grade of lot. If going to be impervious driveway, would like to see details to make sure installed according to specs so they work correctly. Frank – asked what current foundation is - sits on masonry block foundation and piers.

Originally built 1912. Shed, in new location, will continue to be elevated as it currently is.

Ms. Penny Scott-Pipes motion to close 23 Bradford Ave. Ms. Lisa Caisse second. Unanimous all in favor (5-0).

25 Rebecca Rd. (raze/rebuild), Applicant: Mary Sullivan, Representative: Brendan Sullivan, Cavanaro Consulting, DEP#:68-2818

Jeff DeLisi, Attorney, Brendan Sullivan, Cavanaro Consulting, Jeff – on behalf of applicant, Mary Sullivan. Reviewed project to be consistent with FEMA regulations. Brendan – current dwelling on #25 blown off foundation during 2018 storms. Nothing underneath house currently. Razing that house and putting in prefab house. Reviewed resource areas. AE 15 on back, VE 19 on Oceanside part of lot. Entire structure flood compliant and will be 2 ft above velocity zone. First floor elevation 23. Timber pile foundation. 3 vents of piers. Piles for proposed deck on ocean side. Pulling house away from rear property line. Current house very close to neighbor, so not only moving from ocean, but also increasing space between neighbors. Two lots being combined - #23 and #25. In 1978 storm structure on 23 washed away. Amy – foundation looks good. Looking for utility connection. Brendan – not on plan, but water and sewer would be tied to one of the piles. Use same stub, unless utility companies want a new tap. Jeff – at zoning board in 3 weeks. Location of house is important to have confirmed before go to zoning.

Ms. Penny Scott-Pipes motion to close 25 Rebecca Rd. Ms. Lisa Caisse second. Unanimous all in favor (5-0).

PUBLIC MEETINGS/ADMINISTRATIVE, ENFORCEMENT / PERMITS and OTHER REQUESTS

Requests for Determination of Applicability: 667 Hatherly Rd. (replace water line)

Bill Ohrenberger, Atty representing Hatherly Coutry Club, Michele Nuzzo, attorney, Paul Mirabito, Ross Engineering. Paul reviewed project to replace water line. Proposed to put in same track as old pipe, which has asbestos. All work is in 100ft buffer zone. Silt fence will go along edge of salt marsh. Six-inch line, cast iron. No vegetation needs to be replanted, other than fairway grass being disturbed. Appears consistent with negative finding. Frank – wants to make sure erosion control up until completed- especially if end up paving narrow road to Treasure Island.

Mr. Richard Harding motion for -3 determination for 667 Hatherly Rd. Ms. Lisa Caisse second. Unanimous all in favor (4-0).

Requests for Determination of Applicability: 17 Mordecai Lincoln Rd. (septic)

Greg Morse, Morse Engineering. Previous request was never done so permits are expired, so applying again. Work is in area of existing lawn and landscaping and out of 50 ft buffer. Reviewed projects.

Mr. Richard Harding motion for -3 determination for 17 Mordecai Lincoln Rd. Ms. Lisa Caisse second. Unanimous all in favor (5-0).

Requests for Determination of Applicability: 1 Hollett Rd. (septic)

Rob Carlezon, from Grady consulting, reviewed project. Reviewed resource area. Only thing in 100 ft buffer is current cesspool, which will be pumped and filled. BOH approval pending.

Mr. Richard Harding motion for -3 determination for 1 Hollett Rd. Ms. Lisa Caisse second. Unanimous all in favor (5-0).

Requests for Determination of Applicability: 134 Judge Cushing Rd. (trees)

Leonard Condenzio, owner, reviewed project. Would like to remove some dead trees and briar wood growing up some trees. Showed pictures to commission. Work is out of wetlands. Barlett Tree provided proposal with plan for property. Penny – would like to leave things as they are near the marsh. Understands dealing with trees near house, they are not healthy. Lisa – as plants decay naturally, it does feed soil. Jen – supports idea of site walk to pick which trees are OK. Amy – thinks consistent with negative 3, appreciated comments about not cleaning up too much. Feels plan is clear about removing dead and diseased trees. Often we issue Minor activity permit for projects like this but since larger property, suggested the RDA request. Frank – explained more of a habitat piece – would like to see little loss, and maybe even a gain when it comes to habitat. Also, wonders if there are already set of conditions to follow for this property.

Mr. Richard Harding motion for -3 determination for 134 Judge Cushing Rd. Ms. Lisa Caisse second. Unanimous all in favor (5-0).

Requests for Determination of Applicability: 399 First Parish Rd. (National Grid – utility pole)

Amanda Houle, Tighe & Bond, representing National Grid. Reviewed project. Typical 18-in poles. Replacing one and adding a new one. Assuming a 50x50 work area, which is overgrown, so some vegetation will might be removed. If don't need to clear entire area, won't, but asking just in case need to.

Mr. Richard Harding motion for -3 determination with condition for posts for 399 First Parish Rd. Ms. Lisa Caisse second. Unanimous all in favor (5-0).

SUBCOMMITTEE/ PROJECT UPDATES / MISCELLANEOUS / OLD BUSINESS:

Request for minor modification:

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

Discuss:

OOC:

Mr. Richard Harding Motion to accept orders as written for **160 Indian Trail. Second by Ms. Jen Foley. Unanimous all in favor (5-0).**

Certificate of Compliance issued:

298 Central Ave. 68-769 (work not done)
47 Gannett 68-2798 (pool)
167 Jericho Rd 68-1201 (new building)

Agent report –

Several complaints have come in. 7 Dunbar- mailed a letter. Complaints from other areas. Complaint about fill on Salt Meadow Road that needs to be investigated.

Still resolving drainage issue on Hatherly Road.

Frank – been in correspondence with Maxwell trust and their attorney – hoping to have title insurance figured out next week.

Frank and Penny met with TA to work on turtle sweep with Crosby project. Would like to get turtle sweep done this month during allowable time frame, and then can go out to bid with the turtle sweep already done.

Paul Parys sold house and moving, so will not be on commission anymore.

Penny - Harbor Resiliency committee – all kinds of ideas being discussed to protect Harbor from future storms.

Penny - Master Plan – interesting project.

Motion to adjourn

Mr. Richard Harding motion to adjourn at 8 pm Ms. Lisa Caisse second motion. Unanimous vote in favor (5-0).

Respectfully submitted,

Jennifer Smith
Recording Secretary

CORRESPONDENCE

September 9, 2019 – September 30, 2019

1. Recording info CofC 87 Scituate Ave 68-2557, 9/6/19, Bk 51608, Pg 179
2. MEPA Draft Environmental Impact Report for Reservoir Dam water Storage and Fish Passage Improvement Project, September 2019
3. ANRAD for 0 Rear Summer St.
4. NOI 23 Bradford
5. NOI 25 Rebecca Rd
6. RDA 399 First Parish Rd
7. CofC request for 47 Gannett Rd 68-2795
8. CofC request 167 Jericho Rd 68-1201
9. 86 Humarock abutters correspondence
10. Agenda for Hanscom AFB 4th Cliff Environmental Assessment Interagency Workshop, September 18, 2019
11. Letter from resident about fill in salt marsh near Salt Meadow lane
12. Application for ZBA Special Permit / Finding for 28 Inner Harbor Road
13. Release abatement status report for 19 Union St, letter dated 8/26/18
14. MassDEP received appeal for 2 Dickens Row OofC and scheduled site meeting 11/4/19 at 2pm
15. 401 Water Quality Certification for dredging and fill for Hatherly Country Club project 9/11/19
16. Accessory Dwelling Special Permit application for 8 Carver Ave
17. Accessory Dwelling Special Permit Application for 15 Egypt Ave.
18. Revised plans for 36 & 36R Bailey's Causeway
19. NOI for 96 Humarock Beach
20. NOI for 67 Border St (dock)
21. Recording info 52 Central 68-2804, 8/14/19, Bk 51502, Pg 295
22. Amended Agenda Planning Board Sept 26, 2019
23. Letter from Della Shepherd regarding protecting Salt Marsh near Jericho/Otis/Turner Rds.
24. Abutter notification for 23 Bradford Ave.
25. Recording info CofC 7 Barry's Landing 68-2509, Bk 51656 Pg 119
26. BOH Agenda Sept 23, 2019
27. Recording info 91 Gilson Rd 68-2806 OofC Bk 51593 Pg 326
28. Recording info Tack Factory Pond 68-2803 Bk 51671 Pg 212, 9/20/19
29. Abutter notification 96 Humarock Beach Rd.
30. Recording info CofC 38 Atlantic Dr. 68-2540 Bk51659 Pg 321
31. Recording info OofC 9 Bay Ridge Road 68-2811, 9/27/19, Cert 128963
32. Updated Liaison List for Board of Selectman
33. Abutter notification for 0 Rear Summer Street ANRAD
34. Withdraw notification for 61 Seaside received by MassDEP
35. Groundwater Quality Monitoring Well Installation Approval for Herring Brook Meadow

Minor Activity Permits

- #31 - 82 Lighthouse – add concrete to stone
- #30 – UMass Scientific Study of Salt Marsh
- #29 – 19 Kathy's Path – trees
- #28 – 90 Cole Pkwy – DPW, adding rocks