

**Town of Scituate
Conservation Commission
Selectmen's Hearing Room
Meeting Minutes
Monday, December 2, 2019**

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

Not Present: Mr. Doug Aaberg, Mr. Richard Harding

Also Present: Amy Walkey, Conservation and Natural Resource Officer

Ms. Penny Scott-Pipes made motion to accept agenda with addition of access to trails and open space. Ms. Lisa Caisse second. Unanimous vote accepted. (4-0)

DISCUSSION/ UPDATE:

PUBLIC HEARINGS NOI/ANRAD

18 Cliff Road South (elevate), Applicant: Doug & Lisa Roeder, Representative: Greg Morse, Morse Engineering, DEP#: 68-2823 (cont'd from 10/21/19)

Jeff Hassett, Morse Engineering, representing owners. Reviewed proposed projects. Recently handed in structural plans and peer review has been completed regarding resource area. Not in flood zone. Reviewed project proposed for 20 Cliff Road also. Both on right side of road, on ocean side. Richard Harding arrived.

Septic repair being done for 20 Cliff Road, which is also a r/rebuild. Both projects erosion control. Both have same resource areas. Land subject to coastal storm flowage and cliff top of bank.

Jim O'Connell, Coastal geologist and certified floodplain manager with Coastal Advisory Services. Provided his revised report today. Conclusions remain the same for both, added more clarity. Resource areas applicable coastal bank and land subject to coastal storm flowage and buffer zone to coastal bank. Defined Coastal bank resource area. Has to be land form– not engineered structure. Top of coastal bank criteria differs significantly between DEP and Scituate; explained difference. On 18 Cliff, velocity zone almost goes to building. Deck of property is in velocity zone – so issue if connected to house. Since proposed to elevate on open piles, will allow the flood waters to flow under deck. Greater than 3 ft wave on 100 year still water elevation storm conditions. Because both being elevated (20 out of flood zone) out of land subject coastal storm flowage). No performance standard being violated because being elevated, even though will be larger. On 18, just elevated existing structure.

Flood insurance rate map - Landward limit of land subject to coastal storm flowage is slightly landward is south seaward side of 20 and inundates landward significantly on 18 property. The deck of this house is within and is in velocity zone. Elevating onto open piles. DEP does not have performance standards for land subject to coastal storm flowage, not going to change flow of water since on piles. 20 Cliff Road being enlarged, but also being elevated. Not in flood plain.

Jeff – lot 18, deck will not be attached to house. Proposed first flood one foot higher then flood plain at a minimum. Frank – are there another set of piles for deck? If that deck is going to be independent? Jim – that should be in the narrative and it is not stated in narrative, that the deck will not structural connected to the building. Significant to know deck not attached, bc then does not have to be higher.

Penny – should it be removable deck. Jim – in performance standards, do not mention debris. Only state don't change velocity and direction of flow of flood water causing adverse impact. Would be wise to make them removable, knowing storms there. Jim – sees both as good project. Does not see any violations of performance standards. Would have be helpful to have updated narrative and more clarity to project in the beginning.

Richard – will there be a change since on concrete and going to pile? Currently on concrete piles, not driven piles.

Amy – do we have BOH approval? Still waiting on septic from BOH. Jeff - Does not require public hearing.

Waiting on new sample of sand regarding location of septic. Amy - We do not have final structural, just progress set. Would need special condition specific to pile plan and BOH approval condition. Rivermoore structural plans not done yet.

Frank – how much higher does 18 need to be if deck attached to house? Jeff- it would have to be around 27, 2 feet higher then expecting it to be. What is elevation of 20? Jeff – about 1 foot higher. No requirements to elevate house. Frank – concern because observed people spending money to elevate house and then years later, needed

raise more to meet standards. Aesthetically important and issues that come with elevating, but want to be sure that do as much as can to protect down the road as can.

Jim – the 1.5 wave has been found to do damage, so if in moderate wave action, recommend to build above standard. Amy - can condition to elevate above V zone, even though not currently in V zone. Jeff – could be condition, that if house not raised above, deck should not be attached.

Frank – outstanding issues – BOH for 20, final structural from Rivermoore

Ms. Penny Scott-Pipes **motion to close 18 Cliff Road South Ms. Jen Foley second pending structurals.**

Unanimous all in favor (5-0).

20 Cliff Road South (r/r, septic), Applicant: Doug & Lisa Roeder, Representative: Greg Morse, Morse Engineering, DEP#: 68-2824 (cont'd from 10/21/19)

See minutes from 18 Cliff Road.

Ms. Penny Scott-Pipes **motion to close 20 Cliff Road South with stipulation BOH approval and structural plans. Ms. Jen Foley 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., DEP#: 68- 2812 (cont'd from 11/6/19)

Ms. Penny Scott-Pipes **motion to continue 780 First Parish Rd. to December 16, 2019 at 6:20pm. Mr. Richard Harding second. Unanimous all in favor (5-0).**

210 Central Ave. (septic), Applicant: Lisa Pratt, Representative: Bob Crawford, EET, DEP#: 68-2831

Abutter notification cards handed in. Bob could not be here tonight. Bill Paparas - , reviewed plan for new septic system to replace failed septic system. Septic on roadside of house. Amy – do not have BOH approval. Need copy of deed.

Ms. Penny Scott-Pipes **motion to close 210 Central Ave. pending BOH approval and copy of deed. Ms. Jen Foley second. Unanimous all in favor (5-0).**

236 Central Ave. (rebuild and septic), Applicant: Paul Holland, Representative: William McGovern, Steinbeck & Taylor, Inc., DEP#: 68-2832

Ms. Penny Scott-Pipes **motion to continue 236 Central Ave. to December 16, 2019 at 6:20pm. Mr. Richard Harding second. Unanimous all in favor (5-0).**

152 Vernon Rd. (septic), Applicant: Mary Jane Curtis, Representative: Darren Grady, Grady Consultants, DEP#: 68-2833

Ms. Penny Scott-Pipes **motion to continue 152 Vernon Rd. to December 16, 2019 at 6:20pm. Mr. Richard Harding second. Unanimous all in favor (5-0).**

20 Ridge Hill Rd. (septic repair), Applicant: Cherie Krysko, Representative: Brendan Kling, Grady Consulting, DEP#: 68-2834

Brendan Kling, Grady Consulting, representing applicant. Reviewed project. Pump and fill existing leaching field for cesspool. Replace with 1500 tank and leaching chamber system. Raise and reconfigure plumbing so goes out the front. Does not have BOH approval. Soil is good, do not expect changes from BOH. Richard – looks like improvement. Amy – definitely improvement to what is there currently. Spoke to engineer to adding better erosion control. Maybe condition a few posts. Currently lawn, goes to wetland. Showed where currently turns to tree line. Suggest putting on tree line do don't go any further. Brendan – new owner is aware of wetland in backyard. Any particular location? Somewhere obvious and please reiterate that anywhere they work, need to work with conservation commission.

Ms. Penny Scott-Pipes **motion to close 20 Ridge Hill Rd. Ms. Jen Foley second. Unanimous all in favor (5-0).**

39 Brunswick. (elevate), Applicant: Francis Adley, Representative: Paul Mirabito, Ross Engineering, DEP#: 68-2839

Ms. Penny Scott-Pipes **motion to continue 39 Brunswick to December 16, 2019 at 6:20pm. Mr. Richard Harding second. Unanimous all in favor (5-0).**

115 Grove St. (new single family dwelling), Applicant: Henry Holmes, Representative: Jeff Hassett, Morse Engineering, DEP#: 68-2835

Abutter notification cards handed in. Jeff Hassett, Morse Engineering. Reviewed project. Lot being created is currently in front of planning board. Currently existing gravel driveway for house next door. Reviewed resource areas approved in recent ANRAD. Nearest part of house to wetland is 87 ft away. Will "T" off existing driveway. Roof drywell system. Runoff from yard will be directed to depression / swale, then back to wetland. So neighbor should not be effected. Septic is out of 100 foot buffer. Waiting on septic approval from BOH and common driveway approved from planning board. Amy – no deed yet because does not exist yet. Jen – good to see mature tree planting in plan. Amy – in zone 2, so might be things other boards consider, which might impact stormwater design and septic. We do have fill in 100 foot buffer. Might need to consider buffer planting.

Jane Churchill 120 Grove, lives across street. What he has done so far on lot next door has not been aesthetically consistent with area. Concerned what this project will be. Frank – explained this commission have control of making sure water run off, set back from resource area, but not what looks like. Jane – Mr. Holmes had told them was building barn, and build monstrosity, so now concerned what this project will be. Amy – A&R with planning board. Need to find out when that meeting is.

Jared Cianciola, 125 Grove St, concerned with run off. A lot of trees need to come down to build house and driveway. Understand building swale, but his property is downhill of this project. His property does not drain well currently, so if a pond is going in, water is coming to his property. Jeff – berm / swale combination about 1.5 ft deep. Natural flow of water to back right of property. Towards Jared's property. Plan to put berm in to redirect back to wetland. Jared – the spillway goes right into play area of his property. Amy – debatable that grassy swale is allowed in this area, zone 2. Will be reviewed with stormwater by planning board. Frank- for the work between 50 and 100, a good amount in that area. Mitigation proposing is 6 trees? More plantings / natural, not just grass. Jeff – those are more for screening, not mitigation. Wouldn't want to do plantings to close to the house. Maybe along berm and close to property line. Frank – thinking rain garden in swale? Pretty aggressive clearing in 100 and driveway in that area.

Ms. Penny Scott-Pipes **motion to continue 115 Grove St. to Monday, January 6, 2020 at 6:20pm.** Ms. Jen Foley **second. Unanimous all in favor (5-0).**

PUBLIC MEETINGS/ADMINISTRATIVE, ENFORCEMENT / PERMITS and OTHER REQUESTS

Agent's Report / enforcement discussion:

Toll Brother / Seaside Properties

Amy – met with Karen Joseph and Dave Buckley this afternoon with ongoing SWPPP violations and stormwater that left site no properly managed according to plan. Around Nov 22 a couple issues on Tilden, Hatherly and 6th. See pictures. Bill Ohrenberger, attorney, and Dave Buckley, Toll Brothers. Dave walked through what happened recently and what doing as response. At a point where trying to finish up entryways, basin's completed. Trying to finish this stretch. Looming area. Prepping for landscaping, took down silt fence, replaced, but not done well. Silt got out. Once noticed, landscaper called back in that day. Areas are now stabilized with sod on Tilden Road area. Small area not done yet. Once finalize sidewalk there, will sod. Should be done in next week. Hatherly road – installed new curbing, main entry way paved, working on entryway feature. Rough graded. Small section of curbing where landscaper drove over cobblestones curb, which caused enough damage to cobble which allowed silt to get through. Once saw problem, added erosion control to correct. Explained how managing stormwater on site. Over next couple weeks, intention is to sod entrance way. Completed with masonry mostly. Need to get to work on irrigation. Once sod, stabilized. If do not get to finish because of weather, another plan will be used until can finish sod in spring. New tracking stone put in on a couple places.

Synopses of entire site update – reviewed status of phase 1 and phase 2. Might have first occupancy end of January. Goal is to have as much stabilized by end of building season. Sodding front yard of all units as well. Back yards will be seeded. Stormwater basins are constructed. SWPPP – one measure during trucks tires tracking sediment, sweep every day. During heavy truck over next month, will have street sweeper available every day. Some temporary measures to control silt described until project complete. Along Hatherly Road – additional silt sock along with silt fence being used. Goal is to keep water on site. Fence and sock don't filter water, using to direct to location on site where can filter. Will see if any stockpiles are contributing, if need to add erosion control, will do so.

Amy – at what point to clean drainage lines? Concern hitting natural resources. Dave – about a year ago, camera'd the drains. Appropriate to find a time either in spring or project completion, and camera again and assure cleanliness in key areas.

Penny – Really need to keep eye on erosion control surrounding project. Often drive by and see things out of line. Dave – in some areas, do have erosion control set up in road to help catch.

Jen – Tilden is dirtier more than it is clean. Dave – last two hours of day sweep end of day. Then changed to twice a day. Then had mechanical issues and needed to sub contract out. Will contract 8 hours a day during these next weeks with much activity especially in area that gets biggest mess. Jen – note about no parking signs. Dave – signs put up as requested by multiple departments of Scituate. They are not Scituate signs. Since signs have gone up, there has been less parking there. It is constant managing traffic in that area, whenever new person comes to site. Frank – how much silt do we think came off site? Dave – not sure can quantify quantity, but duration was about a couple hours before had cleaned up. Concern about run off in ocean or Scituate Brook.

Amy – significant diluted sediment moving at a good rate because significant rain events of 1+ inch rain.

Dave- willing to offer having LEC come out and do inspection and submit a report. Issue with silt sacks, is nature is too slowly, so create dangerous puddling, bc drains water slowly. So although protects sediment from going through, slows water down, causing other issues with water not going where directed. Frank – keeping up construction entrances on regular bases. Dave – tracking path will be better maintained. Frank - assume Amy and Karen know who to contact and who chain of command is. How about Vernal pool? Dave- we did not deal with that this past summer. Ordered signs. Frank – talk to LEC on best times to put them in.

Amy – changes on design? Bill Ohrenberger – instead of 5 single family homes, changing to duplexes. No change in stormwater. Planning Board gave their go ahead because insignificant change. Will be 55 plus. Robust landscaping which will be managed by association. Amy – not a change in work area and no impact regarding stormwater. Frank – so anyone who does anything out there, will need to work with condo association, so more control. Jen – are there conservation posts going in? Dave – thinks that is in Orders. Ohrenberger - Marsh behind has been cleaned. Working with town to transfer in spring. Amy – easement needed for drainage. Easement to town. Will come through as RDA. Dave – addressing issue on Hatherly road where road puddles because slopes in that direction. Jen – What about new planting plan since new house design. Dave – any planting plans have to be approved by Karen Joseph. Jen – it would be great to ensure there are conservation marker at limit of work disturbance behind these homes.

7 Garfield – house where landscaper cleared lot. EO requiring restoration plan by wetland scientist. Right now have cease and desist. What about two tiered fine? Fine first, then if don't get it done certain time, fine 2. Amy – agree send strong message, but goal is to get them to do the corrective work. Frank – might be good to use Craig Keefe to deliver. Someone in uniform makes stronger message.

Ms. Penny Scott-Pipes **motion to ratify Enforcement Order for 7 Garfield Rd.** Ms. Jen Foley **second.**
Unanimous all in favor (5-0).

Toll Brothers – regarding EO and possible fine – Frank – still think could manage better – would have more teeth to EO if knew how much damage was caused. If silt ran out, should be evident on other side of Tilden Road. Maybe pay someone to suck sediment out of basin. Amy – Planning Board did fine them. Frank – clean basin and check on Tilden Road side.

SUBCOMMITTEE/ PROJECT UPDATES / MISCELLANEOUS / OLD BUSINESS:

Trails: Waiting for contract to be ratified. Did not get everything in time for posting agenda last Tuesday. Should be on next Board of Selectman agenda. On December 4 at 8:45 am meeting with Wildland Trust about land swap.

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

OO: **314 Central Ave. DEP#68-2829**

Ms. Penny Scott-Pipes Motion to accept orders as written for **314 Central Ave.** **Second by Ms. Jen Foley**
Unanimous all in favor (5-0).

OOO: 153 Glade Rd, DEP#: 68-2830

Ms. Penny Scott-Pipes Motion to accept orders with changes discussed for **153 Glade Rd.. Second by Mr. Richard Harding. Unanimous all in favor (5-0).**

Request to issue Certificate of Compliance:

214 Clapp Road, DEP#: 68-2474
606 CJC Hwy Middle School, DEP#: 68-2548

Agent report –

Jen Foley – house on Glades Road doing work with no permit the other week, has barrier up now so cannot see what doing.

Motion to adjourn

Ms. Penny Scott-Pipes **motion to adjourn at 9pm Ms. Lisa Caisse second motion. Unanimous vote in favor (5-0).**

Respectfully submitted,

Jennifer Smith
Recording Secretary

CORRESPONDENCE

November 18, 2019 – December 2, 2019

1. NEW NOI 47 Town Way Extension
2. NOI 48 Town Way Extension
3. RDA 429 Country Way
4. Revised plans from Morse Engineering for 780 First Parish Rd.
5. CofC issued to 23 Oceanside Dr 68-2739 authorized by Southeast Regional Office 11/18/19
6. Recording info 67 Border St OofC 68-2821 11/14/19 Bk 51947 Pg 159
7. Abutter notification 47 Town Way Ext and 48 Town Way Ext
8. RDA Laurelwood Dr Land
9. Cover letter to Mass Pavement Reclamation re: contracts for trail work
10. Recording info for CofC 101, 103, 105 Hatherly Rd 68-2620 cert 127072 & 127203
11. Email from Steve Mone, Harbor Master about Order of Conditions for Dredge Project
12. Recording info for OofC 86 Humarock Beach Rd 68-2808 cert 105391
13. Revised plans 0 Country Way
14. Revised Plans 780 First Parish Rd
15. Recording info 214 Clapp Road extension 68-2474 11/25/19 Bk 51998 pg 142
16. Planning Board - Subdivision Plan 14 & 16 Old Country Way
17. Planning Board Form A Application 114 Greenfield Lane
18. Planning Board Form A Application – 115 Grove St & 577R First Parish Rd
19. Planning Board Site Plan Administrative Review – 115 Grove St – Common Driveway
20. Planning Board – Residential Compound Development Special Permit Application 0 Rear Country Way, 0country Way, 483 Rear Country Way
21. DEP Amended Final Order of Conditions for Stockbridge
22. Revised plans for single family homes for Seaside at Scituate to be duplexes – Twins for Singles.