

**Town of Scituate
Conservation Commission
Remote Meeting
Meeting Minutes
Monday, June 5, 2023 6:00pm**

Members Present: Mr. Frank Snow, Chair - Townhall

Teleconference: Mr. Brendan Collins, Mr. Richard Harding, Mr. Doug Aaberg, Ms. Jennifer Foley, Ms. Penny Scott-Pipes

Also Present: Amy Walkey – Conservation Agent, & Jenn Smith – Recording Secretary

Not present: Mr. Andrew Gallagher

Frank Snow: This meeting is being held remotely as an alternate means of public access pursuant to Chapter 20 of the Acts of 2021 temporarily amending 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.

The Scituate Conservation Commission is committed to providing an environment of respect during meetings. We ask all members to interact in a polite manner even when there is disagreement.

We value the participation of our community and want all participants, including marginalized and minoritized communities, to feel welcomed and respected.

We ask our committee members, and all who participate, to commit to these standards to support and respect our community.

1. Call to Order, 6:00 pm Roll Call of Commissioners

Richard Harding – present remote, **Jennifer Foley** – present remote, **Brendan Collins** – present remote, **Doug Aaberg** – remote – joined late, **Penny Scott Pipes** – present remote, **Frank Snow** – present at Townhall

2. Agenda Acceptance:

Ms. Penny Scott-Pipes made motion to accept agenda. Ms. Jen Foley second. Roll call to vote. Unanimous vote accepted. (5-0), Ms. Jennifer Foley - yes, Mr. Brendan Collins – yes, Mr. Richard Harding – yes, Mr. Doug Aaberg – not yet joined meeting, Ms. Penny Scott-Pipes - yes, Mr. Frank Snow – yes

3. PUBLIC HEARINGS – NOI/ANRAD/AMENDMENT

a. 817 Country Way, DEP#: 068-3042 cont'd from 4/24/2023

See applicant request to continue to August 7, 2023

Applicant: Option C Properties, LLC

Representative: Grady Consulting

Proposed: New multi-unit apartment complex with SW and septic improvements

Mr. Richard Harding made motion to continue 817 Country Way to August 7, 2023. Ms. Penny Scott-Pipes second. Roll call to vote. Unanimous vote accepted. (5-0), Ms. Jennifer Foley - yes, Mr. Brendan Collins – yes, Mr. Richard Harding – yes, Mr. Doug Aaberg – not yet joined meeting, Ms. Penny Scott-Pipes - yes, Mr. Frank Snow – yes

b. 162 Central Ave. DEP#: 068-3046 cont'd from 5/15/2023

See applicant request to continue to June 26, 2023

Applicant: Kevin & Teresa Tenney

Representative: Atlantic Coast Engineering

Proposed: raze/rebuild on barrier beach, coastal dune and LSCSF

Mr. Richard Harding made motion to continue 162 Central ave to June 26, 2023. Ms. Penny Scott-Pipes second. Roll call to vote. Unanimous vote accepted. (5-0), Ms. Jennifer Foley - yes, Mr. Brendan Collins – yes, Mr. Richard Harding – yes, Mr. Doug Aaberg – not yet joined meeting, Ms. Penny Scott-Pipes - yes, Mr. Frank Snow – yes

Doug Aaberg joined meeting

c. **19 Satuit Trail – DEP#: 068-3052**

Applicant: Brett & Jennifer Woodis*

Representative: ECR*

Proposed: addition in buffer to BVW*

Brad Holmes- ECR – BVW on NE portion of property. 2 additions proposed. One over existing patio and other end of house also. Addition will have frost wall, not full foundation. Erosion control proposed. Flat yard currently. Agent – can condition project. House built 1959. Any trees coming down. No DEP comments. Brad – any plantings removed would be replaced with natives. Will add LOW to plan.

Ms. Penny Scott-Pipes made motion to close 19 Satuit Trail. Ms. Jennifer Foley second. Roll call to vote.

Unanimous vote accepted. (6-0), Ms. Jennifer Foley - yes, Mr. Brendan Collins – yes, Mr. Richard Harding – yes, Mr. Doug Aaberg – yes, Ms. Penny Scott-Pipes - yes, Mr. Frank Snow – yes

2. Public Meeting / Request for Determination of Applicability

a. **51 Ladds Way (SBL #10-23)**

Applicant: James Landing Condominium Association

Representative: Merrill Engineers

Proposed: swale, regrading in LSCSF & buffer to salt marsh

Carolyn Rees – Merrill Engineering – proposing improvements to SW conditions. Behind building #2.

Ponding happening on site after storms. Asking to regrade lawn so consistent direction to swale in lawn. And small area drain connect to existing drain.

Doug – had some questions and discussion on how all would work together.

Agent – straight forward. This area is part of original SW plan for site.

Frank – ask to confirm how contractor will access area – Carolyn – between the buildings – showed area on site plan.

Ms. Penny Scott-Pipes made motion to issue a negative three for 51 Ladd's Way. Ms. Jennifer Foley

second. Roll call to vote. Unanimous vote accepted. (6-0), Ms. Jennifer Foley - yes, Mr. Brendan Collins – yes, Mr. Richard Harding – yes, Mr. Doug Aaberg – yes, Ms. Penny Scott-Pipes - yes, Mr. Frank Snow – yes

b. **70 Arborway Dr. (SBL #11-23)**

Applicant: Laurie Robidoux

Representative: Morse Engineering

Proposed: septic repair in buffer to BVW

Greg Morse – Morse engineering – flay property about ½ acre lot. 4 bedrooms with failed septic. Drainage ditch on left of property. Drainage easement. New septic system proposed. Tanks in front. Some of leaching field in 100 foot buffer. Lawn goes to edge of stream.

Agent – good to see failed system fixed so compliant. Needs variance from BOH.

Ms. Penny Scott-Pipes made motion to issue a negative three for 70 Arborway Dr. Mr. Richard Harding

second. Roll call to vote. Unanimous vote accepted. (6-0), Ms. Jennifer Foley - yes, Mr. Brendan Collins – yes, Mr. Richard Harding – yes, Mr. Doug Aaberg – yes, Ms. Penny Scott-Pipes - yes, Mr. Frank Snow – yes

c. **2 Lighthouse Rd. (SBL #13-23)**

Applicant: Jeff Bergholtz

Representative: Atlantic Coast Engineering

Proposed: deck footings replacement in LSCSF & buffer to coastal resource area

Jed Hannon – Atlantic Coast Engineering – property is LSCSF on harbor. AE 15 and VE 16. 2 tier deck facing water – posts got wiped out in storm. Boulder movement. Temporary shims in place. Propose concrete posts with footings, not wood. Put rocks back in place when done work. Spoke with Greg DeCesare from DEP about project. Just four outer footings – not all the footings. The ones supporting the upper deck are in place.

Agent – RDA for replacing posts ok but no work on the engineering structure. Concern this plan is moving and replacing rocks on the slope. Working on posts OK. Concern with access to get equipment to that side of the house. There is an easement, not beach access.

Penny – concerned with how going to get equipment there. These houses are so big, no space on sides.

Frank – understand need to do the work, concerned small machine will not be adequate to move rocks.

Fair amount of digging. Going to have to work with the tides. Want to make sure this does not turn into a larger project that needs and NOI.

Agent - no work in resource area – just footings.

Jed – not sure what is under the footings currently.

Ms. Penny Scott-Pipes made motion to issue a negative three and negative two for 2 Lighthouse Rd. Ms.

Jennifer Foley second. Roll call to vote. Unanimous vote accepted. (6-0), Ms. Jennifer Foley - yes, Mr.

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

Frank Snow – yes

d. 37 Rachels Way (SBL #9-23)

Applicant: Richard Durkin

Proposed: fill in BVW

Jeff Durkin – owner – concerned about erosion problems behind neck next o wetland. Concerned erosion will affect footings of deck.

Agent – concerns removed briars and disturbed BVW. Not sure NOI would even be OK. Development was a 40B when built.

Penny – might just need to replant to stabilize. Not sure about boulders.

Durkin – spoke with Northern Oak – 6-8 feet of rip rap and cover with 40 yards of fill. Fabric, look and seed.

Agent – in the RDA asking for 80 yards of fill.

Jen – not sure can support this proposed plan.

Brendan – agree with Jen. Can't support filling wetland.

Richard – revegetate - would support that plan.

Doug – concerned with limit of work. What is causing erosion? Discussed was vegetated and was recently disturbed / cleared. Vegetation would help control erosion.

Frank – need to see plan that deals with addressing this as a wetland – continue RDA and come back with planting plan.

Ms. Penny Scott-Pipes made motion to continue 37 Rachel's Way to June 26, 2023. Ms. Jennifer Foley

second. Roll call to vote. Unanimous vote accepted. (6-0), Ms. Jennifer Foley - yes, Mr. Brendan Collins –

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

3. Administrative Items

- a. **Agent Report:** Humarock Beach reports of contractors working on beach with no permits. Agent – do not want cobble removed from beach. Have not received a lot of calls this year. Not sure if should do a mailing? Most sign? About needing permit to do work. Frank – maybe more collaboration with police?
- b. **Request for Certificate of Compliance:** 65 Gannett Rd.
- c. **Request for Minor Modification:** 12 Alden St. – Modification proposing not significant. Already has order of conditions. Commission OK with accepting as minor modification.
- d. **Enforcement:** agent gave update / summary on status.
140 Hatherly Rd. – Christopher Roth and Toll Brothers;
90 Summer St. – Ziad Radd;

67 Collier Rd.- David & Maria Cahill;
8 Westgate Ln. – Dina Wigmore,
17 Pondview Ave. – Christopher Lyons;
184 CJC Hwy. – John Keaveney
327 Tilden Rd. – Christian & Amy Cederholm
311 Tilden Rd. – Nick Cook
12 Postscript Lane – David & Diane Hill

e. **Order of Conditions:** 14 Tenth Ave. 68-3048; 208 CJC Hwy. 68-2959A

Ms. Penny Scott-Pipes made motion to accept orders as written for 14 Tenth Ave and 208 CJC Hwy. Ms. Jennifer Foley second. Roll call to vote. Unanimous vote accepted. (6-0), Ms. Jennifer Foley - yes, Mr. Brendan Collins – yes, Mr. Richard Harding – yes, Mr. Doug Aaberg – yes, Ms. Penny Scott-Pipes - yes, Mr. Frank Snow – yes

f. **Signing of Documents:**

4. **Adjourn, Roll Call**

Ms. Penny Scott-Pipes motion to adjourn. Mr. Brendan Collins second. Unanimous all in favor roll call vote (6-0). Ms. Jen Foley – yes, Mr. Brendan Collins – yes, Ms. Penny Scott-Pipes– yes, Mr. Doug Aaberg – yes, Mr. Richard Harding - yes, Mr. Frank Snow - yes

Respectfully Submitted,
Jennifer Smith, Recording Secretary

CORRESPONDENCE
May 15, 2023 – June 5, 2023

1. Memo from Planning Board re: positions on board revoted
2. ZBA requests for special permits – 26 Newport, 74 & 74C Glades Rd, 12 Old Country Way, 31 Rosa's Lane, 72 Glades Rd, 70 Glades Rd., 7 Milton St.
3. Stormwater Solutions magazine May/June 2023 issue
4. Economic Development Commission agenda for May 22, 2023 Meeting
5. Planning Board Agenda for May 25, 2023
6. Form A Application for Planning Board for 143 First Parish Rd
7. Planning Board – Installation of Small Cell Wireless Communication Antenna on Utility Pole near Bay Ridge Rd
8. Planning Board – Installation of Small Cell Wireless Communication Antenna on Utility Pole near Allen Place
9. RDA – 8 Cairo Cir
10. NOI – 184 Clapp Rd – after the fact
11. Letter from Attorney for Toll Brothers to owner at 140 Hatherly regarding violation

Minor Activity Permit

- #14 - 46 Town Way Ext – return sand
- #15 – 43 town Way Ext – return sand
- #16 – 39 Town Way Ext – return sand
- #17 – 31 Town Way Ext – return sand
- #18 – 27 Town Way Ext – return sand
- #19 – 25 Town Way Ext – return sand

- #20 – 21 Town Way Ext – return sand
- #21 – 15 Town Way Ext – return sand
- #22 – 176 Central Ave – return cobble
- #23 – 31, 34 Inner Harbor Rd – return cobble, sand
- #24 – 4 Stanton – cobble return
- #25 – 9 Hawthorne - footings
- #26 – 23 Oceanside Dr – driveway storm clean up