

Approved November 2, 2021



# Town of Duxbury Conservation Commission

Minutes of October 19, 2021

TOWN CLERK  
2021 NOV 19 AM 11:44  
DUXBURY, MASS.

The Duxbury Conservation Commission met on Tuesday, October 19, 2021 at 7:00 p.m. via remote Zoom videoconferencing.

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

**Members Absent:** None

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

Meeting was called to order by Chair, Robb D'Ambruoso at 7:03 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. c. 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.

## **PUBLIC HEARING; CHARLES HUSK; 160 MARSHALL STREET; DECK (after the fact) SE18-1978**

Robb D'Ambruoso read the SE18-1978 Legal Notice and asked if a representative for the applicant was present. No representative was present. Joe Grady summarized the Commission's two recent site visits to the project noting the deck, constructed on sonotubes, is located on the Coastal Bank, appears to be in the Velocity Zone, and is not 35 ft. from a tidal flat. The project, therefore, does not meet the Duxbury Wetland Bylaw Rules and Regulations. Discussion followed on the Commission's authority and the long violation history of this applicant.

Sam Butcher made a motion, seconded by Tom Gill, to deny the SE18-1978 Notice of Intent and require the deck's removal from its current location to an area outside any Wetland Resource Area Buffer Zone within 21 days. Motion passed unanimously on a roll call vote: Sam Butcher, yes; Tom Gill, yes; Mickey McGonagle, yes; Holly Morris, yes; Corey Wisneski, yes; Scott Zoltowski, yes; and Robb D'Ambruoso, yes.

Motion carried 7 – 0.

## **PUBLIC HEARING; COREY/DUXBURY CONSTRUCTION; 32 LINDEN LANE; PIER WITH STAIRS, GANGWAY AND FLOAT**

**SE18-1979.** Robb D'Ambruoso read the SE18-1979 Legal Notice. Because of a publishing error, the Legal Notice for this project must be readvertised and the Public Hearing continued to November 2, 2021 at 7:15 p.m.

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The mission of the Town of Duxbury is to deliver excellent services to the community in the most fiscally responsible and innovative manner while endeavoring to broaden our sense of community and preserve the unique character of our town.

Scott Zoltowski made a motion, seconded by Holly Morris, to continue the Public Hearing for SE18-1979 until November 2, 2021 at 7:15 p.m. Motion passed unanimously on a roll call vote: Sam Butcher, yes; Tom Gill, yes; Mickey McGonagle, yes; Holly Morris, yes; Corey Wisneski, yes; Scott Zoltowski, yes; and Robb D'Ambruoso, yes.

Motion carried 7 – 0.

#### **ADMINISTRATIVE MATTERS:**

##### **Minutes for Approval:**

##### **Regular Session: October 5, 2021**

Sam Butcher made a motion, seconded by Tom Gill, to approval the minutes of October 5, 2021. Motion passed unanimously on a roll call vote: Sam Butcher, yes; Tom Gill, yes; Mickey McGonagle, yes; Holly Morris, yes; Corey Wisneski, yes; Scott Zoltowski, yes; and Robb D'Ambruoso, yes.

Motion carried 7 – 0.

##### **Certificates of Compliance:**

- **SE18-1963; Leach/South River Environmental; 10 Pine Point Place; landscaping.** Joe Grady reported the project is not ready for a Certificate of Compliance. He requested further information from the project engineer and asked the Commission to postpone their vote on SE18-1963. The Commission agreed.
- **SE18-1866 McGrath/Grady Consulting; 16 Pine Point Road; single family home.** Joe Grady reported the project complies with the Order of Conditions, he has inspected the property and he has an As-Built Plan. He recommended the Commission issue a Certificate of Compliance.

Corey Wisneski made a motion, seconded by Tom Gill, to issue a Certificate of Compliance for SE18-1866. Motion passed unanimously on a roll call vote: Sam Butcher, yes; Tom Gill, yes; Mickey McGonagle, yes; Holly Morris, yes; Corey Wisneski, yes; Scott Zoltowski, yes; and Robb D'Ambruoso, yes.

Motion carried 7 – 0.

##### **Property Donation by Edward and Karen Pallis**

The Pallis Family is donating two parcels of salt marsh off Gurnet Road. The Conservation Commission must vote to accept the gift, then the Selectboard will vote to accept the gift on behalf of the Town.

Scott Zoltowski made a motion, seconded by Holly Morris, to accept the gift of two salt marsh parcels from Edward and Karen Pallis. Motion passed unanimously on a roll call vote: Sam Butcher, yes; Tom Gill, yes; Mickey McGonagle, yes; Holly Morris, yes; Corey Wisneski, yes; Scott Zoltowski, yes; and Robb D'Ambruoso, yes.

Motion carried 7 – 0.

**Meeting Schedule for 2022**

The 2022 Meeting schedule was distributed to Commissioners. There were no questions regarding the schedule.

**Special Town Meeting, November 8, 2021 at 7:00 p.m. Update**

There are five Special Town Meeting articles:

- Article 1 is the purchased of 64.7 acres of Pink Family land off Old Cordwood Path. The property contains 27.57 acres of working cranberry bogs. The property "Open House" last Sunday, October 17, 2021 was well attended. The Pink Family was harvesting cranberries during the "Open House". Another "Open House" is scheduled for Saturday, October 24, 2021 at 1p.m. It is important to get everyone out to vote "yes" on Article 1.
- Articles, 2,3, and 4 are town business articles.
- Article 5 is a Citizens Petition to halt tree clearing on the town-owned Delorenzo property. The property is being prepared for farming. A "No" vote is required to continue the land preparation. The Selectboard and Finance Committee have both voted not to support the petition. Joe Grady reviewed the presentations and discussion at last night's (October 18, 2021) Selectboard meeting.

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

Motion carried 7 – 0.

**Next Meeting:** The next meeting of the Conservation Commission is scheduled for Tuesday, November 2, 2021 at 7:00 p.m.