



# Town of Duxbury Conservation Commission

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DUXBURY, MASS.

## Minutes of June 5, 2018

The Conservation Commission met on Tuesday, June 5, 2018 at 7:00 PM in the Mural Room at the Duxbury Town Hall.

**Members Present:** Tom Gill, Vice-Chair; Sam Butcher; Robb D'Ambruoso; Mickey McGonagle; Scott Zoltowski

**Members Absent:** Corey Wisneski; Holly Morris

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

The meeting was called to order at 7:00 pm.

### **PUBLIC HEARING; CAFFREY; 208 MYRTLE STREET; ANRAD SE18-1815**

Jonathan Caffrey, the landowner, and Nate Poplovski, contractor, were present. Mr. Caffrey asked for approval of the delineation on the plan. Joe Grady suggested the Commission hire a peer review consultant, and recommended hiring Nover-Armstrong Associates to review the flagging and location of wetland resource areas. Joe Grady also pointed out that the submitted plan was not stamped and he had notified the applicant, and the plan was then signed by an engineer but he wants a land surveyor's stamp. Joe Grady provided a proposal he had solicited from Nover-Armstrong to do this peer review.

A neighbor, Leo Kearney of 228 Myrtle Street and Richard Vakel (spelling unknown) who lives nearby asked for an explanation of what the project is. Sam Butcher explained that an ANRAD is to confirm wetlands lines on a plan, and that to do any actual project the applicant will have to file again. Tom Gill asked if any work was being proposed on the second lot and the applicant said no.

On a motion by Tom Gill seconded by Scott Zoltowski, it was voted 5-0-0 to continue the hearing for SE18-1815 until July 10 at 7:10 pm and to hire Nover-Armstrong as the peer review consultant for this project.

### **PUBLIC HEARING; DUXBURY CONSTRUCTION LLC; 196 MARSHALL STREET; SEAWALL & SALT MARSH REVEGETATION SE18-1816**

Freeman Boynton Jr. described the project. There has been extensive damage during the past season's storms, and two sections of the bank have been ripped out resulting in a dangerous sheer drop off. The project is to do grading and lay fabric, and then build a seawall. The salt marsh will be covered with 6" of sand to protect it as there is no other access to the area. When the project is done the phragmites will be professionally removed and then the salt marsh will be replanted. There will also be some plantings above the seawall.

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

Joe Grady said there are two areas here that are severely eroded; at the south end the water overtopped the wall and eroded the bank out. A wall is needed here. Robb D'Ambruoso asked if there is a good possibility that the salt marsh can be re-established, and Joe Grady said he thinks there is a good possibility especially if phragmites are eliminated. Freeman Boynton said he met with the neighbor and he approves of the work and will write a letter stating his support for the project.

On a motion by Sam Butcher, seconded by Scott Zoltowski, it was voted 5-0-0 to write Orders of Conditions for SE18-1816, 196 Marshall Street.

**PUBLIC MEETING PATTERSON; 21 RIVER LANE; PIER REPAIR**

Paul Brogna, representing the property owner, described the project which is to repair an existing pier. The piles will be straightened and re-bolting and the existing walkway and platform will be realigned. The walkway will be re-decked with 1' spacing for sunlight and the first 3' of the walkway will be replaced. There will be no change to the footprint of the pier and all work will be done by hand.

On a motion by Sam Butcher, seconded by Robb D'Ambruoso, the Commission voted a Negative Determination such that a Notice of Intent is not required for the project at 21 River Lane by a vote of 5-0-0.

**PUBLIC MEETING; O'DONNELL; 33 OCEAN ROAD N; DECK AND PILING REPLACEMENT**

Joe Grady described the project because the applicant was unable to attend the meeting. This project is to replace a deck on a seawall that was washed away in the storms. The deck will be downsized from 10' x 20' to 8' x 20'. The decks will be reinstalled on piles.

On a motion by Scott Zoltowski, seconded by Sam Butcher, the Commission voted a Negative Determination such that no Notice of Intent is required for the project at 33 Ocean Road N by a vote of 5-0-0.

**PUBLIC MEETING; ART COMPLEX MUSEUM; 189 ALDEN STREET; REMOVE ORGANIC MATTER FROM POND**

Dana Dupree, representing the contractor, Nava and Sons, described the project which is to remove leaf litter and sediment from a pond and replace a fountain. They also want to straighten out the rocks around the pond so people can sit on them. Sam Butcher asked if it is a manmade pond and Mr. Dupree said yes, it is a manmade pond surrounded by a lawn. Scott Zoltowski asked what volume of material would be removed and Mr. Dupree said he thought a few truckloads. Tom Gill asked if the fountain will be new and was told it would be new and that the electric service is already there.

On a motion by Sam Butcher, seconded by Robb D'Ambruoso, a Negative Determination was voted by a vote of 5-0-0 so that a Notice of Intent is not required for the project at 189 Alden Street.

## **ADMINISTRATIVE MATTERS**

### **CERTIFICATES OF COMPLIANCE**

**SE18-1781; 52 Bay Road:** Joe Grady reported that this project is complete, all required documentation has been received, and it complies with the Orders of Conditions and he recommends Certificates of Compliance for this project. On a motion by Scott Zoltowski, seconded by Sam Butcher, it was voted 5-0-0 to issue Certificates of Compliance for SE18-1781, 52 Bay Road.

**SE18-1471; 15 Quail Run:** Joe Grady reported that there are issues with a patio that was added beyond the allowable coverage limit for this project and recommends no action be taken at this time.

**SE18-1664; 53 Ocean Road N:** Joe Grady reported that this project does not comply with the Orders of Conditions, in particular a deck that was constructed closer to the resource area and larger than permitted; no expansion is allowed in V-zone. On the street side, the house and deck were expanded. The applicant has requested to come in and speak to the Commission and this will be scheduled at an upcoming meeting.

### **DISCUSSION: STORMSMART COASTS REPORT**

Mickey McGonagle requested this be added to the agenda. He said many requests for seawalls are coming before the Commission, and the cause of many of the issues is climate change, and he suggests the Commission refer people to the appropriate information in the StormSmart Coasts Report.

### **MEMBERS WITH EXPIRING TERMS**

Robb D'Ambruoso and Mickey McGonagle have terms that expire in June; if they wish to be reappointed for another term they can let Joe Grady know and he will pass the information on to the Selectmen's office.

### **CONSRVATION FUND VOTE**

Joe Grady reported that the weed harvester is broken; it is 19 years old. He is seeking funds to repair it. Robb D'Ambruoso made a motion to approve the expenditure of up to \$2,000 from the Conservation Fund to repair the Conservation Department's weed harvester. The motion was seconded by Scott Zoltowski and the motion was approved by a vote of 5-0-0.

**Adjournment:** On a motion by Tom Gill, seconded by Robb D'Ambruoso, it was voted 5-0-0 to adjourn the meeting at 7:52 pm.

### **MATERIALS REVIEWED AT THE MEETING**

NOI materials for SE18-1815; SE18-1816

RDA Materials for 21 River Lane; 33 Ocean Road N; 189 Alden Street