



Approved April 12, 2022

Town of Duxbury Conservation Commission

TOWN CLERK

2022 MAY 20 PM 12:16

DUXBURY, MASS.

Minutes of March 29, 2022

The Duxbury Conservation Commission met on Tuesday, March 29, 2022 at 7:00 p.m. via remote Zoom videoconferencing.

Members Present: Robb D'Ambruoso, Chair; Scott Zoltowski, Vice-Chair; Tom Gill; Mickey McGonagle; and Corey Wisneski

Members Absent: Sam Butcher and Holly Morris

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

Meeting was called to order by Chair, Robb D'Ambruoso at 7:00 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. Ch. 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: Tom Gill, yes; Mickey McGonagle, yes; Corey Wisneski, yes; Scott Zoltowski, yes; and Robb D'Ambruoso, yes.

ADMINISTRATIVE MATTERS:

Minutes for Approval: Regular Session, March 8, 2022. Corey Wisneski made a motion, seconded by Mickey McGonagle, to approve the Regular Session minutes of March 8, 2022. Motion passed on a roll call vote: Tom Gill, yes; Mickey McGonagle, yes; Corey Wisneski, yes; Scott Zoltowski, yes; Motion carried 5-0.

Certificates of Compliance:

SE18-1855: North Duxbury LLC/South Shore Survey; 7 Cooper Hill Road; Grading
Joe Grady stated the project is complete and stabilized. He has inspected the site and he recommended issuing a Certificate of Compliance.

Corey Wisneski made a motion, seconded by Scott Zoltowski, to issue a Certificate of Compliance for SE18-1855. Motion passed on a roll call vote: Tom Gill, yes; Mickey McGonagle, yes; Corey Wisneski, yes; Scott Zoltowski, yes; and Robb D'Ambruoso, yes. Motion carried 5-0.

Request for Modification:

SE18-1983: Collins/South Shore Survey; 10 Huckleberry Lane; demo/rebuild single family home. A small portion of the project extends further into the Buffer Zone than originally permitted. Joe Grady has reviewed the changes and recommended issuing the modification.

Scott Zoltowski made a motion, seconded by Corey Wisneski, to approve the modification for SE18-1983. Motion passed on a roll call vote: Tom Gill, yes; Mickey McGonagle, yes; Corey Wisneski, yes; Scott Zoltowski, yes; and Robb D'Ambruoso, yes. Motion carried 5-0.

PUBLIC HEARING, MURPHY/GRADY CONSULTING; 10 FOX RUN; ADDITION

SE18-1996

Chair, Robb D'Ambruoso read the Legal Notice for the SE18-1996. Kevin Grady, Grady Consulting, representing owners, Mr. & Mrs. Murphy, presented the project for an extension to an existing deck which is part of a kitchen remodeling project. Affected resource areas include a Perennial Stream with a 200 ft. Riverfront Area and a Bordering Vegetated Wetland. A silt sock will be installed around the work area for erosion control and a construction entrance will be established. Joe Grady stated the project meets the Commission's Rules and Regulations and he recommended writing an Order of Conditions.

Tom Gill made a motion, seconded by Corey Wisneski to close the Public Hearing and write an Order of Conditions for SE18-1996. Motion passed unanimously on a roll call vote: Tom Gill, yes; Mickey McGonagle, yes; Corey Wisneski, yes; Scott Zoltowski, yes; and Robb D'Ambruoso, yes. Motion carried 5-0.

CONTINUED PUBLIC HEARING, CAMPBELL/5 WETLANDS; 5 EAST MARGINAL ROAD/ RAZE SFH ON WALLED FOUNDATION AND REPLACE WITH NEW SFH ON OPEN PIER FOUNDATION

SE18-1995

Applicant has requested a Public Hearing continuance. The continued Public Hearing will be held April 12, 2022 at 7:20 p.m.

Corey Wisneski made a motion, seconded by Scott Zoltowski, to continue the Public Hearing for SE18-1995 to April 12, 2022 at 7:20 p.m. Motion passed unanimously on a roll call vote: Tom Gill, yes; Mickey McGonagle, yes; Corey Wisneski, yes; Scott Zoltowski, yes; and Robb D'Ambruoso, yes. Motion carried 5-0.

PUBLIC HEARING, WHITE/DUXBURY CONSTRUCTION LLC; 35 WINSOR ST./ FILL AND BEACH NOURISHMENT

SE18-1999

Robb D'Ambruoso read the Legal Notice for SE18-1999. Freeman Boynton, Duxbury Construction, LLC. representing owners, John and Kathy White, presented the project which consists of adding fill to meet the new contours of the adjacent Fawcett property, raising the low dune area and removing rocks from the saltmarsh. Mr. Boynton showed photographs of the existing conditions. The 8 ft contour will be raised to 9.5 ft. Joe Grady stated he agrees with the wetland delineation and the removal of rocks from the saltmarsh. Discussion followed on saltmarsh scouring from the imbedded rocks. Replanting will take place between late August and October 1st. Joe Grady noted a granite pier, which was removed, was once located near the site.

Scott Zoltowski made a motion, seconded by Mickey McGonagle, to close the Public Hearing and write an Order of Conditions for SE18-1999. Motion passed on a roll call vote: Tom Gill, yes; Mickey McGonagle, yes; Corey Wisneski, yes; Scott Zoltowski, yes; and Robb D'Ambruoso, yes. Motion carried 5-0

**PUBLIC HEARING; TOWN OF DUXBURY/WOODS HOLE GROUP; GURNET ROAD/DUXBURY BEACH; BEACH AND DUNE NOURISHMENT
SE18-2000**

Robb D'Ambruoso read the long Legal Notice for SE18-1997. Corey Wisneski recused herself from the discussion. Leslie Fields, Woods Hole Group, consultant to the Towns of Duxbury and Marshfield, presented the project for the Duxbury Beach Reservation, Inc. Ms. Fields' PowerPoint presentation showed building beach resiliency through a series of project areas funded with Coastal Zone Management Grants. The projects involve providing beach and dune nourishment and armoring in several beach areas including 4190 ft. at the Duxbury/Marshfield town line and dune restoration at the "Horseshoe Area". Resource Areas affected include Coastal Beach, Coastal Dune, Barrier Beach, Land Containing Shellfish, Land Under the Ocean and Land Subject to Coastal Storm Flowage. Also, NHESP Estimated and Priority Habitats. The project requires further permitting at the state and federal level. Questions from the Commission followed regarding project consistency with the Coastal Resiliency Plan, financing, easements, sources of nourishment material and the requirement for public access. The project is likely to take place in the winter of 2023-2024. Chris Luttizzi, Executive Director of the Duxbury Beach Reservation, commented on the importance of the work to the long-term viability of Duxbury Beach.

Scott Zoltowski made a motion, seconded by Mickey McGonagle, to close the Public Hearing and write an Order of Conditions for SE18-2000. Motion passed on a roll call vote: Tom Gill, yes; Mickey McGonagle, yes; Corey Wisneski, yes; Scott Zoltowski, yes; and Robb D'Ambruoso, yes. Motion carried 5-0.

**PUBLIC HEARING; OLWELL/ DUXBURY CONSTRUCTION; 15 QUAIL RUN; POOL
SE18-2001**

Robb D'Ambruoso read the Legal Notice for SE18-2001. Freeman Boynton, Duxbury Construction, LLC presented the project for owners, Mr. and Mrs. Murphy. Project consists of building a pool with associated patio and landscaping and a retaining wall. A siltation barrier will be installed prior to the start of work. All work is within a 100 ft. Buffer Zone as delineated by Brad Holmes. Lot coverage within the Buffer Zone will go from existing 10.9% to 14.9% (15% being the maximum). Scott Zoltowski issued a caution against exceeding the 15% coverage. Joe Grady stated the project meets the Commission's Rules and Regulations and he recommended writing an Order of Conditions.

Corey Wisneski made a motion, seconded by Tom Gill to close the Public Hearing and write an Order of Conditions for SE18-2001. Motion passed on a roll call vote: Tom Gill, yes; Mickey McGonagle, yes; Corey Wisneski, yes; Scott Zoltowski, yes; and Robb D'Ambruoso, yes. Motion carried 5-0.

PUBLIC MEETING; HAACK/DUXBURY CONSTRUCTION; 746 FRANKLIN STREET; SUNROOM FROM EXISTING DECK

Robb D'Ambruoso read the Public Meeting Legal Notice. Joe Grady stated that in 2006 the owners of 746 Franklin St. received an Order of Conditions to demolish and reconstruct a house. A Certificate of Compliance was issued in 2011 with coverage in the Buffer Zone at 15%. Currently the coverage is out of compliance at 20%. Mr. Grady recommended issuing a Positive Determination of Applicability. Freeman Boynton, representing the current owners, stated they will return with a Notice of Intent. He showed a plan of the project.

Corey Wisneski made a motion, seconded by Tom Gill, to close the Public Meeting and issue a Positive Determination of Applicability for 746 Franklin Street. Motion passed on a roll call vote: Tom Gill, yes; Mickey McGonagle, yes; Corey Wisneski, yes; Scott Zoltowski, yes; and Robb D'Ambruoso, yes. Motion carried 5-0.

PUBLIC MEETING; MARAN/SOUTH SHORE SURVEY CONSULTANTS; 566 BAY ROAD; SEPTIC CONNECTION

Robb D'Ambruoso read the Public Meeting Legal Notice for 566 Bay Road. Mark Casey, South Shore Survey presented the project to add a septic connection within the Buffer Zone at 566 Bay Road. Wetland Scientist, Brad Holmes delineated the wetlands. Joe Grady recommended writing a Negative Determination of Applicability.

Scott Zoltowski made a motion, seconded by Mickey McGonagle, to close the Public Meeting and issue a Negative Determination of Applicability for 566 Bay Road. Motion passed on a roll call vote: Tom Gill, yes; Mickey McGonagle, yes; Corey Wisneski, yes; Scott Zoltowski, yes; and Robb D'Ambruoso, yes. Motion carried 5-0.

CONSERVATION COMMISSION STRATEGIC PLAN: Following discussion of the Strategic Plan and Mickey McGonagle's question about MGL Ch. 40 S8c, a motion was made by Mickey McGonagle, seconded by Tom Gill, to adopt the Strategic Plan and send it to the Selectboard for discussion at an April Selectboard meeting. Motion passed on a roll call vote: Tom Gill, yes; Mickey McGonagle, yes; Corey Wisneski, yes; Scott Zoltowski, yes; and Robb D'Ambruoso, yes. Motion carried 5-0.

ADJOURNMENT: Corey Wisneski made a motion, seconded by Mickey McGonagle, to adjourn the meeting at 9:02 p.m. Motion passed unanimously on a roll call vote: Tom Gill, yes; Mickey McGonagle, yes; Corey Wisneski, yes; Scott Zoltowski, yes; and Robb D'Ambruoso, yes. Motion carried 5 – 0.

The next Conservation Commission meeting is scheduled for Tuesday, April 12, 2022 at 7:00 p.m.