

**Town of Scituate
Conservation Commission
Selectmen's Hearing Room / Remote Meeting
Meeting Minutes
Monday, May 24, 2021 5:30pm**

Members Present: Mr. Frank Snow, Chair

Teleconference:, Mr. Doug Aaberg, Mr. Brendan Collins, Mr. Richard Harding, Ms. Penny Scott Pipes, Mr. Andy Gallagher (joined late)

Not Present: Jen Foley

Also Present: Amy Walkey, Conservation and Natural Resource Officer

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.

1. Call to Order, 5:38pm Roll Call of Commissioners

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

2. Agenda Acceptance:

Ms. Penny Scott-Pipes made motion to accept agenda. Mr. Brendan Collins second. Roll call to vote.

Unanimous vote accepted. (5-0) Mr. Brendan Collins - yes, Mr. Richard Harding – yes, Ms. Jen Foley - yes, Ms. Penny Scott Pipes - yes, Frank Snow - yes

3. REQUEST FOR DETERMINATION OF APPLICABILITY

a) 45 Pennfield Rd., (SBL# 17-21)

Applicant: Joe Spinella

Representative: Morse Engineering

Project: septic system replacement / upgrade

James Garfield, Morse Engineering. Described project and resources on lot. Penny – improvement for site.

Agent – meets requirements negative determination, improvement.

Andrew Gallagher joined meeting.

Ms. Penny Scott-Pipes motion for negative three determination for 45 Pennfield Rd. Mr. Richard Harding second. Unanimous all in favor roll call vote (6-0). Mr. Brendan Collins - yes, Mr. Doug Aaberg – yes, Mr.

Andrew Gallagher - yes, Mr. Richard Harding – yes, Ms. Penny Scott Pipes - yes, Frank Snow - yes

b) 526 Country Way (SBL# 18-21)

Applicant: David & Tina Davin

Representative: Morse Engineering

Project: septic system repair

James Garfield, Morse Engineering, single family dwelling. Existing septic in the 50ft buffer. Proposed new septic in the 100 ft buffer. BVW in rear lot. Doug – pump system. Agent – improvement. Wet site. Meeting requirements negative three.

Mr. Richard Harding motion for negative three determination for 526 Country Way. Ms. Penny Scott-Pipes second. Unanimous all in favor roll call vote (6-0). Mr. Brendan Collins - yes, Mr. Doug Aaberg – yes, Mr. Andrew Gallagher - yes, Mr. Richard Harding – yes, Ms. Penny Scott Pipes - yes, Frank Snow - yes

c) 8 Cliff Rd. South, (SBL# 19-21)

Applicant: Edward Moriarty, Jr.

Project: Footings for deck extension

Ted Moriarty, owner, proposed project is to extend existing deck so that portion is no covered. Extension would be 10 feet and 3 new footings. Has permission from neighbor to bring small equipment to that side of house to drive piles. Paul Armstrong will drive piles. Dunn Construction will build deck. Agent – have structural from Rivermoor. Project is in V zone. Meeting requirements negative determination. Needs to meet building code for V zone.

Mr. Richard Harding motion for negative three determination for 8 Cliff Road South. Mr. Doug Aaberg second. Unanimous all in favor roll call vote (6-0). Mr. Brendan Collins - yes, Mr. Doug Aaberg – yes, Mr. Andrew Gallagher - yes, Mr. Richard Harding – yes, Ms. Penny Scott Pipes - yes, Frank Snow - yes

d) 133 Glades Rd. (after-the-fact SBL#: 20-21)

Applicant; Michael McCarron

Project: repair existing cement patio, walkway

Michael McCarron, owner and applicant. Described project and expressed understanding for future needing permits to do ground work. Property in flood zone. Reviewed pictures of project. Cement repaired on patio area and walkway on side of house, not under house. Mentioned safety issues of a couple events that had happened. Added cement to level out where it was damaged. Some places used wire mesh for more support. Penny – reminder to file first in future. Confirmed did not pull any cement out and did not do any demo. Agent – filed after the fact as soon as received letter from commission requesting. Pre-existing paving. Meets requirements negative determination. Frank – reminder don't permit walls in flood zone. Understand inherited wall. Explained how walls re-direct water and can cause more damage.

Ms. Penny Scott-Pipes motion for negative three determination for 133 Glades Rd. Mr. Doug Aaberg second. Unanimous all in favor roll call vote (6-0). Mr. Brendan Collins - yes, Mr. Doug Aaberg – yes, Mr. Andrew Gallagher - yes, Mr. Richard Harding – yes, Ms. Penny Scott Pipes - yes, Frank Snow - yes

e) 24 Woodland Rd. (SBL# 21-21)

Applicant: Patrick Bowes

Representative: Morse Engineering

Project: septic system repair

James Garfield, Morse Engineering, BVW rear of lot, current cesspool and laundry output in 50 foot. Doug – looks like tank and plumbing only things in the 100 foot buffer. Minimal grading. Moving everything to front of house. Agent – huge improvement. Meets requirement negative determination

Ms. Penny Scott-Pipes motion for negative three determination for 24 Woodland Rd. Mr. Doug Aaberg second. Unanimous all in favor roll call vote (6-0). Mr. Brendan Collins - yes, Mr. Doug Aaberg – yes, Mr. Andrew Gallagher - yes, Mr. Richard Harding – yes, Ms. Penny Scott Pipes - yes, Frank Snow - yes

f) 144 Hatherly Rd. (SBL# 22-21)

Applicant: Toll MA Land III Limited Partnership

Representative: LEC Environmental Consultants, Inc.

Project: installation of two new catch basins, a subsurface drainage pipes, water quality unit, and flared end outlet

Mark Manganello, LEC, representing for Toll Brothers. Proposed drainage infrastructure. Portion of work in the buffer. Previously disturbed area. Toll has been discussing with DPW and Planning to handle water issue in this area of Hatherly Rd.

Frank – why waiting until now, why was this not part of the NOI? Why not amend orders? Mark – resolving water drainage within Hatherly Rd – vs amend orders for project. RDA is correct procedure. Unresolved drainage issue in area and this is solution. Joint decision made to resolve it in this manor. Run off is not from project, it is mostly from Hatherly Road. Puddling of water occurred on Hatherly Road. Doug – where does the proposed drain pipe end? Grass swale to further infiltrate any water that comes through there. Penny – OK as long as filters before hits wetlands. Mark – water quality device designed to remove sediment from water. Agent – Requested abutter notification, but there are no abutters within 100feet. Part of utility project between town and Toll. To mitigate water issued on Hatherly Road that are long standing issues. Maintenance? Mark – sediment will need to be cleaned out periodically from water quality device. Flared end section maybe make sure woody vegetation not growing there but should not need other maintenance. Grass swale would need to be mowed. Agent – work subject to easement agreement. Easement should be recorded before work done. Maintains returns to town to do in long run. Otherwise meets requirements of negative three. Frank – This is work already going on. Almost after-the-fact. Mark – had completed Hatherly road work up to the water quality device. Frank - thought original plan discharge not to be done to wetland. Frank would like detail information on water quality device before issuing permit. Assuming DPW has accepted and they will be able to maintain and clean out.

Ms. Penny Scott-Pipes motion to continue 144 Hatherly Road to June 7th at 5:30 if have water quality device information in time for that meeting. Mr. Richard Harding second. Unanimous all in favor roll call vote (6-0).

Mr. Brendan Collins - yes, Mr. Doug Aaberg – yes, Mr. Andrew Gallagher - yes, Mr. Richard Harding – yes, Ms. Penny Scott Pipes - yes, Frank Snow - yes

g) 146 First Parish Rd., (SBL# 23-21)

Applicant: Doug Aaberg

Project: plantings and removal of invasive species

Doug Aaberg, owner and applicant. Described proposed project including site plan with buffer lines on property. Scrub brush that has grown in thick, and seems to be taking over area, where digging had occurred when town installed drain pipe on side of property. Would like to dig that out and plant small plantings in that area. Can't do trees in that area because of pipe. No chemicals to be used on property. Brad Holmes will flag was is not invasive. Proposed plantings around existing yard. Some non-native plants in front of house but others would like to include would be native plantings. Small bobcat for cleaning on scrub brush. Frank – requested submitted to office planting list with size and quantity before start work.

Ms. Penny Scott-Pipes motion for negative three determination for 146 First Parish Rd. Mr. Andrew Gallagher second. Unanimous all in favor roll call vote (5-0). Mr. Brendan Collins - yes, Mr. Andrew Gallagher - yes, Mr. Richard Harding – yes, Ms. Penny Scott Pipes - yes, Frank Snow - yes

4. Other Administrative Items

- a. **Orders of Conditions:** 24 Old Mouth Rd.
250 Driftway
392, 392 R, 396 Hatherly Rd.

Ms. Penny Scott-Pipes motion to accept orders as written for 24 Old Mouth Rd, 250 Driftway, 392, 392R, 396 Hatherly Rd. Mr. Doug Aaberg second. Unanimous all in favor roll call vote (6-0). Mr.

Brendan Collins - yes, Mr. Doug Aaberg – yes, Mr. Andrew Gallagher - yes, Mr. Richard Harding – yes, Ms. Penny Scott Pipes - yes, Frank Snow - yes

b. **Certificates of Compliance** (no vote): 25 Torrey's Lane

c. **Approval of Draft Minutes** – 5/3/21 & 5/17/21

Ms. Penny Scott-Pipes motion to accept minutes as written for 24 Old Mouth Rd, 250 Driftway, 392, 392R, 396 Hatherly Rd. Mr. Doug Aaberg second. Unanimous all in favor roll call vote (6-0). Mr. Brendan Collins - yes, Mr. Doug Aaberg – yes, Mr. Andrew Gallagher - yes, Mr. Richard Harding – yes, Ms. Penny Scott Pipes - yes, Frank Snow - yes

d. Frank – **Scout / camping area update** - more updates to plan. Had conversation with police and fire. Still ongoing – maybe next meeting will have more information. Presenting update to Select Board at their June 8th meeting

e. Agent – change in meeting requirements with State of Emergency ending June 15th. More communication to come from the State

5. Adjourn

Mr. Richard Harding motion to adjourn at 7:20pm. Ms. Penny Scott-Pipes second. Unanimous all in favor roll call vote (6-0). Ms. Penny Scott-Pipes – yes, Mr. Brendan Collins - yes, Ms. Jen Foley - yes, Frank Snow – yes, Andrew Gallagher – yes