



Approved April 6, 2021

TOWN CLERK

2021 JUN 16 AM 9:45

# Town of Duxbury Conservation Commission

DUXBURY, MASS.

## Minutes of March 23, 2021

The Duxbury Conservation Commission met on Tuesday, March 23, 2021 at 7:00 p.m. via a remote Zoom meeting.

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

**Members Absent:** None

**Staff Present:** Joe Grady, Conservation Administrator; Pat Loring, volunteer

Meeting was called to order by Chair, Corey Wisneski at 7:00 p.m.

Ms. Wisneski read the following preamble: Pursuant to Governor Baker's March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, M.G.L. Chapter 30A, Section 18, and the Governor's March 15, 2020 Order imposing strict limitations on the number of people that may gather in one place, 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 listed on the Agenda. No in-person attendance of members of the public will be permitted. Every effort will be made to ensure the public can adequately access the proceedings to the best of our technical abilities.

Members present on a roll call vote: Sam Butcher, yes; Tom Gill, yes; Mickey McGonagle, yes; Holly Morris, yes; Scott Zoltowski, yes; Corey Wisneski, yes.

### ADMINISTRATIVE MATTERS:

**Minutes for Approval: Regular Session: March 2, 2021.** Tom Gill made a motion, seconded by Sam Butcher to approved the minutes of March 2, 2021. Motion passed unanimously on a roll call vote: Tom Gill, yes; Sam Butcher, yes; Mickey McGonagle, yes; Holly Morris, yes; Scott Zoltowski, yes; Corey Wisneski, yes. Motion carried 6 to 0.

### Enforcement: Grasselli; 23 Eagles Nest Road; Vegetation cutting.

Joe Grady reported a draft planting plan has been received for 23 Eagles Nest Road. Lenore White, Wetlands Strategies, Inc., consultant to the Commission, has submitted a Proposal for Restoration Oversight dated March 4, 2021. A vote to adopt Ms. White's Proposal is required.

Holly Morris made a motion, seconded by Tom Gill to adopt Lenore White's March 4, 2021 Proposal. Motion passed unanimously on a roll call vote: Tom Gill, yes; Sam Butcher, yes; Mickey McGonagle, yes; Holly Morris, yes; Scott Zoltowski, yes; Corey Wisneski, yes. Motion carried 6 to 0.

Joe Grady announced that the New Administrative Assistant's start date has been delayed until the end of April.

**PUBLIC HEARING; DUXBURY BEACH RESERVATION/WOODS HOLE GROUP; 0 DUXBURY BEACH HIGH PINES, 435 GURNET ROAD; 335 GURNET ROAD; BEACH AND DUNE RESTORATION:**

**SE18-1954**

Joe Grady recused himself from the discussion. Corey Wisneski read the Public Hearing Legal Notice. Elise Leduc, Woods Hole Group, presented the projects for the Duxbury Beach Reservation. The goal of the Notice of Intent is to develop a comprehensive management approach for beach and dune nourishment on both the ocean and bay side of the beach, thereby having permits ready and allowing the DBR flexibility in implementing projects on an as-needed basis. Ms. Leduc presented the background and existing conditions. There are three project areas. The first is a large area on the ocean side of the beach. It is expected the nourishment areas will be small within that footprint. The second area is a 2000 ft. eroded area on the bay side. Cobble was added five years ago and needs to be redone above the high tide mark. Equipment will remain on the road. The third area is an eroded area around the bridge abutments at the Duxbury Beach end of the bridge. A cobble berm, armor stones and fenders around the bridge pilings are proposed. Equipment will remain in the beach parking lot. All areas will be restored following construction. Parking lots will serve as staging areas. In answer to Commissioners questions, Ms. Leduc stated the work will take place from November 1<sup>st</sup> to March 31<sup>st</sup> in order to avoid impact to Piping Plovers and migrating fish. Work will begin in the winter of 2021-2022 if funding and materials are available. WHG and DBR will submit annual reports to the Commission. Having permits in place helps secure funding and ocean mining for sand is not an option at this time. The OOC is good for three years at which time they will return to either extend the existing OOC or submit a new NOI.

Scott Zoltowski made a motion, seconded by Tom Gill to close the Public Hearing and write an Order of Conditions for SE18-1954. Motion passed unanimously on a roll call vote: Sam Butcher, yes; Mickey McGonagle, yes; Holly Morris, yes; Tom Gill, yes; Scott Zoltowski, yes; Cory Wisneski, yes. Motion carried 6 to 0.

**CONTINUED PUBLIC HEARING; HUSK/ECR; 160 MARSHALL STREET; COASTAL BANK REVETMENT AND PLANTINGS**

**SE18-1933**

Applicant has requested a continuation to April 27, 2021.

Tom Gill made a motion, seconded by Sam Butcher to continue the Public Hearing for SE18-1933 until April 27, 2021 at 7:15 p.m. On April 27, 2021, the Commission will determine whether further continuations will be allowed. Motion passed unanimously on a roll call vote: Sam Butcher, yes; Mickey McGonagle, yes; Tom Gill, yes; Holly Morris, yes; Scott Zoltowski, yes; Corey Wisneski, yes. Motion carried 6 to 0.

**CONTINUED PUBLIC HEARING; STENBECK & TAYLOR; 0 MAYFLOWER STREET; COASTAL BANK REVETMENT AND PLANTINGS**

**SE18-1911**

Applicant has requested a continuation to May 11, 2021.

Tom Gill made a motion, seconded by Holly Morris, to continue the Public Hearing for SE18-1911 until May 11, 2021 at 7:15 p.m. Motion passed unanimously on a roll call vote: Sam Butcher, yes; Tom Gill, yes; Holly Morris, yes; Mickey McGonagle, yes; Scott Zoltowski, yes; Corey Wisneski, yes. Motion carried 6 to 0.

**CONTINUED PUBLIC HEARING; READ/STENBECK & TAYLOR; 224 GURNET ROAD;  
SINGLE FAMILY HOME  
SE18-1945**

Applicant has requested a continuation to April 27, 2021. Lenore White, consultant to the Commission, reviewed the submission and responded with photos and a letter dated April 27, 2021. An abutter letter and photos were also received.

Holly Morris made a motion, seconded by Sam Butcher, to continue the Public Hearing for SE18-1945 to April 27, 2021 at 7:20 p.m. Motion passed unanimously on a roll call vote: Sam Butcher, yes; Tom Gill, yes; Holly Morris, yes; Mickey McGonagle, yes; Scott Zoltowski, yes; Corey Wisneski, yes. Motion carried 6 to 0.

**PUBLIC HEARING; DUXBURY CONSTRUCTION LLC; 187 KING CAESAR ROAD;  
SEAWALL  
SE18-1951**

Corey Wisneski read the Public Hearing Legal Notice for SE18-1951. Freeman Boynton, Duxbury Construction, LLC. presented the project for owner Chris Seeley to remove and replace an existing vertical seawall with a sloped stone seawall, Coastal Zone Management's preference. Mr. Boynton showed a video of the current seawall under storm conditions. He noted an abutter has requested a site visit so he is requesting a continuation of the Public Hearing until after the site visit.

Sam Butcher made a motion, seconded by Tom Gill, to continue the Public Hearing for SE18-1951 until April 27, 2021 at 7:10 p.m. Motion passed on a roll call vote: Sam Butcher, yes; Tom Gill, yes; Holly Morris, yes; Mickey McGonagle, yes; Scott Zoltowski, yes; Corey Wisneski, yes. Motion carried 6 to 0.

**PUBLIC HEARING; CURRIER/WATER AND WETLAND, INC; 230 MARSHALL STREET;  
AQUATIC MANAGEMENT PROGRAM  
SE18-1953**

Corey Wisneski read the Public Hearing Legal Notice for SE18-1953. Joe Onorato, Water & Wetlands, Inc. presented the project for owner, James Currier. He stated the .55 acre pond is clogged with watermeal, duckweed, algae, and phragmites. Photographs illustrated his findings. Phragmites removal has been approved under a prior Request for Determination of Applicability. This project consists of treating the pond with an herbicide from May to September and monitoring it monthly. An aerator, with discs may be recommended in the future. Joe Grady, who has extensive experience with pond management, stated this was a solid proposal which will likely take two seasons to see results then require touchups. Holly Morris asked about the impact of stormwater runoff. Mr. Onorato stated the runoff was a significant factor in the pond's deterioration. In the future a Biochar, charcoal filter sock, may be considered. Joe Grady suggested a berm at the top of the driveway might help.

Sam Butcher made a motion, seconded by Tom Gill, to close the Public Hearing and write an Order of Conditions for SE18-1953. Motion passed unanimously on a roll call vote: Sam Butcher, yes; Tom Gill, yes; Mickey McGonagle, yes; Holly Morris, yes; Scott Zoltowski, yes; Corey Wisneski, yes. Motion carried 6-0.

8:00 p.m.- Robb D'Ambruoso arrived.

**PUBLIC HEARING; MCLAUGHLIN/SEACOAST ENGINEERING; 37 OCEAN ROAD NORTH; SITE IMPROVEMENTS AROUND SEAWALL.**

**SE18-1952**

Joe Grady read the Public Hearing Legal Notice for SE18-1952. Paul Brogna, Seacoast Engineering, presented the project for Brendan and Suzanne McLaughlin. The project, in response to an August 27, 2021 Enforcement Order, is to build a retaining wall and plant the site according to the presented Planting Plan. The request is to return to the site to the 2018 elevation, which is 12" to 18" above the current elevation. A deck and paved parking area are also part of the proposal. A Public Way to the Beach is adjacent to the McLaughlin's lot. Joe Grady stated the Enforcement Order is for fill in the Velocity Zone, which local regulations do not allow and there are restrictions on vertical walls in this zone. He suggested the Commission conduct a site visit.

Tom Gill made a motion, seconded by Sam Butcher, to continue the Public Hearing until April 27, 2021 at 7:25 p.m. Motion passed unanimously on a roll call vote: Sam Butcher, yes; Tom Gill, yes; Mickey McGonagle, yes; Holly Morris, yes; Robb D'Ambruoso, yes; Scott Zoltowski, yes; Corey Wisneski, yes. Motion carried 7 to 0.

**ENFORCEMENT; MAHMUD; 221 STANDISH STREET; RESTORATION PLAN**

Bordering Vegetated Wetland was filled on this property in December 2020 (second offense). Homeowner hired Brad Holmes, ECR, Inc, to develop a Restoration and Schematic Planting Plan. Lenore White, consultant to the Commission, reviewed the Plan, met with Mr. Holmes on site, and revised the March 19, 2021 Plan, adding saplings to the Revegetation Area. Joe Grady approved the revised Plan.

Sam Butcher made a motion, seconded by Tom Gill, to approve the March 19, 2021 Restoration and Schematic Planting Plan. Motion passed unanimously on a roll call vote: Sam Butcher, yes; Tom Gill, yes; Mickey McGonagle, yes; Holly Morris, yes; Robb D'Ambruoso, yes; Scott Zoltowski, yes; Corey Wisneski, yes. Motion carried 7 to 0.

**ADMINISTRATIVE MATTERS:**

**Extension Request:**

**SE18-1459; Town wide drainage maintenance; Duxbury DPW.**

Joe Grady stated the process for reviewing DPW drainage maintenance under this 2008 Order of Conditions works well for both departments. The DPW contacts Mr. Grady, they meet on site, go over the project, and Joe Grady approves or modifies the project. He suggested the Commission extend the OOC for SE18-1459 for another three years.

Sam Butcher made a motion, seconded by Tom Gill, to extend the Order of Condition for SE18-1459 for three years. Motion passed unanimously on a roll call vote: Sam Butcher, yes; Tom Gill, yes; Mickey McGonagle, yes; Holly Morris, yes; Robb D'Ambruoso, yes; Scott Zoltowski, yes; Corey Wisneski, yes. Motion carried 7 to 0.

**Adjournment:** Tom Gill made a motion, seconded by Holly Morris, to adjourn the meeting at 8:40 p.m. Motion passed unanimously on a roll call vote: Tom Gill, yes; Holly Morris, yes; Sam Butcher, yes; Mickey McGonagle, yes; Robb D'Ambruoso, yes; Scott Zoltowski, yes; Corey Wisneski, yes. Motion carried 7 to 0.

**Next Meeting:** The next meeting of the Conservation Commission is scheduled for Tuesday, April 6, 2021 at 7:00 p.m.