



Town of Duxbury Conservation Commission

Approved February 11, 2020

TOWN CLERK

2020 FEB 20 PM 1:42

DUXBURY, MASS.

Minutes of January 21, 2020

The Duxbury Conservation Commission met on Tuesday, January 21, 2020 at 7:00 PM in the Mural Room at the Duxbury Town Hall.

Members Present: Corey Wisneski; Robb D'Ambruoso (arrives 7:10); Sam Butcher; Mickey McGonagle; Holly Morris

Members Absent: Tom Gill; Scott Zoltowski

Staff Present: Joe Grady; Conservation Administrator; Susan Ossoff, Administrative Assistant

The meeting was called to order at 7:03 pm

CONTINUED PUBLIC HEARING; HUSK; 160 MARSHALL STREET; PIER REPAIR SE18-1890

After the reading of the Public Hearing notice by the Chairman, Dick Brennen of 100 Myrtle Street requested an answer to a procedural question.

Mr. Brennen said he was doing research on abutter notifications, and asked whether Conservation Commission filings require abutter notification, who does the notification, what the time frame is, and what happens if the abutter isn't notified. Corey Wisneski said abutter notification is required for Notices of Intent by the applicant, but this is not related to the Continued Public Hearing for 160 Marshall Street that is now underway. Joe Grady recommended to Mr. Brennen that he could call the office if he had further questions.

Charles Husk of 160 Marshall Street said the pier structure was built in 1954 but it became degraded by storms. He repaired it to the way it was, replacing pilings and decking.

Corey Wisneski asked if it was built to the same length as before and Charles Husk said yes, the platform at the end was still standing with the middle section washed away. Corey Wisneski said the plan Mr. Husk had submitted was to such a small scale that it was difficult to see the structure and read the elevation information.

Joe Grady said it is hard after the fact to determine what the repairs were. He visited the site and said it appears about 21 piles were replaced in the same location as the original pilings. Joe Grady suggested a site visit. The width of the pier is 4'11" which is wider than the regulations allow, and the decking runs parallel with the pier and there is no spacing between the decking boards; the regulations require 1" spacing. There is lots of trampling of the salt marsh around the repaired section of the pier and that is also not allowed; it is required that the work be done off the decking. The height of the pier is also too low.

Holly Morris asked how the piles were put in. Mr. Husk said they were dropped into the original holes. Mr. Husk said that he did not understand why there was so much discussion about the repair, he had just reconstructed what was there before.

878 Tremont Street, Duxbury, MA 02332; Telephone: 781-934-1100 x 5471; Fax: 781-934-1137

The mission of the Town of Duxbury is to deliver excellent services to the community in the most fiscally responsible and innovative manner while endeavoring to broaden our sense of community and preserve the unique character of our town.

Sam Butcher said that Mr. Husk should have filed a Notice of Intent with the Conservation Commission and gotten a permit to do the work before doing the repair work, that he made repairs but the Commission has no record of the pre-existing conditions. He said Mr. Husk is asking the Commission to accept the reconstruction, but the reconstruction was done in a way that would not have been allowed by the Commission; as an example the decking is not compliant with the regulations. He said Mr. Husk is asking for a retroactive permit and the Commission needs to be comfortable with the way it was constructed.

On a motion by Holly Morris, seconded by Sam Butcher, it was voted 5-0 to continue the hearing for SE18-1890 until February 11 at 7:25 pm.

Note: Later in the hearing, this vote was amended and the hearing was continued until February 25 at 7:10 pm because there will not be a quorum for this hearing on February 11.

PUBLIC HEARING; DUXBURY CONSTRUCTION LCC; 20 MARSHALL STREET; GARAGE SE18-1897

The applicant for this project is not present so the hearing will be continued.

An abutter to this project, Fred Karns of 66 Marshall Street, said his abutter notification had just arrived today although it was postmarked January 9. He said there is a lot of runoff from the neighboring property onto his property and he is concerned about any additional runoff.

On a motion by Sam Butcher, seconded by Robb D'Ambruoso, it was voted 5-0 to continue the hearing for SE18-1897 until February 11 at 7:30 pm.

PUBLIC HEARING; DUXBURY CONSTRUCTION LLC; 59 STANDISH STREET; GRADING SE18-1896

The applicant for this project is not present so the hearing will be continued.

On a motion by Sam Butcher, seconded by Robb D'Ambruoso, it was voted 5-0 to continue the hearing for SE18-1896 until February 11 at 7:35 pm.

ADMINISTRATIVE MATTERS

Minutes:

On a motion by Sam Butcher, seconded by Holly Morris, it was voted 4-0 to approve the minutes of January 7, 2020.

Certificates of Compliance:

SE18-976; 100 Humphreys Lane: The Commission previously approved Certificates of Compliance for 90 Humphreys Lane. This project, SE18-976 was for a duplex building that now has 2 separate lots numbers and addresses, 90 Humphreys Lane and 100 Humphreys Lane. Joe Grady recommended the Commission vote to approve Certificates of Compliance for SE18-976, 100 Humphreys Lane. On a motion by Sam Butcher, seconded by Holly Morris, it was voted 4-0 to issue Certificates of Compliance for 100 Humphrey's Lane.

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Continued Discussion: Conservation land use guidelines

Mickey McGonagle and Scott Zoltowski met and put together a summary of their discussion points; this will be in the Commissioners packets for the next meeting for further input and discussion. In addition, Scott Zoltowski edited the existing regulations for clarity; his suggested edits will also be included in the packets for further discussion.

Executive Session: No Executive Session was held.

Adjournment: On a motion by Sam Butcher, seconded by Holly Morris, it was voted 5-0 to adjourn the meeting at 7:45 pm.

MATERIALS REVIEWED AT THE MEETING

Draft minutes of January 7, 2020

NOI materials for SE18-1890, SE18-1897, and SE18-1896