



Approved March 28, 2023

# Town of Duxbury Conservation Commission

TOWN CLERK  
2023 APR 20 AM 11:15  
DUXBURY, MASS.

Minutes of March 14, 2023

The Duxbury Conservation Commission met in a hybrid session via in-person and remote video conferencing on Tuesday, March 14, 2023 at 7:00 p.m.

**Members Present:** Robb D'Ambruoso, Chair; Sam Butcher; Mickey McGonagle; Holly Morris; Corey Wisneski; Thomas Gill

**Members Absent:** Scott Zoltowski, Vice Chair

**Staff Present:** Nancy Rufo, Conservation Administrator; Deborah Ballem, Principal Assistant

Meeting was called to order by Chair, Robb D'Ambruoso at 7:00 p.m. He introduced seated Commissioner members; Thomas Gill, Corey Wisneski, Holly Morris, Mickey McGonagle, and Sam Butcher, and 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, Section 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 may do so by following the Zoom meeting links provided.

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

## **CONTINUED PUBLIC HEARING; TARKILN LLC/ENVIRONMENTAL CONSULTING AND RESTORATION LLC; TARKILN ROAD (0 SOUTH STREET) ABBREVIATED NOTICE OF RESOURCE AREA DELINEATION SE18-2026**

Lenore White, Wetland Strategies, Inc., presented her report on the wetland resource areas and delineated wetlands located off Tarkiln Road in Duxbury. A site evaluation and review of flagged wetlands and GIS information was conducted regarding the ANRAD filed for several parcels. Two resource area were confirmed on the Duxbury parcel which includes a Bordering Vegetated Wetland and an Isolated Vegetated Wetland. Ms. White stated that other resource areas may occur on these parcels and recommends the Order of Resource Area Determination note the limits of the review.

Corey Wisneski made a motion, seconded by Thomas Gill, to Issue an Order of Resource Area Delineation for SE18-2026, and close the hearing. Motion passed unanimously on a roll call vote: Robb D'Ambruoso, yes; Thomas Gill, yes; Corey Wisneski, yes; Holly Morris, yes; Mickey McGonagle, yes; Sam Butcher, yes. Motion carried 6-0.

## **PUBLIC MEETING; 1335 TREMONT STREET; REQUEST FOR DETERMINATION OF APPLICABILITY, TREE AND INVASIVE PLANT REMOVAL IN RIVERFRONT AREA**

Robb D'Ambruoso, Chair, read the Public Meeting Notice for 1335 Tremont Street. A site visit conducted by Conservation Administrator, Nancy Rufo, confirmed that some trees in upland area pose a danger and should be removed. Tree removal is restricted to trees flagged by Ms. Rufo and property owner will have stumps grinded. A brook runs through the property and riverbank is overgrown with invasive plant species that should be removed. Ms. Rufo recommended issuing a negative determination. Board members discussed concerns and conditions regarding invasive plant removal in a riverfront resource area and informed property owner that work can only be done by hand and the use of machinery or other equipment in the riverfront resource area is prohibited.

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



Sam Butcher made a motion, seconded by Mickey McGonagle, to issue a negative determination with the following conditions; Invasive plant removal within riverfront resource area is to be performed by hand only; No machinery or equipment is to be used in the riverfront resource area; Only trees flagged by the Conservation Administrator can be removed. Motion passed unanimously on a roll call vote: Robb D'Ambruoso, yes; Thomas Gill, yes; Corey Wisneski, yes; Holly Morris, yes; Mickey McGonagle, yes; Sam Butcher, yes. Motion carried 6-0.

**PUBLIC HEARING; 24 GRAND VIEW AVE, NOTICE OF INTENT, TWO ADDITIONS ONTO EXISTING HOME  
SE18-2031**

Robb D'Ambruoso, Chair, read the Public Hearing Notice for SE18-2031. Nancy Rufo informed board members that the applicant's representative requested to move the hearing to the next available date and time.

Corey Wisneski made a motion, seconded by Sam Butcher, to move the hearing for SE18-2031 to March 28, 2023 at 7:05 p.m. Motion passed unanimously on a roll call vote: Robb D'Ambruoso, yes; Thomas Gill, yes; Corey Wisneski, yes; Holly Morris, yes; Mickey McGonagle, yes; Sam Butcher, yes. Motion carried 6-0.

**PUBLIC MEETING; DUXBURY BEACH RESERVATION; REQUEST FOR DETERMINATION OF APPLICABILITY, RELOCATION OF ELEVATED BOARDWALK**

Robb D'Ambruoso, Chair, read the Public Meeting Notice for the elevated boardwalk project. Corey Wisneski recused herself from the meeting due to a conflict of interest. Cris Luttazi, Duxbury Beach Reservation, presented the proposed project to relocate a boardwalk on Duxbury Beach. The current boardwalk cuts into the dune at the narrowest and most vulnerable portion of the beach, and creates a conduit for water and sediment flow. The structure was damaged during the winter storm in 2018 and has been unusable. Elevating the boardwalk and relocating it north of its current location will help preserve the dune. The new boardwalk will include a stationary lifeguard chair and will be ADA compliant.

Sam Butcher made a motion, seconded by Holly Morris, to issue a negative determination and close the hearing on the elevated boardwalk relocation at Duxbury Beach. Motion passed unanimously on a roll call vote: Robb D'Ambruoso, yes; Thomas Gill, yes; Holly Morris, yes; Mickey McGonagle, yes; Sam Butcher, yes. Motion carried 5-0 (1 recusal, Corey Wisneski).

**PUBLIC HEARING; DUXBURY BEACH RESERVATION; NOTICE OF INTENT, RELOCATION OF DUNE CROSSOVER  
SE18-2033**

Robb D'Ambruoso, Chair, read the Public Hearing Notice for SE18-2033. Corey Wisneski recused herself from the hearing due to a conflict of interest. Cris Luttazi, Duxbury Beach Reservation, presented the proposed project to relocate a dune accessway located south of Powder Point Bridge. The accessway is currently located at the narrowest section of the beach making it susceptible to overwash. In order to preserve the barrier beach system, the current accessway will be backfilled to the same elevation of adjacent dunes, Sturdy Drift Fencing will be installed, and vegetation planted. A new accessway will be located north to a wider section of the beach, and will be angled NW to SE to minimize storm surge and tidal flows.

Sam Butcher made a motion, seconded by Mickey McGonagle, to issue Orders of Conditions for SE18-2033 and close the hearing. Motion passed unanimously on a roll call vote: Robb



D'Ambruoso, yes; Thomas Gill, yes; Holly Morris, yes; Mickey McGonagle, yes; Sam Butcher, yes. Motion carried 5-0 (1 recusal, Corey Wisneski).

### **CONTINUED PUBLIC MEETING; CONSERVATION RESTRICTION AGREEMENT FOR DUXBURY RURAL AND HISTORICAL SOCIETY**

Sam Butcher recused himself from the discussion due to a conflict of interest. Board members discussed five waterfront parcels owned by the Duxbury Historical Society which require a Conservation Restriction.

Corey Wisneski made a motion, seconded by Holly Morris, to accept the Conservation Restriction for the Duxbury Historical Society. Motion passed unanimously on a roll call vote: Robb D'Ambruoso, yes; Thomas Gill, yes; Corey Wisneski, yes; Holly Morris, yes; Mickey McGonagle, yes. Motion carried 5-0 (1 recusal, Sam Butcher).

### **ADMINISTRATIVE MATTERS**

#### **Approve Regular Session Meeting Minutes: March 1, 2023**

Holly Morris made a motion, seconded by Sam Butcher, to approve Regular Session Meeting Minutes of March 1, 2023. Motion passed unanimously on a roll call vote: Robb D'Ambruoso, yes; Thomas Gill, yes; Corey Wisneski, yes; Holly Morris, yes; Mickey McGonagle, yes; Sam Butcher, yes. Motion carried 6-0.

### **NEW BUSINESS**

#### **eCode360**

Nancy Rufo presented a collaborative project between the Conservation, Planning and Zoning departments to codify Duxbury local bylaws. The codification will make it easier to access local bylaws through the Town of Duxbury website. The upfront cost for the codification will be covered by the Planning Department. The annual subscription fee will be split between the three departments equally.

Corey Wisneski made a motion, seconded by Sam Butcher, to approve the eCode bylaw codification proposal and the annual subscription cost. Motion passed unanimously on a roll call vote: Robb D'Ambruoso, yes; Thomas Gill, yes; Corey Wisneski, yes; Holly Morris, yes; Mickey McGonagle, yes; Sam Butcher, yes. Motion carried 6-0.

#### **Revenue from bogs**

Nancy Rufo updated board members on the revenue generated from bog agreements to date. Board members discussed the objective of bog agreements is to help preserve and promote agriculture in the Duxbury community.

#### **Staffing Update**

Nancy Rufo updated board members on the hiring agreement with Joe Grady, which will be ending on March 31, 2023. Board members discussed the possibility of extending the agreement and proposed retaining Mr. Grady until the end of the Fiscal Year for ongoing and additional projects. Projects that would benefit from Mr. Grady's expertise include creating a drainage bylaw, identifying all 225 Conservation parcels, and locating bridges, boardwalks and signs on conservation trails. Ms. Rufo noted that although she is certainly technically capable and comfortable moving forward without Mr. Grady, he possess unique knowledge about conservation areas that cannot be easily recreated. Ms. Rufo acknowledged it would make sense and be very beneficial to capture this while funding and time is available. Board

members agreed the surveying and trail management services that Mr. Grady provides for the Commission provide cost savings for the Department. Chair Robb D'Ambruoso will follow-up with the Town Manager and Human Resources.

**160 Marshall Street Violation Update**

Nancy Rufo updated board members on the status of the wetlands violation at 160 Marshall Street. Ms. Rufo contacted the property owners and requested a site visit in addition to a formal letter from them stating that drainage pipes have been capped and are no longer discharging to wetlands. Ms. Rufo reported there has been no response from the property owners to date. Board members asked Ms. Rufo to contact the property owners again.

**ADJOURNMENT:** Thomas Gill made a motion, seconded by Sam Butcher, to adjourn the meeting at 8:48 p.m. Motion passed unanimously on a roll call vote: Robb D'Ambruoso, yes; Thomas Gill, yes; Corey Wisneski, yes; Holly Morris, yes; Mickey McGonagle, yes; Sam Butcher, yes. Motion carried 6-0.

**The next Conservation Commission meeting is scheduled for Tuesday, March 28, 2023 at 7:00 p.m.**