



Approved August 10, 2021

Town of Duxbury
Conservation Commission

TOWN CLERK
2021 AUG 24 PM 12:06
DUXBURY, MASS.

Minutes of July 27, 2021

The Duxbury Conservation Commission met on Tuesday, July 27, 2021 at 7:00 p.m. via remote Zoom videoconferencing.

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

Members Absent: None

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

Meeting was called to order by Chair, Corey Wisneski at 7:00 p.m.

Ms. Wisneski 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.

ADMINISTRATIVE MATTERS:

Minutes for Approval:

Regular Session: July 13, 2021. Scott Zoltowski made a motion, seconded by Holly Morris, to approved the July 13, 2021 Regular Session minutes. Motion passed unanimously on a roll call vote: Sam Butcher, yes; Robb D'Ambruoso, yes; Tom Gill, yes; Mickey McGonagle, yes; Holly Morris, yes; Scott Zoltowski, yes; and Corey Wisneski, yes. Motion carried 7 – 0.

Certificates of Compliance:

SE18-1899; 195 King Caesar Road; seawall

Joe Grady reported the seawall conforms to the Order of Conditions, he has received an As-Built Plan, the area is stabilized and he recommended the Commission issue a Certificate of Compliance.

Sam Butcher made a motion, seconded by Robb D'Ambruoso, to issue a Certificate of Compliance for SE18-1899. Motion passed unanimously on a roll call vote: Sam Butcher, yes; Robb D'Ambruoso, yes; Tom Gill, yes; Mickey McGonagle, yes; Holly Morris, yes; Scott Zoltowski, yes; and Corey Wisneski, yes. Motion carried 7 – 0.

SE18-1446; 6 Saw Mill Road (Lot T); Duxbury Farms; Partial COC

Joe Grady reported the Title for 6 Saw Mill Road (Lot T of the Duxbury Farms subdivision) became linked to the subdivision's Order of Conditions which do not

apply to this lot. He, therefore, recommended issuing a Partial Certificate of Compliance for SE18-1446, releasing this lot.

Robb D'Ambruoso made a motion, seconded by Tom Gill, to issue a Partial Certificate of Compliance for SE18-1446. Motion passed unanimously on a roll call vote: Sam Butcher, yes; Robb D'Ambruoso, yes; Tom Gill, yes; Mickey McGonagle, yes; Holly Morris, yes; Scott Zoltowski, yes; and Corey Wisneski, yes. Motion carried 7 – 0.

SE18-1315; 6 Saw Mill Road (Lot T); Duxbury Farms; Restoration Plan; Partial COC

Similar to the above Partial Certificate of Compliance, Joe Grady reported this Order of Conditions for the Duxbury Farms subdivision roadway and drainage does not apply to 6 Saw Mill Road (Lot T) and he recommended issuing a Partial Certificate of Compliance.

Robb D'Ambruoso made a motion, seconded by Sam Butcher, to issue a Partial Certificate of Compliance for SE18-1315. Motion passed unanimously on a roll call vote: Sam Butcher, yes; Robb D'Ambruoso, yes; Tom Gill, yes; Mickey McGonagle, yes; Holly Morris, yes; Scott Zoltowski, yes; and Corey Wisneski, yes. Motion carried 7 – 0.

CONTINUED PUBLIC HEARING; STENBECK & TAYLOR; 0 MAYFLOWER STREET; SINGLE FAMILY HOME & SEPTIC SYSTEM

SE 18-1911

The applicant has requested the project be withdrawn. Joe Grady stated the Commission must accept the withdrawal.

Robb D'Ambruoso made a motion, seconded by Sam Butcher, to accept the withdrawal of SE18-1911. Motion passed unanimously on a roll call vote: Sam Butcher, yes; Robb D'Ambruoso, yes; Tom Gill, yes; Mickey McGonagle, yes; Holly Morris, yes; Scott Zoltowski, yes; and Corey Wisneski, yes. Motion carried 7 – 0.

PUBLIC HEARING; UPHAM/DUXBURY CONSTRUCTION LLC; ABRAMS HILL; DEMOLISH/REBUILD SINGLE FAMILY HOME

SE18-1970

Corey Wisneski read the Public Hearing Legal Notice. Freeman Boynton, Duxbury Construction, LLC, presented the project for owner, Noah Upham, who was present. Project consists of demolishing the existing house, rebuilding a larger new house with a 35 ft "balcony on piers", a sport court, a driveway and associated landscaping. The house is located at the top of a Coastal Bank and within the Buffer Zone to a saltmarsh. Impervious lot coverage in the Buffer Zone will increase to 14.99% (15% is the maximum allowed). Commissioners requested that before the sport court is built, the impervious lot coverage be calculated and certified to avoid any errors in the finished impervious lot coverage. Joe Grady discussed the Rules and Regulations for a nonerodable Coastal Bank. An abutter asked if the sport court would have lights, the owner replied, "No". A number of trees will be removed for access to the building site and for safety reasons, according to the owner. Stormwater runoff from the roof and driveway will be directed to an on-site drainage system with galleys to collect the runoff.

Sam Butcher made a motion, seconded by Tom Gill, to close the Public Hearing and write Orders of Conditions for SE18-1970 with the stipulations that (1) a certified plan of impervious coverage be provided to the Conservation Office prior to construction of the sport court and (2) gutter and downspouts be installed according to the Plan of Record. Motion passed unanimously on a roll call vote: Sam Butcher, yes; Robb D'Ambruoso, yes; Tom Gill, yes; Mickey McGonagle, yes; Holly Morris, yes; Scott Zoltowski, yes; and Corey Wisneski, yes. Motion carried 7 – 0.

PUBLIC MEETING; BALDWIN/SOUTH SHORE SURVEY CONSULTANTS; 0 ELM STREET (LOT 2C); DRIVEWAY

Corey Wisneski read the Public Meeting Legal Notice. Mark Casey, South Shore Survey, presented the project for driveway grading within a Buffer Zone to a Bordering Vegetated Wetland located across the street from the work site. There will be no work within the 200 ft. Riverfront Area. Joe Grady requested the proponents implement erosion control measures to keep sediment off Elm Street and that the Commission issue a Negative Determination.

Scott Zoltowski made a motion, seconded by Robb D'Ambruoso, to close the Public Meeting and to issue a Negative Determination of Applicability with erosion control measures. Motion passed unanimously on a roll call vote: Sam Butcher, yes; Robb D'Ambruoso, yes; Tom Gill, yes; Mickey McGonagle, yes; Holly Morris, yes; Scott Zoltowski, yes; and Corey Wisneski, yes. Motion carried 7 – 0.

PUBLIC HEARING; KENT/MERRILL ENGINEERS; 433-447 WASHINGTON STREET; DEMOLISH/REBUILD GARAGE BAYS SE18- (Waiting for DEP file number)

Corey Wisneski read the Legal Notice for the 433-447 Washington Street project. Deb Keller, Merrill Engineers and Land Surveyors, presented the project for BaySide Marine, owners of the property. The project consists of demolishing an existing seven bay repair shop and raising and rebuilding a five bay repair shop in a new location further from the Resource Area. A new improved drainage system with water quality swales, including a graded perimeter swale, will be built to mitigate runoff. Lot coverage in the Buffer Zone will be reduced from 17.8% to 15.3%. Snug Harbor Drive and new sidewalks will be paved. Paul Brogna, Seacoast Engineering, representing abutter, Mr. Krugger, stated the property owners are working together to mitigate stormwater problems in the area and Mr. Krugger supports the proposed project at BaySide Marine.

Because no DEP file number has been issued, Holly Morris made a motion, seconded by Sam Butcher to continue the Public Hearing to August 10, 2021 at 7:15 p.m. Motion passed unanimously on a roll call vote: Sam Butcher, yes; Robb D'Ambruoso, yes; Tom Gill, yes; Mickey McGonagle, yes; Holly Morris, yes; Scott Zoltowski, yes; and Corey Wisneski, yes. Motion carried 7 – 0.

REQUEST FOR AMENDMENT TO OOC; SAVARD/MCKENZIE ENGINEERING; 5 EVERGREEN TERRACE (LOT A); ADDITION OF POOL AND PATIO SE18-1921

Corey Wisneski read the Legal Notice for the Request for an Order of Conditions Amendment. Joe Grady reported project abutters had not been properly notified and he recommended the Order of Conditions Amendment request be continued to August 10, 2021 at 7:10 p.m.

Tom Gill made a motion, seconded by Sam Butcher, to continue the SE18-1921 Order of Conditions Request for Amendment to August 10, 2021 at 7:10 p.m. Motion passed unanimously on a roll call vote: Sam Butcher, yes; Robb D'Ambruoso, yes; Tom Gill, yes; Mickey McGonagle, yes; Holly Morris, yes; Scott Zoltowski, yes; and Corey Wisneski, yes. Motion carried 7 – 0.

CONSERVATION COMMISSION REORGANIZATION

Corey Wisneski, after seven years as the Conservation Commission Chairperson, asked if Vice-Chair Robb D'Ambruoso would move into the Chair position. Acknowledging Ms. Wisneski's excellent work, he agreed to become the new Conservation Commission Chair. It was suggested Scott Zoltowski become the new Vice-Chair, but since he had left the meeting, his election was tabled to a later date.

Tom Gill made a motion, seconded by Sam Butcher to nominate Robb D'Ambruoso as Chair of the Conservation Commission. Motion passed unanimously on a roll call vote: Sam Butcher, yes; Robb D'Ambruoso, yes; Tom Gill, yes; Mickey McGonagle, yes; Holly Morris, yes; and Corey Wisneski, yes. Motion carried 6 – 0.

Discussion followed on whether to continue the Commission meetings remotely or in person. Following the discussion, it was decided to stay with remote Zoom meetings for the time being.

Adjournment: Tom Gill made a motion, seconded by Robb D'Ambruoso, to adjourn the meeting at 8:10 p.m. Motion passed unanimously on a roll call vote: Sam Butcher, "Thank you, Corey"; Robb D'Ambruoso, "Thank you, Corey"; Tom Gill, "Thank you, Corey"; Mickey McGonagle, "Thank you, Corey"; Holly Morris, "Thank you, Corey"; and Corey Wisneski, "Thank you". Motion carried 6 – 0.

Next Meeting: The next meeting of the Conservation Commission is scheduled for Tuesday, August 10, 2021 at 7:00 p.m.