

**Town of Scituate
Conservation Commission
Selectmen's Hearing Room / Remote Meeting
Meeting Minutes
Monday, November 16, 2020 4:15pm**

Members Present: Mr. Frank Snow, Chair

Teleconference: Mr. Richard Harding, Mr. Andy Gallagher, Mr. Doug Aaberg, Mr. Brendan Collins, Ms. Jen Foley, Mr. Doug Aaberg

Also Present: Amy Walkey, Conservation and Natural Resource Officer

Not Present/Participating: Ms. Penny Scott-Pipes

Call to Order, Roll Call of Commissioners, Agenda Acceptance

Mr. Brendan Collins - present, at home, alone, Andy Gallagher – present, at home, alone, Doug Aaberg – present, at home, alone – Jen Foley – present, at home, alone, Mr. Richard Harding - present, alone, at home – Frank Snow, present, Selectman Hearing room with Amy Walkey and Jenn Smith in the room.

Mr. Richard Harding made motion to accept agenda. Mr. Doug Aaberg second. Roll call to vote. Unanimous vote accepted. (6-0)

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.

PUBLIC HEARINGS / NOI

a. 14-16 Old Country Way, DEP# 068-2856 (cont'd from 10/19/2020)

Applicant: Robert Proctor

Representative: Ross Engineering

Proposed: raze and rebuild

Paul Mirabito, representing applicant, project was approved last week by Planning Board with no changes that would affect conservation.

Agent – several documents needed – site plan from 11/9/20, LTPPP, Alternative Analysis, O&M.

Can they be submitted to Conservation. Paul – planning Board has them, he can submit them to us if needed. Only minor changes were made. Frank – you should submit same ones to the commission. The distance from inlet and outlet of pipe is within 50 feet of the project. Believes Planning Board deals with tributaries. Do those trigger any other review, being within 50 ft. Paul – zoning board granted relief from requirement of review that would be needed. Reviewed Zoning By Law regarding work near tributary.

Ms. Jen Foley **motion to close pending and issue orders for 14-16 Old Country Way. Mr. Richard Harding second. Unanimous all in favor roll call vote (6-0).**

b. 8 Newell St., DEP# 068-2859 (cont'd from 10/5/2020)

Applicant: Christopher Winn

Representative: Robert Crawford, EET

Proposed: pool

Mr. Richard Harding **motion to continue 8 Newell St. to Wednesday, January 6, 2020 at 5:15pm.**

Mr. Doug Aaberg second. Unanimous all in favor roll call vote (6-0).

c. 8 Newell St., DEP# 068-2866 (cont'd from 10/5/2020)

Applicant: Christopher Winn

Representative: Grady Consulting

Proposed: dock

Mr. Richard Harding **motion to continue 8 Newell St. to Wednesday, January 6, 2020 at 5:15pm.**

Mr. Doug Aaberg second. Unanimous all in favor roll call vote (6-0).

d. 0 Booth Hill Rd., DEP# 068-2877

Applicant: Bartlett Field Realty Trust

Representative: John Zimmer, South River Environmental

Proposed: ANRAD

Mr. Richard Harding **motion to continue 0 Booth Hill Rd. to Monday, December 7, 2020 at 5:15pm. Mr. Doug Aaberg second. Unanimous all in favor roll call vote (6-0).**

REQUEST for DETERMINATION of APPLICABILITY:

a. 25 Harvard St.

Applicant: Kevin Arsenault

Representative: Atlantic Coast Engineering

Proposed: concrete pad for generator

Jed Hannon, Atlantic Coast Engineering, representing applicant, described project. Owner would like to put in back-up generator. Intent is to put in elevated generator on concrete pad, above flood elevation, so they have back up power for house. No other scope involved. Richard – it concrete pad on ground or raised? On ground with some ground prep. 3x5. Agent – appears to meet requirement of negative finding.

Mr. Richard Harding **motion for a negative 3 for 25 Harvard St. Mr. Doug Aaberg second. Unanimous all in favor roll call vote (6-0).**

b. 16 Wood Island Rd.

Applicant: Henry & Janice Yeh

Representative: Morse Engineering

Proposed: septic

Paul Gunn, Morse Engineering, representing applicant. Septic system repair, 4 bedroom house. BVW delineated by John Zimmer. Prose replace failing septic. Described proposed system. 83.2 ft closest tank to resource area. Area being disturbed is lawn and will be restored as such when complete. Richard – agrees, does not see where else it would go on site. Doug – Good that treated before leaves system. How deep are drip lines? 6 inches down. Agent – improvement to what is there and meets requirements of negative determination.

Ms. Jun Foley **motion for a negative 3 for 16 Wood Island Rd. Mr. Doug Aaberg second. Unanimous all in favor roll call vote (6-0).**

c. 57 Oceanside Dr.

Applicant: Danielle Lucas

Representative: applicant

Proposed: driveway, concrete pad, new stairs to deck

Danielle Lucas, applicant and home owner, briefly described proposed project. Add driveway with parking pad in back of house. Adding propane so need to improve concrete pad in back of property to make sure meets flood plain requirements for propane tank. Also, propose new stairs to deck on back of house. There is currently a grass driveway. Richard – confirmed proposing gravel. Danielle – also waiting for site survey for lot lines. Dimensions drawn on here are within property lines. Richard – would be good to have property lines on plans before issuing permit. Doug – ok with project. Good to know where property lines are so do not work on neighbor's property. Not sure what propane tank rules are. Danielle – going with what company recommended for tank size and fire department for concrete tank requirements for securing tanks. Jen – concerned losing significant amount of lawn to gravel driveway. Agent – gravel can be considered pervious. Doug – if course enough gravel will stay pervious. If fine, then can compact down. If more course, stays loose and get more water to flow through. Probably do some excavation to prep for stones. Frank – what is the edging of driveway? Danielle – jumbo granite cobble stone. 250 ft granite cobble stone, 9 yard white stone and 9 stone pact, removal 18 yards to prep driveway. Frank- we cannot condition anything on someone else's property, so make sure have property line confirmed. Whatever we are approving, it is to only be on your property. Can you send narrative described regarding stone for driveway to the office so it can be included in permit? Yes, will email.

Ms. Jen Foley **motion for a negative 3 for 57 Oceanside Dr. Mr. Doug Aaberg second. Unanimous all in favor roll call vote (6-0).**

d. 150 First Parish Rd.

Applicant: Erin Drakeley

Representative: applicant

Proposed: fence and debris removal

Erin Drakeley, applicant and owner, would like to put in a deer fence along the rock wall and along sides of property. Near where the oak tree is, there is a lot of garbage and debris from previous owner. She would like to have remove the debris. Agent – plan showing is a plan submitted about 6 years ago by previous owner showing wetland delineation and buffer areas. Reviewed the non disturb buffer that Scituate has, however, house pre-dates. Erin – propose putting fence along boundary of house. It would deer fence that you don't see. Frank – so two requests – remove debris from buffer area and other is fence is lawn along property line. Jen – understands why asking for fence. Not sure about location. Andy – have questions about working in wetland but would like to hear more comments. Brendan – assume would be hand removal of trash. Richard – what fence being proposed? Deer fence. Black mesh. To keep deer and coyotes out, but would not really see it. Attached to poll, that goes in sleeve, that goes into ground, so can be removed if need to. Richard – sees dilemma. Agent – this is a RDA, and Scituate has a 50 foot no touch buffer. Cleaning trash by hand, but the fence in resource area – it should be moved out of resource area or maybe at least on the edge of lawn. Frank – explained purpose of 50 foot buffer and commissions task of protecting wetlands and purpose wetland serves. Typically would not permit fence in wetland. Where is lawn line? Erin- mostly along green line. Left side is mostly mossy area. Frank – if deer fence could follow line of lawn, that is more something commission could approve. Don't

think would like to see it on the stone wall. Richard – agrees, get fence inside resource area, maybe with gate so can access rest of property. Jen – shares sentiment of what Frank said about possible placement along lawn line, not in wetland. Erin – concern with putting anywhere not on the stone wall, will block view of the wetland, which is the beauty of the yard. Andy – agrees should not be in the wetland, somewhere outside of wetland. Doug – can describe the type of fence – flexible plastic mesh. Pound post in with hammer – no equipment needed. Not very permanent. Light weight. Suggest to have a site visit to see property. Andy – fence is flexible and not going to be buried. Don't know that it will keep out coyotes – they can go under if not buried. 6 ft high enough to keep deer out. Something to look into to make sure project to accomplish what want to get done. Doug Aaberg recused himself.

Ms. Jen Foley **motion to continue 150 First Parish Rd. to November 30, 2020 at 5:15pm. Mr. Brendan Collins second. Unanimous all in favor roll call vote (5-0).**

e. 96 Lawson Rd.

Applicant: David & Lynne Miner

Representative: Morse Engineering

Proposed: septic

Paul Gunn, Morse Engineering, representing applicant. Described project. BVW delineated by John Zimmer earlier this year, October 7, 2020. Replacing failed septic system. 4 bedroom single family house. Abandon existing system and replace with tank and new system. Closest of tanks will be 67 feet from wetland. Erosion control barrier on north side. Lawn currently and will be restored as such. Agent – improvement from what is there now.

Ms. Jen Foley **motion for a negative 3 for 96 Lawson Rd. Mr. Richard Harding second. Unanimous all in favor roll call vote (6-0).**

NEW BUSINESS/Other Business/Agent Report

a. OOC: 132 Maple St., DEP# 68-2817

Mr. Richard Harding **motion to accept orders as written for 132 Maple St. Mr. Doug Aaberg second motion. Unanimous Roll call vote in favor (6-0).**

a. OOC: 17 Old Farm Rd. DEP# 068-2878

Mr. Richard Harding **motion to accept orders as written for 17 Old Farm Rd. Mr. Doug Aaberg second motion. Unanimous Roll call vote in favor (6-0).**

b. OOC: 43 Oceanside Dr. DEP# 068-2879

Mr. Richard Harding **motion to accept orders as written for 43 Oceanside Dr. Mr. Doug Aaberg second motion. Unanimous Roll call vote in favor (6-0).**

c. Minor Modification: 98 Crescent Ave. DEP# 068-2857. Owner would like to change the configuration of the proposed addition. Rich from Steinbeck and Taylor can explain the proposed changes to the plan. It was a porch that was approved. New addition, is 400 sq ft larger, but further away from resource area. Showed plans with new plans overlaid on approved plans. Open porch, two story. Changed shape and size of it since plans

approved. Frank – confirmed the change does not trigger stormwater or other reviews.

Rick – well under the threshold for stormwater. There are full architectural plans.

Discussion regarding notifying abutters of change. Rick will reach out to the two close abutters of change in plans.

Mr. Doug Aaberg **motion to accept minor modification with revised site plan for 98 Crescent Ave.** Mr. Richard Harding **second motion. Unanimous Roll call vote in favor (6-0).**

- d. **Liaison Reports** – trails – bridge is nearly complete. Hopefully work done by end of week. Working to finalize maps for kiosks. So can get proposal for rest of printing soon. One of boy Scouts got all the kiosks up. Appleton Field – farming update – Andy Gallagher – volunteer group continues to prep the field. Probably need to outline a vision and get that on paper for people to agree to. Agent – might need to bring that to the Selectman.

Motion to adjourn

Ms. Jen Foley **motion to adjourn.** Mr. Doug Aaberg **second motion. Unanimous Roll call vote in favor (6-0).**

Respectfully submitted,

Jennifer Smith
Recording Secretary