

**Town of Scituate
Conservation Commission
Selectmen's Hearing Room
Meeting Minutes
June 3, 2019**

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

Not Present: Mr. Doug Aaberg

Also Present: Amy Walkey, Conservation and Natural Resource Officer

DISCUSSION/ UPDATE:

6:15PM: Call to Order and Agenda Acceptance

Ms. Penny Scott-Pipes made motion to accept agenda with as written. Mr. Richard Harding second. Unanimous vote accepted. (6-0)

PUBLIC HEARINGS NOI/ANRAD

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

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

Greg Morse, Morse Engineering, representing property owner and applicant. Handed in abutter notifications.

Discussing both projects together. Discussed proposed plan. Showed commission photos of site currently. Brad Holmes delineated site. Salt Marsh delineated. AE 15. Salt Marsh lowest point elevation 5. Some lawn area. Currently gravel driveway shared for each house. Constructed in 1930. In 1991 received permit for raising both houses and putting foundation under each. Current owner has owned since 1979. He has installed new water lines, new foundations, lawn services maintained, and gravel driveway. New house proposed would be elevated on piles with same set backs to wetland line. 36 is 23 feet from wetlands. Septic system is located behind house, 24 ft from wetlands. New septic system will be in lawn area, at 56 feet away. First floor would be elevation 17, so higher then FEMA requirement. Rear house, 36R, currently 7 feet from wetland. Propose pull forward, with 17 foot set back to wetland. Currently septic is in wetland. New septic would be 46 ft from wetland. Elevated from 12.9 to 17 ft. Both sites predate regulations. Driveway realigned to right side of property to be outside of 50ft buffer. Bob Gray had concern with right side lawn, where proposing septic system, has grasses considered wetland species. Greg does not agree that the area is salt marsh. Did verify elevation and believe above high tide elevation. There are current orders for 34 Bailey's Causeway, next door, that do not show this area as salt marsh. Also involved with 8 Buttonwood project which does not show this area discussed as salt marsh.

Penny – Corner of 8 Buttonwood was considered wetland, so that does need to be considered. But understands improving location where can and elevating. Concern is septic. Greg – they have not failed inspection, but would if one was done. Septic system at end of Bayberry that services 4 houses. Penny - Would like to visit site with Bob Gray and Brad.

Richard – If it did turn out to be wetland, what would be the alternative to propose for septic? Greg – tight tank only permittable by DEP, have to prove cannot put in soil absorption system on the site. Still putting in 2 bedroom, which is what is currently there.

Paul – Improvement putting in septic vs cesspool. Elevating. Project seems like an improvement to what exists.

Lisa – Agrees with what has been said. Would like to go to site visit and get more feedback.

Jen – Most interested in where wetlands are on one side. Amy – concern about salt marsh – tied to 310 CMR 10.32 and would be limiting factor of installing septic in salt marsh. If two reviewers not in agreement, get a third party. Bob Gray suggests state staff with similar experience with similar circumstances to weigh in. Agrees with this idea. Also, in process of getting structural plans for pilings.

Janie Davidson, 34 Bailey's Causeway – Concerned about amount of flooding that comes onto property – storm or high tide. And then it will stay there, making access to house challenging. Concerned about 3 feet of fill. Looks like septic is reason for fill or is fill for entire property. Greg – there is 3 feet of fill over septic, which will also serve as driveway area. Finished grade is elevation 10 over septic area. It will be one foot higher than elevation at lot line. Janie – proposed wall? Greg – Wall to reconcile grade. Less than 2 feet tall. Jeanie – Concerned about back house footprint increase. 40x24 footprint of new house. Old house is 24 x 26. Where will water go that is going off her property to this lot? Concerned about pool effect. Greg – from her property would run toward wall and then to marsh.

Frank – when adding small amount of fill almost immeasurable. Probably will need to come up with way to manage run off, so not holding. Janie – if this was a vacant lot today, would this be allowed? Frank – probably not. Janie – also did not see anything about plantings going back. Greg – will be loom and seed current driveway area. Did not list specific plantings. Frank – there are differences in lots. When wetlands line drawn for her house, it was accepted without review, did not seem necessary to have an impact on project. In all cases, there were existing buildings, if building were not already there process would go differently. Commission is looking to see if there is an environmental gain. Right now there is a cesspool, and they would like to see that corrected. Having a third person from the state to give additional guidance. He is concerned about expansion of house in rear, even though trying to move from wetland line. First issue is going to be determining resource area. This topic has come up on other lots in Scituate. When site visit done, has asked applicant to not mow so could see how property grew.

Frank – is it essential to add additional fill? Can septic be built in retained area? Greg – within retaining wall, it could. Frank – at some point a berm was allowed to protect property. Greg – When Bailey's Causeway was raised, owner was given permission to build berm with pipe to alleviate run off.

Janie- when was the lot subdivided? Greg - 2001 approved subdivision of property. Janie - How high is guardrail? Greg – usually about 30 inches. There to prevent from driving into marsh.

Asked about location of septic. Greg explained that since applicant owns both lots, using this location, with easement.

Frank – how many perk tests did you do? Our preference is to have them as far away as possible. That corner looks like the best place on this lot. Amy – also reminded that resource across street as well, to there is a 100 ft buffer from that direction as well. Greg – Tries to put them out of conservation jurisdiction. Explained where did perks and why did different locations for perk tests. Will add 100 ft buffer line from resource across street. Street itself is 40 feet so confident outside of 50 ft.

Shirley Davidson, 32 Bailey's Causeway – guardrail, what material. Greg – Guardrail is to keep from driving over wall. typically wood in residential. Shirley - She has been in her house 50 years, noticed floods happen faster, and stay longer. The woman renting front house had to be rescued by boat. The water sits there for several days. Is 3 feet fill enough? Frank – the fill is only for septic system. The house would be elevated, so would not be in water.

Greg – went to zoning because does not comply with set backs and rear lot has zero frontage. Did receive approval for r/r. Greg – can we continue to July 1 so time for onsite meeting to be scheduled with state there also? Frank – that would be best. Other abutter that voiced concern was Mr. Bossi.

Ms. Penny Scott-Pipes motion to continue 36 Bailey's Causeway & 36R Bailey's Causeway to July 1, 2019 at 6:20pm. Ms. Lisa Caisse second. Unanimous all in favor (6-0).

PUBLIC MEETINGS/ADMINISTRATIVE, ENFORCEMENT / PERMITS and OTHER REQUESTS

Requests for Determination of Applicability: 125 Grove St (spread existing gravel)

Jared Cianciola, owner. Driveway used to be gravel stone; he wants to move it to spread to shed to help manage muddy area and run off to wetland area and make a level area. Not bringing in more gravel. 42 foot wide area covering. Amy – concerned about leveling of area near shed, trees cut down, done by previous owner. He is safely out of the 50, but not certain out of 100 foot buffer. But far enough away, for the project he is proposing, for a negative determination. Also, he is in the water resource district. Jared – you can see the paths the water takes when runs off. Penny – try to keep wood chips out of area so no run off.

Ms. Penny Scott-Pipes motion for negative three determination for 125 Grove St. Ms. Lisa Caisse second. Unanimous all in favor (6-0).

SUBCOMMITTEE/ PROJECT UPDATES / MISCELLANEOUS
OLD BUSINESS:

OOC: 59 Glades Rd, 68-2788

Ms. Penny Scott-Pipes motion to accept orders as written for 59 Glades Rd. Ms. Lisa Caisse second motion. Unanimous vote in favor (6-0)

OOC: lot 1 Judge Cushing Rd, 68-2791

Ms. Penny Scott-Pipes motion to accept orders as written for lot 1 Judge Cushing Rd. Mr. Richard Harding second motion. Unanimous vote in favor (6-0)

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

Ms. Penny Scott-Pipes motion to accept minutes as written for April 22, 2019 meeting. Mr. Richard Harding second motion. Unanimous vote in favor (6-0)

Site visit Glades later this week.

Dog Park – Jen F. asked if a sign could go up saying what project is. Amy will bring that up to Sean McCarthy. However, project should be done soon.

Trails - Gone to bid for access roads and parking for trails.

Request to issue Certificates of Compliance: 9 Hawthorne Rd 68-2788
700/704 Country Way

Motion to adjourn

Ms. Penny Scott-Pipes motion to adjourn at 7:16pm Mr. Paul Parys second motion. Unanimous vote in favor (6-0).

Respectfully submitted,

Jennifer Smith
Recording Secretary

CORRESPONDENCE
May 6, 2019 – June 3, 2019

1. Planning Board accepting request to continue public hearing for 27 Hood Road for a Stormwater permit
2. Planning Board accept to continue public meeting for site plan administrative review for Well 17A
3. Recommendations from Division of Marine Fisheries to Mr. Hill at DEP re: pier at 4 Revere St. that they use a different height and width ratio to allow greater light for marsh growth
4. Board of Health Agenda for May 29, 2019 meeting
5. Recording information for 23 Walnut Hill Rd, CofC, 5/23/19, Bk 51143, Pg 136
6. Recording information for 6 Brookline Rd CofC, 5/22/19, cert 117288
7. Save the Date – MOD, 5th Annual Disability Summit, Sept 27, 8:30am – 12:30pm, Boston Convention Center
8. Amended Agenda Economic Development Commission Meeting Monday, May 20
9. Planning Board Agenda, May 23, 2019
10. Recording Information 117 Lawson CofC 5/22/19, Bk 51134, Pg 177
11. Recording information 47 Gannett Rd, OofC 5/21/19, Bk 51131 Pg 80

12. Recording information 58 Dreamwold Rd OofC, 5/20/19, Bk 51126, Pg 238
13. Letter from U of MA Amherst, regarding Cost of Community Service Analyses about the fiscal impacts of open space: "that open space contributes more revenue to a town than it demands in services"
14. Recording info 20 Marshfield OofC 5/29/19 Bk 51157 Pg 300
15. Recording info 124 Mann Hill Rd OofC 5/21/19 cert 127637
16. New owner info for 135 Old Oaken Bucket Rd, Chris Schill and Cary Sakaki
17. Notice of Maintenance activity from Coneco Engineers and Scientists for National Grid to replace 30 utility poles

Minor Activity Permits

- #15 – 250 First Parish Rd- cut trees
- #16 – ATV access to spit for public safety access
- #17 – 133 Turner Rd – remove sand
- #18 – 8 Stanton – clean up road
- #19 - 84 Central Ave – generator
- #20 – 119 Humarock Beach, washed sand