



Town of Duxbury Conservation Commission

Minutes of August 14, 2018

The Conservation Commission met on Tuesday, August 14, 2018 at 7:00 PM in the Mural Room at the Duxbury Town Hall.

Members Present: Corey Wisneski, Chair; Robb D'Ambruoso (arrives 7:04); Tom Gill; Mickey McGonagle; Holly Morris;

Members Absent: Sam Butcher; Scott Zoltowski

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

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

COMMITTEE REORGANIZATION

The floor was opened to nominations for Chairman. Mickey McGonagle nominated Corey Wisneski to be Chair. There were no further nominations. The nomination was seconded by Holly Morris, and Corey Wisneski was elected Chairman by a vote of 4-0-0.

Robb D'Ambruoso was nominated by Corey Wisneski to be Vice-Chairman; there were no further nominations. The nomination was seconded by Mickey McGonagle and Robb D'Ambruoso was elected Vice-Chairman by a vote of 4-0-0.

PUBLIC MEETING; BOWEN, TRUSTEE; 48 RUSSEL ROAD; EARTHEN BULKHEAD

Paul Brogna of Seacoast Engineering explained that damage has been done to the earthen bulkhead at this location due to storms and normal deterioration. The project is to repair the last 30' of the bulkhead with all the work to be done from the upland. Grass will be removed, the rods and timbers will be replaced, and the bulkhead will be returned to the same condition with grass planted on it. All materials will be stored in an upland area. Corey Wisneski asked how long the project will take, and Mr. Brogna said about 2 weeks.

On a motion by Tom Gill, seconded by Robb D'Ambruoso, it was voted 5-0-0 to issue a Negative Determination such that no Notice of Intent is required for the earthen bulkhead repair at 48 Russel Road.

PUBLIC MEETING; ULICH & BRITT; 282 KING CAESAR ROAD; ADDITION, SEPTIC UPGRADE, GRADING, UTILITIES, LANDSCAPING

Mark Casey of South Shore Survey Consultants described the project which is an addition, septic upgrade, grading and utilities. The house and existing garage are very low and had a lot of flooding during recent storms. The house will be raised so the first floor is at elevation 13.8 and the top of the foundation is 12.5; the garage slab will be at elevation 11.3. The septic tank and pump chamber will be removed while the SAS will remain. A retaining wall at the end of the lawn with drainage is being constructed; permission has been obtained from the neighbors to

grade on their land. The entire property is in a flood zone in an area subject to coastal storm flowage.

Holly Morris asked if there will be changes to the slope of the yard facing the water as the elevation changes; Mark Casey said it will be less steep and there will be no increase in storm runoff. Robb D'Ambruoso asked about the lawn drain and how well it will work; Mark Casey said it is perforated pipe set in stone.

Sean Riley of Coastal Engineering, representing the neighboring property, said this property will now be the lowest point in the neighborhood and they want to fill the low point and remove the retaining wall and grade out to the street. They want to work with their neighbor. Joe Grady asked about the square footage they are talking about and Mr. Riley said about 50'x50' or 50'x60' to regrade. He is concerned that with a wall in front, the overwash will not be able to get out and you can end up with a higher elevation behind the wall than the ocean itself. Mark Casey thinks his client would approve having less wall.

The neighbor at 270 King Caesar Road said he wants the neighbors to pay for the work on his property to add fill and replace plantings and the sprinkler system. Robb D'Ambruoso said it is beyond the Commission's scope to require that, this is an issue between the neighbors, but perhaps a second RDA should be filed for the neighboring property. Mark Casey requested that the RDA for 282 King Caesar Road be addressed tonight; Mr. Riley said the work at the neighboring property can be addressed through another RDA or through a field change; Corey Wisneski said field changes do not leave an adequate paper trail.

On a motion by Corey Wisneski, seconded by Tom Gill, the Commission voted 5-0-0 to issue a Negative Determination such that a Notice of Intent is not required for the proposed work at 282 King Caesar Road.

ADMINISTRATIVE MATTERS

MINUTES:

January 23, 2018, Executive Session: On a motion by Holly Morris, seconded by Tom Gill, the Executive Session minutes of January 23, 2018 were approved by a vote of 5-0-0 as written.

February 6, 2018, Executive Session: On a motion by Corey Wisneski, seconded by Holly Morris, the Executive Session minutes of February 6, 2018 were approved by a vote of 5-0-0 as written.

February 6, 2018: On a motion by Holly Morris, seconded by Robb D'Ambruoso, the minutes of February 6, 2018 were approved by a vote of 5-0-0 as written.

February 27, 2018: On a motion by Holly Morris, seconded by Tom Gill, the minutes of February 27, 2018 were approved by a vote of 5-0-0 as written.

March 20, 2018: On a motion by Holly Morris, seconded by Tom Gill, the minutes of March 20, 2018 were approved by a vote of 5-0-0 as written.

April 10, 2018: On a motion by Robb D'Ambruoso, seconded by Corey Wisneski, the minutes of April 10, 2018 were approved by a vote of 5-0-0 as written.

April 24, 2018: On a motion by Corey Wisneski, seconded by Tom Gill, the minutes of April 24, 2018 were approved by a vote of 5-0-0 as written.

CERTIFICATES OF COMPLIANCE:

SE18-1782; 994 Union Street: Joe Grady reported that he has inspected the site and all required documentation has been received and the project conforms to the Orders of Conditions and he recommends Certificates of Compliance be issued. On a motion by Holly Morris, seconded by Tom Gill, it was voted 5-0-0 to issue Certificates of Compliance for SE18-1782, 994 Union Street.

SE18-1650; 35 Bradford Road: Joe Grady reported that partial Certificates of Compliance have been issued for this project, the only outstanding issue was to allow the vegetation to regrow which it now has, and he recommends issuing Certificates of Compliance. On a motion by Tom Gill, seconded by Holly Morris, it was voted 5-0-0 to issue Certificates of Compliance for SE18-1650, 35 Bradford Road.

SE18-1768; 133 Washington Street: Joe Grady reported that he has inspected the site and all required documentation has been received and the project conforms to the Orders of Conditions and he recommends Certificates of Compliance be issued. On a motion by Tom Gill, seconded by Holly Morris, it was voted 5-0-0 to issue Certificates of Compliance for SE18-1768, 133 Washington Street.

SE18-669; 74 Bay Road: Joe Grady reported that this project was for some farm work many years ago and he recommends the Commission issue Certificates of Compliance. On a motion by Tom Gill, seconded by Robb D'Ambruoso, it was voted 5-0-0 to issue Certificates of Compliance for SE18-669, 74 Bay Road.

SE18-1581; 9 Landing Road: Joe Grady reported that he has inspected the site and all required documentation has been received and the project conforms to the Orders of Conditions and he recommends Certificates of Compliance be issued. On a motion by Corey Wisneski, seconded by Holly Morris, it was voted 5-0-0 to issue Certificates of Compliance for SE18-1581, 9 Landing Road.

COMMISSION FIVE-YEAR PLAN: UPDATE

Corey Wisneski said there is nothing to update at this time.

REQUEST TO ALLOW HUNTING NEAR WRIGHT RESERVOIR

Resident Peter Prime wrote a letter to the Commission asking to open an 81-acre parcel bought in 2015 by the Town to bow hunting for deer. Mr. Prime said it is a large property and walkers tend to stay near the power lines. Joe Grady said there are currently no plans for trails in the immediate vicinity of this parcel. He said deer hunting is allowed on 950 acres of Conservation land and there have been no conflicts; the only ongoing problem is that people leave tree stands in trees and are supposed to take them down. Mickey McGonagle said he supports hunting to control the population of deer. Corey Wisneski suggested the Commission vote to allow this now but reserve the right to revisit it in the future.

On a motion by Corey Wisneski, seconded by Mickey McGonagle, it was voted 5-0-0 to permit bow hunting for deer near the Wright Reservoir with the understanding that this may be revisited in the future.

RIGHT OF FIRST REFUSAL; 74 BAY ROAD

Joe Grady reported that the Commission has previously voted to recommend to the Selectmen that they do not exercise the ROFR for this property for Open Space purposes. That purchase did not go through so there is a new Purchase & Sale agreement so the Commission needs to vote this again.

Robb D'Ambruoso made the following motion:

That the Conservation Commission recommends to the Board of Selectmen that they do not exercise the Right of First Refusal for open space purposes for the land at 74 Bay Road shown on a plan entitled 'ANR Plan of Land at 74 Bay Road, MA' (Exhibit A-1 to the August 1, 2018 notification letter) by South Shore Survey Consultants, Inc. The motion was seconded by Tom Gill and 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 7:45 pm.

MATERIALS REVIEWED AT THE MEETING

RDA Application materials for 48 Russel Road and 282 King Caesar Road

Purchase and Sale Agreement for 74 Bay Road

Letter from Peter Prime dated 4/13/18 requesting permission to hunt at the Wright Reservoir land