



Town of Duxbury Conservation Commission

Minutes of July 11, 2017

The Conservation Commission met on Tuesday, July 11, 2017 at 7:00 PM in the Mural Room at the Duxbury Town Hall.

Members Present: Chairman Corey Wisneski; Robb D'Ambruoso; Mickey McGonagle; Holly Morris

Members Absent: Sam Butcher; Tom Gill; Scott Zoltowski

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

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

**PUBLIC HEARING; DUXBURY CONSTRUCTION LLC; 290 POWDER POINT AVE;
RELOCATE BOATHOUSE AND CONSTRUCT NEW SEAWALL
SE18-177?**

After opening the hearing, Chairman Wisneski explained that the Department of Environmental Protection (DEP) has not assigned this project a file number because of an issue with the fee payment by the applicant, so the hearing will be continued.

On a motion by Corey Wisneski, seconded by Holly Morris, it was voted 4-0-0 to continue the hearing for 290 Powder Point Ave until July 25 at 7:10 p.m.

**PUBLIC HEARING; DIAMOND SINACORI LLC; 0, 397, 401, 405 WASHINGTON STREET;
RESIDENTIAL SUBDIVISION
SE18-1774**

Bob Galvin, attorney representing Diamond Sinacori, Brad McKenzie, project engineer, and Brad Holmes, wetland scientist were present to present the project. This is an 8 lot subdivision of the former Battelle property, with most of the site out of the jurisdiction of the Conservation Commission. Brad McKenzie said it is approximately 10 acres in size, with 2.6 acres of impervious coverage. Of the existing 13 buildings, 3 will remain, the 2 houses on Washington Street and the boathouse near the water. The wetlands have been delineated by Brad Holmes; resource areas present are Bordering Land Subject to Flooding, Coastal Dune, Bordering Vegetated Wetlands, and Land Subject to Coastal Storm Flowage. The roadway and stormwater management system is not in the jurisdiction of the Conservation Commission; portions of 6 houses are in the Commission's jurisdiction; 2 in the 100 foot buffer and some in land subject to coastal storm flowage. Mr. McKenzie said that the project complies with all regulations.

Mr. McKenzie said that 100% of stormwater is retained on site and the volume from the road and lots will infiltrate into the ground under the cul-de-sac. Many structures on the site will be razed and the septic systems abandoned. The proposed stormwater management will be an improvement because there is presently no treatment for any runoff. With this design, stormwater will be captured, pretreated and then will infiltrate to the ground. There will be private

on-site septic systems and underground utilities. There is an existing 2.6 acres of impervious coverage at the entire site and after development there will be 1.6 acres. Under Section 23.4 of the Bylaw the maximum allowed coverage is 15%; the site is currently at 17-18% and the proposed coverage is 9%. The 100-foot buffer calculations are in the NOI narrative.

Mr. McKenzie said there will be vista pruning and restoration of the BVW by removing invasive species. Corey Wisneski asked if there was a plan to change the dock or jetty and Brad McKenzie said no changes are proposed as part of this filing.

Joe Grady said the Conservation Commission is coordinating their review with the Planning Board who are using Amory Engineering. A review letter was received yesterday but the Commissioners did not yet get copies of it. He suggests continuing the hearing in order to give time to read the Amory review and respond. Joe Grady will be meeting with Patrick Brennan of Amory Engineering on site next week.

Brad McKenzie asked if the wetland line will be reviewed. Joe Grady replied that it would, he has questions about the drainage area and whether the pond on site is bordering vegetated wetlands or a stormwater pond. Brad Holmes asked if he could walk the property with Mr. Grady and Mr. Brennan; Brad McKenzie asked to be included as well. Attorney Robert Galvin indicated he needs to inform Battelle that Joe Grady and the others will be on the property and Joe Grady suggested he let them know he will be walking the site.

On a motion by Corey Wisneski, seconded by Holly Morris, it was voted 4-0-0 to continue the hearing for SE18-1774 until July 25 at 7:20 pm.

CONTINUED PUBLIC HEARING; BALDWIN; NORTH ST. & KEENE ST.; SINGLE FAMILY HOME

SE18-1763

Corey Wisneski reported that the consultant has not had time to review the project. On a motion by Corey Wisneski, seconded by Robb D'Ambruoso, it was voted 4-0-0 to continue the public hearing for SE18-1773, North & Keene Street, until July 25 at 7:25 pm.

PUBLIC HEARING; PAUL HARRINGTON; 1161 TREMONT STREET; SINGLE FAMILY HOME, SEWAGE SYSTEM, GRADING AND UTILITIES

SE18-1775

Richard Savant of Stenbeck and Taylor described the project. This is a vacant lot on the east side of Tremont Street with a proposed house with the septic system in front. Proposed impervious coverage in the buffer zone is 1410 square feet with 200 square feet proposed for a future pool which is 3.1% impervious coverage in the buffer zone. The house would be 78 feet from the wetlands at the closest point. An ANRAD at this site was approved in 2015 and this has been approved through the Planning Board. Joe Grady said this project meets the Commission's regulations.

Susan Knies, a neighbor at 1174 Tremont Street, said the land drops down steeply and she wanted to know how the property would be graded without impacting the pond and wildlife and trees. Rick Savant replied that the area where the house is proposed is high and they are not disturbing the area where it drops off although there will be some grading and tree clearing. Corey Wisneski said there is a minimal amount of work proposed within 75 feet of the wetlands. Ben Goodrich of 12 A Strawberry Lane asked what an Abbreviated Notice of Resource Area

Delineation (ANRAD) is. Joe Grady explained it is a formal approval of the wetland delineation. A neighbor asked if it was taken into account that the ANDRAD was done during a drought; Joe Grady explained that it is based on vegetation and soils and hydric conditions (signs of high water), and the wetlands can be determined all year. In response to questions about which trees will be taken down, Rick Savant said the limit of work line will be marked and then it will be possible to see which trees will be taken down.

On a motion by Corey Wisneski, seconded by Holly Morris, it was voted 4-0-0 to write Orders of Conditions for SE18-1775, 1161 Tremont Street.

ADMINISTRATIVE MATTERS

MINUTES: On a motion by Corey Wisneski, seconded by Holly Morris, it was voted 4-0-0 to approve the minutes of May 9, 2017 as written.

CERTIFICATES OF COMPLIANCE:

SE18-852; 50 Elder Brewster Road. Joe Grady reported that this project was a septic system. He has inspected the site, has all required documentation and plans and he recommends issuing Certificates of Compliance for SE18-852. On a motion by Corey Wisneski, seconded by Holly Morris, it was voted 4-0-0 to issue Certificates of Compliance for SE18-852, 50 Elder Brewster Road.

MACC ALERT: Joe Grady brought to the Commission's attention that the Mass Association of Conservation Commissions (MACC) has issued an alert about a bill filed that affects local wetlands bylaws. After discussion it was decided that Joe Grady will call Josh Cutler and share the Commission's concerns with these proposed regulations and a letter from the Commission will be prepared.

EXECUTIVE SESSION:

Robb D'Ambruoso made the following motion: I move we go into Executive Session to discuss strategy with respect to litigation where an open meeting may have a detrimental effect on the litigating position of the governmental body and to reconvene in open session in accordance with MGL C.39, Section 23B, Subsection 3 to adjourn. The motion was seconded by Holly Morris. Roll call vote: Corey Wisneski, yes; Robb D'Ambruoso, yes; Mickey McGonagle, yes; Holly Morris, yes. The motion passed by a vote of 4-0-0.

Adjournment: On a motion by Corey Wisneski, seconded by Robb D'Ambruoso, it was voted 4-0-0 to adjourn the meeting at 8:30 p.m.

MATERIALS REVIEWED AT THE MEETING

NOI materials for SE18-1774; SE18-1775

Draft minutes of May 9, s017