

**Town of Scituate
Conservation Commission
Selectmen's Hearing Room
Meeting Minutes
October 1, 2018**

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

Members not present: Mr. Frank Snow

Also Present: Amy Walkey, Conservation and Natural Resource Officer

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

REQUEST FOR DETERMINATION:

RDA: Parker, 43 Walnut Hill Dr., pool and patio, RDA 23-18

Chris Malrey, Morse Engineer, representing home owners. Addition of pool with extension of patio. John Zimmer delineated wetland and buffer areas. Silt sock for limit of work. 20 sq ft of patio wall inside buffer. Vegetated lawn to tree line. Swimming pool 115 from wetland and retaining wall 96 ft at closest point. Penny – rounded patio, is that staying? It will be extended and the part “inside” pool footprint, will now be pool. They will keep patio attached to house. Amy – meet requirements for -2.

Ms. Penny Scott-Pipes made a motion for -2 second by Mr. Doug Aaberg. Unanimous vote in favor (6-0).

RDA: Scituate Beach Association, Otis and Turner Corner. Field re-grading, RDA 24-18

David Mahery, on behalf of Scituate Beach Association

Chief Murphy, abutter to field

They would like to make improvements to this field, so it safer to play on. New grass seed. This past winter, a lot of sand ended up on field. Add a back stop for baseball field that will go in next spring. Would like to do this work of regrading before winter comes. Penny – she and brothers played on it when they were kids. Good to have it revitalized. Good for neighborhood. Amy – meets requirements of -2 and -3.

David brought new dimensions for work to be done, which keep work farther from buffer.

Ms. Penny Scott-Pipes made a motion for -2 and -3 second by Mr. Paul Parys Unanimous vote in favor (6-0).

NOTICE OF INTENT

Ms. Penny Scott-Pipes motion to continue ANRAD 119 Mann Hill Rd and 390 Hatherly Rd. to November 7 at 6:20. Mr. Doug Aaberg second. Unanimous vote in favor (6-0).

NOI: Charboneau, 178 Central, rip rap revetment

Graci, 180 Central, rip rap revetment

Would like to talk at same time together. Graci reminded commission of letter sent to Mr. Snow and to Amy. Letter points out he thinks cobble would be more trouble then what they have now. Or put 20 feet onto beach, that would just get taken out with a storm. He doesn't think a good alternative. What they proposed originally, but lesser height of 15 feet would still allow over wash. Charboneau - appreciate time and attention to find solution to help homes and town. They have put together several engineer plans and worked with specialist like Stan. Asking for support of board to put in rip rap they proposed. Graci – reminded that there was a wall there up until the late 70s. Penny – sympathize, but we'll think about it. It puts board in precarious position with DEP and CZM as far as ratings etc. Hope that if it doesn't go your way, they consider appealing so DEP comes out and walks these properties. She can't go against what they recommend. Doug – asked who came to the meeting. It was CZM. DEP only comes at appeals. Lisa – we also permitted several different homes along that beach. Penny – but those were

replacing wall. The wall they refer to has been gone long enough ago. Richard – the rules have been altered in the last couple of years. Richard – it is a conundrum. Certainly is open whether rules work in that area. We need to close the meeting and discuss. There is a mechanism for appealing and that might be best mechanism for you to get what you need. The proposal that the town is working on is several years down road before complete.

Mark Perfetti- 294 Central Ave – row of 7 homes that joined together and built rip rap and added to it later. Here to say there are multiple home owners that would like to do this.

Charboneau – most homes north do have rip rap or sea wall.

O'Neill – abutter – 186 Central - Why is it some dig and move around. They dig, they add and rearrange.

Charboneau – asked if could continue to show more evidence before appeal. Would like to talk to attorney for direction.

Ms. Penny Scott-Pipes motion to continue 178 and 180 Central Ave to Wednesday, November 7, 2018 at 6:20pm Mr. Doug Aaberg second motion. Unanimous vote (6-0)

NOI: Clapp Road, Crosbie Property, access and parking lot

Ms. Penny Scott-Pipes motion to continue Clapp Road, Crosbie Property Parking and driveway to 6:30. Mr. Paul Parys second. Unanimous vote in favor (6-0).

NOI: 4 River St, Town of Scituate, Humarock Firehouse

Paul Mirabito, Ross Engineering. Abutter notification handed in. Chief Murphy. 2 part. First part is apparatus bay just south of existing building because new fire truck cannot fit in existing building. Hold 2 apparatus. Second phase, replacement living quarters. 24 by 48 building breezeway to living quarters. Work on living quarters later. Paul Mirabito reviewed plans. Pad for new communication tower and new pad for generator. Filed with planning board and administrative review next Thursday night. Stormwater peer review happening. Grading around buildings will change. Existing septic will stay in place. Question as to whether should be reviewed, the plan is to pull the frost wall – can commission wave requirements for storm water so can have orders at next meeting.

Penny – doesn't know if can wave storm water peer review. Amy – review will be in later this week. Doug – new driveway is larger then what currently there. Paul Mirabito – everything from road will be infiltrated. Will remain packed gravel in back. No other hard scape proposed. Asked if there is currently issue with rain run off from driveways there now. Richard said road there drain horrible and Harvard Street always a problem. Amy suggested, we close on October 22 and issue soon after meeting, assuming no issues come from peer review. Chief – would like to get parts of project done before winter so is prepared for next town meeting in spring. Amy – is their fuel storage on site? Chief Murphy - no. natural gas heat. No mechanic work done there. What about generator? Yes. Amy – raise it up more than a foot. Maybe at least 2 feet.

Plan to close at next meeting and vote on orders at next meeting assuming nothing comes up from peer review.

Chief Murphy gave Richard copy of plan discussed.

Ms. Penny Scott-Pipes motion to continue to October 22 at 6:20pm. Mr. Paul Parys second motion. Unanimous vote in favor (6-0)

NOI: 3 Driftway, Hayes, r/r

Paul Mirabito, Ross Engineer, representing owner and applicant. Stan Humphries, LEC, coastal engineer. Bob Sheppard, contractor. Owner Mr. Hayes present. Abutter notifications handed in. Resource areas is top of coastal bank. Site is flat. Have been to zoning and historic commission subject to 90 day delay period. Owner contacted three people if wanted it for free, they did not. Property owner formally owned by Robert Griffin, who also owns property near. Proposed plan. Existing garage will remain in place. No change in grades. Single family home exempt from storm water. Soil done by Nick Laney – he determined soil compact. The excavation of soil for house would not put additional impact on soil. Tried to hug street as much as could. Vegetation staying - they do not own those. Stan- the resource area. Over wash from surge and breaking waves and build up does occur. Proposing to fill that corner to make the bank farther seaward -where bowl has been created. Match the grade with other adjacent property and use same measures. This property has substantial depression behind revetment that needs to be filled with cobbles or boulders, that needs to be filled so can withstand wave impact, overwash.

Gavion baskets proposed, 2 rows. 4 x 4stone filled gavion baskets – high density polyethylene. Vegetation can grow between the stone. Band run gravel to improve slopes. Capped with loom and seeded with mix grass mix and

shrubs to stabilize bank. 60 fee from one property to the next. Penny – suggest to Stan to talk to griffins about stabilize bank. Stan – said their builder is with them, so good communication. Stan asked if in special conditions need landscape architect regarding vegetation. Doug – all about stabilizing slope. Maybe coastal geologist would be needed to make sure meets requirements. Storm water is reason for peer review. If proposal is not in our expertize, can have expert review. Previously, met our requirements. The bank is getting washed away, so needs to be stabilized.

Property line is labeled, and some area listed as owner unknown, but they would like to do work on it at their own risk. Similar to what neighbors did (Griffins) when did work on cliff. Property listed as owner unknown. Paul – there is a precedent for doing that kind of work on area where owner now known. Doug – would rather not. Paul – reminder council said we approve method, not owners. Doug – they are taking the risk to make improvements not on their property. Lisa – any record of anyone doing repairs on this revetment? Penny thinks done after 1978 storm. Stan – abutters notified based on house. Storm water review still going on. Amy suggested site visit. Richard – we need to continue. Richard – will ask for a planting plan, (no matter who owns cliff.) Chief – work will be done in that area in next year or so.

Ms. Penny Scott-Pipes motion to continue to meeting on October 22, 2018 Ms. Lisa Caisse second motion. Unanimous vote in favor (6-0)

OLD BUSINESS

Order of conditions:

Boyajian, 23 Oceanside Dr, fill and lawn after-the-fact. In issuing orders, the enforcement orders is closed.

Ms. Penny Scott-Pipes motion to accept orders as written Mr. Paul Parys second motion. Unanimous vote in favor (6-0)

0 Booth Hill Td, Bates Lane, access and parking lot

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

Anderson, 29 Gilson, r/r

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

Kitchen, 111 Turner Rd, elevate

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

Agents Report:

Enforcement Updates:

Kenneth O'Brien – 48 Ocean Drive –

Amy was in Humarock and noticed new deck and sent letter. Mr. O'Brien called back. He wants to tell about property and ask what needs to do. He did move some sand near house to beach. He pointed out over the years he planted many rosa rugosa on property. Even '78 storm didn't knock them out. Rose bushes withstand a lot. Even more then what neighbors have done raising walls at their home. Did have a deck there before but it was at a point could not be repaired. Jenn – how much larger is this deck? Two feet more from house. So two feet into dune. Penny – don't move the dune. Richard – thank you for responding and coming in to talk to us. He will go to building about permits to finish deck. If he files an RDA by this Friday he can present at next meeting.

Kamman update – hopes to have NOI by Friday.

TRAILS – Jen Foley - had booth on council of aging walk 2 weekends ago. Maura spoke about work being done on trails. Handed maps out at event.

CERTIFICATE OF COMPLIANCE:

101 Glades RD., 72 Lighthouse Rd., 55 Seaside Rd, 102 Scituate Ave, 28 River Rd., 102 Scituate Ave, 21 Gates Circle

Ms. Penny Scott-Pipes motion to issue all certificates of compliance, Ms. Lisa Caisse second. Unanimous vote in favor. (6-0)

Ms. Penny Scott-Pipes motion to adjourn and Ms. Lisa Caisse second motion. Unanimous. (6-0)

Respectfully submitted,

Jennifer Smith
Recording Secretary

CORRESPONDENCE

September 11, 2018 – October 1, 2018

1. Recording OofC 17 New Driftway 9/12/18 Bk 50282 Pg 96
2. Recording OofC 38 Atlantic Dr., 9/12/18, Bk. 50280 Pg 53
3. Recording OofC 58 Crescent Ave., 9/10/18 Bk. 00631 Pg 188
4. Recording CofC 50 Glades Rd, 9/12/18, Bk. 50280 Pg 283
5. Recording CofC 8 Holmes St, 9/4/18, Bk. 00619 Pg 143, Cert. 123943
6. Letter to Frank Snow re: Tol Bros., Inc, Seaside at Scituate, Bond No. 2253927
7. MACC's Fall Conference, October 20, 2018 save the date and conference information
8. ZBA letter re: 29 Gilson Rd, allowing raze and rebuild
9. The Beacon: Vol XLV, No 8, September 2018
10. Septic Repair Plan 110 Hollet Street
11. Complaint Letter from Mary Devine re: furniture and flamingoes in wetlands between 274 and 280 Gannett Road
12. Planning Board Agenda for September 18, 2018 meeting
13. Notification to abutters for 4 River Street project
14. Letter from Army Core of Engineers re: site visit Tuesday, October 2, 2018 at 11am at 100 Lighthouse Road to discuss protective structures to mitigate impact from storms in that area
15. Open Meeting Law Complaint letter from AG office to complainant
16. Letter from Brad Washburn to Fish & Wildlife letter re: response to proposed boundary changes to Coastal Barrier Resource System
17. ZBA letter approving special permit for 66 Brockton Ave
18. Letter to DPW re: 98 Tack Factory Pond Drive, DEP scheduled site visit for Wed, Sept 26 at 2pm
19. New septic plan for 27 Hollet St
20. Letter from Gene Hunt re: enforcement order for 28 Harvard
21. Recording OofC – 25 Circuit Ave, 9/20/18, Bk 50312 Pg 8
22. Recording Ext of Orders, 27 Seaside Rd, 9/20/18, Bk 50310 Pg 312
23. Scituate Board of Health Meeting agenda, Sept 24, 2018
24. DEP Letter re: South River Dredge Permit approval
25. Letter to DPW from MEPA office re: Water Transmission Main to Tack Factory Pond / Wll 17A project subject to review under MEPA, that Environmental Notification Form needs to be filed.

26. Recording CofC 163 Turner Rd, 9/26/18, Bk 50334, Pg. 221
27. Recording OofC, Opposite 230 Central Ave (pier) 9/24/18, cert 126014 Bk 00630 pg 14
28. Request for Amendment to SOOC Herring Brook Meadow Residential Development
29. Response from Grants Program Supervisor re: Scituate Open Space and Recreation Plan. Plan was approved with conditions through September 2025
30. Recording OofC, 67 Border St., 9/28/18, Bk 50342, Pg 252
31. ZBA public hearing notice, October 18, 2018, agenda
32. Letter to Peter Genta from David DiMartino, Field Engineer, re: new sewer line at Herring Brook Sewer Pump Station/17 New Driftway, additional permitting needed to start work

Minor Activity Permits

- #85 272 Central Ave, Stan Nashen, removal of cobble from beneath house to beach
- #86 Groundwater monitoring well installation for Reservoir project for Tom Cook Tetrattech/ DPW