



Approved February 1, 2022

Town of Duxbury Conservation Commission

Minutes of January 4, 2022

TOWN CLERK
2022 FEB -2 PM 3:48
DUXBURY, MASS.

The Duxbury Conservation Commission met on Tuesday, January 4, 2022 at 7:00 p.m. via remote Zoom videoconferencing.

Members Present: Robb D'Ambruoso, Chair; Sam Butcher; Tom Gill; Corey Wisneski; Mickey McGonagle; and Holly Morris.

Members Absent: Scott Zoltowski, Vice-Chair

Staff Present: Joe Grady, Conservation Administrator; Nancy Rufo, Administrative Assistant

Meeting was called to order by Chair, Robb D'Ambruoso at 7:03 p.m.

Mr. D'Ambruoso read the following preamble: Pursuant to Governor Baker's Chapter 20 of the Acts of 2021 dated June 16, 2021, An Act Relative to Extending Certain Covid-19 Measures Adopted During the State of Emergency regarding suspending certain provisions of the Open Meeting Law, G.L. c. 30A, §18, the Town of Duxbury's Board and/or Committee meetings will be conducted via remote participation to the greatest extent possible with members. For this meeting, members of the public who wish to watch the meeting may do so by following the Zoom meeting links.

Roll call vote of members present: Sam Butcher, yes; Mickey McGonagle, yes; Holly Morris, yes; Corey Wisneski, yes; Tom Gill, yes; and Robb D'Ambruoso, yes.

ADMINISTRATIVE MATTERS:

Minutes for Approval: Regular Session: December 21, 2021

Sam Butcher made a motion, seconded by Tom Gill, to approve the December 21, 2021 Regular Session Minutes. Motion passed unanimously on a roll call vote: Sam Butcher, yes; Mickey McGonagle, yes; Holly Morris, yes; Corey Wisneski, yes; Tom Gill, yes; and Robb D'Ambruoso, yes.

Motion carried 6-0

Certificate of Compliance:

SE18-1858 Goodick/Duxbury Construction; 95 Hornbeam Road; seawall, sfh, pool

Joe Grady reported that additional clarifying information requested for 95 Hornbeam Road had been received from Duxbury Construction. Mr. Grady recommended issuing a Certificate of Compliance.

Corey Wisneski made a motion, seconded by Holly Morris, to issue a Certificate of Compliance for SE18-1858. Motion passed unanimously on a roll call vote: Sam Butcher, yes; Mickey McGonagle, yes; Holly Morris, yes; Corey Wisneski, yes; Tom Gill, yes; and Robb D'Ambruoso, yes.

Motion carried 6-0

CONTINUED PUBLIC HEARING; CURRIER/DUXBURY CONSTRUCTION; 230 MARSHALL STREET; STONE REVETMENT AND DRIFT FENCE

SE18-1976

The applicant requested a continuance to February 15, 2022.

Tom Gill made a motion, seconded by Sam Butcher, to continue the Public Hearing for SE18-1976 to February 15, 2022 at 7:05pm. Motion passed unanimously on a roll call vote: Sam Butcher, yes; Mickey McGonagle, yes; Holly Morris, yes; Corey Wisneski, yes; Tom Gill, yes; and Robb D'Ambruoso, yes.
Motion carried 6-0

PUBLIC HEARING; WEINTRAUB/GRADY CONSULTING; 87 GURNET ROAD; RAZE AND REBUILD SFH

SE18-1989

Robb D'Ambruoso read the Legal Notice for SE18-1989. Kevin Grady of Grady Consulting presented the project on behalf of the applicant. The existing dwelling will be razed and rebuilt on a 7500 sq ft lot on a barrier beach. The resource areas include the AO Zone and Velocity Zone. The proposed dwelling will be located between the two. The project includes removing the existing dwelling and building a more modern home on concrete pilings to raise it above the flood zone. The site will be stabilized post-construction. There will be a 7% reduction in coverage, primarily due to a seashell driveway. The proposed elevator will also be on piles. Joe Grady noted that the property is on a barrier beach, so it is in the resource areas. The most important consideration with a barrier beach is that water must be able to flow through, which it will given the proposed design. It meets the 35-foot setback (at 49 feet), and also they are not proposing a structure in the Velocity Zone. The shell driveway is more desirable than hard paved. A foundation plan will be needed showing that it is non-continuous. Commission comment followed with questions regarding the piling type, and clarification that the foundation will not be continuous for both the home and elevator. Public comment followed where abutter Dave Colombo (91 Gurnet Road) asked about the schedule (Kevin Grady noted permits would need to be pulled so he anticipates a late winter/early spring start with 8-12 months to complete), and also raised concerns regarding the seashell driveway and runoff of shells onto the street (Joe Grady noted the open pile foundation allows for water flowage, and the DPW can be called if a large number of shells need to be removed from the roadway).

Corey Wisneski made a motion, seconded by Tom Gill, to close the Public Hearing and write an Order of Conditions for SE18-1989 with the stipulation that a foundation plan is filed with the Conservation Commission. Motion passed unanimously on a roll call vote: Sam Butcher, yes; Mickey McGonagle, yes; Holly Morris, yes; Corey Wisneski, yes; Tom Gill, yes; and Robb D'Ambruoso, yes.
Motion carried 6-0

PUBLIC MEETING, DEADY; 39 OCEAN ROAD NORTH; DECK RECONSTRUCTION

Robb D'Ambruoso read the Legal Notice for 39 Ocean Road North deck reconstruction. Owner Jeffrey Deady presented the project. He is proposing to reconstruct two pre-existing decks that were destroyed when the seawall was compromised in March 2018. Mr. Deady would like to reconstruct

the decks as they were previously, each measuring 10'x22'. Joe Grady confirmed Mr. Deady is proposing to replace what was preexisting and recommended a negative determination.

Sam Butcher made a motion, seconded by Holly Morris, to issue a Negative Determination that an NOI is not required for reconstruction of two preexisting decks at 39 Ocean Road North. Motion passed unanimously on a roll call vote: Sam Butcher, yes; Mickey McGonagle, yes; Holly Morris, yes; Corey Wisneski, yes; Tom Gill, yes; and Robb D'Ambruoso, yes.
Motion carried 6-0

PUBLIC MEETING, PONTIFF/FLAHERTY & STEFANI; 0 ELM STREET; SFH

Corey Wisneski read the Legal Notice for 0 Elm Street as Robb D'Ambruoso recused himself from the discussion and vote. Kevin Flaherty from Flaherty & Stefani presented the project. A portion of the driveway of the proposed single-family home is in the buffer zone of the cranberry bog located across the street. Joe Grady confirmed that a portion of the driveway falls in the buffer zone, and noted Elm Street is between the resource area and the project. He recommended a negative determination.

Sam Butcher made a motion, seconded by Holly Morris, to issue a Negative Determination that an NOI is not required for the construction at 0 Elm Street. Motion passed on a roll call vote: Sam Butcher, yes; Mickey McGonagle, yes; Holly Morris, yes; Corey Wisneski, yes; Tom Gill, yes; and Robb D'Ambruoso, abstain.
Motion carried 5-0-1

ADMINISTRATIVE MATTERS (continued):

Project Updates

- **Pink Land Purchase:** Joe Grady reported that Conservation now owns 65 acres of open space as of 12/16/2021. He thanked the Commissioners for their support, particularly Sam Butcher who was very helpful in lining up Coneco Engineers & Scientists to perform a Phase 1 Assessment as well as follow-up soil sampling. The Commissioners, in turn, offered their congratulations to Mr. Grady for another successful land purchase.
- **Removal of Temple Street Dam:** Joe Grady is working with the Commonwealth of Mass and the North & South River Watershed Association to remove a dam near Camp Wing. This effort began in 2016. Evaluation has been extensive as there are three houses downstream in Marshfield that could see an increase in flooding by the dam removal. The preliminary design was completed last Fall, and the state will fund drawings to 75%. Prior to dam removal, a filing will have to be made with the Commission. Holly Morris asked what would be there instead of the dam. Mr. Grady explained the middle of the dam would be removed and replaced with natural features to help slow the flow during rainstorm events. The removal of the dam will result in habitat improvements and a reduction in maintenance activities due to blockages.

- **American Rescue Plan Act Funding:** Joe Grady reported that Conservation has received Covid relief funds through Representative Josh Cutler's office that will allow for an accessible trail at Bay Farm, as well as an osprey camera on the nest at Train Field. Pat Brennan is completing the design at Bay Farm by working with the existing terrain. Accessible parking spots will also be added, and only service dogs will be allowed on that trail. The Bay Farm Trail Accessibility received \$40,000 in funding, and the Wildlife Monitoring/Osprey camera received \$15,000. Nancy Rufo is working with other agencies that have similar cameras installed. The goal is for this to be completed prior to the return on the nesting pair in March.

Discussion related to residential docks and piers: The Commissioners decided to postpone this discussion to a future meeting when Scott Zoltowski is in attendance.

Discussion related to formulating guidelines for presenting projects to the Conservation Commission: Mickey McGonagle noted presentations are a way for applicants to relay information, and that information should be relevant to the discussion much like design drawings or plans need to be relevant. The Commissioners decided to postpone further discussion to a future meeting when Scott Zoltowski is in attendance.

NEW BUSINESS: Discussion centered around what is being done about invasives. Although there isn't much being done yet, Commissioners were in agreement that it would be worthwhile to discuss this, in addition to climate change, and sea level rise on a future agenda. It was also noted this could be tied into a Five-Year Plan for the Commission, possibly starting with invasive species and microalgae in Duxbury as related to climate change, including investigating how others have controlled them.

ADJOURNMENT: Corey Wisneski made a motion, seconded by Sam Butcher, to adjourn the meeting at 8:07 p.m. Motion passed unanimously on a roll call vote: Sam Butcher, yes; Tom Gill, yes; Mickey McGonagle, yes; Holly Morris, yes; Corey Wisneski, yes; and Robb D'Ambruoso, yes. Motion carried 6-0

The next Conservation Commission meeting is scheduled for Tuesday, January 18, 2022 at 7:00 p.m.