



# Town of Duxbury Conservation Commission

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DUXBURY, MASS.

## Minutes of September 11, 2018

The Conservation Commission met on Tuesday, September 11, 2018 at 7:00 PM in the Mural Room at the Duxbury Town Hall.

**Members Present:** Corey Wisneski, Chair; Sam Butcher; Robb D'Ambruoso; Mickey McGonagle; Holly Morris; Scott Zoltowski

**Members Absent:** Tom Gill

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

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

### **PUBLIC MEETING; DOLES; 15 PRISCILLA AVE; DECK**

Wanda Doles, the property owner, described the project which is to extend her rear deck out 14 inches. There will be no new footings. There will be a stairway from the deck. Joe Grady added that coverage will be 12% after the project, the current work adds 45 square feet from the previous filing. The project is beyond the required 35' setback and conforms to the Commission's Rules & Regulations and he recommends a Negative Determination.

On a motion by Holly Morris, seconded by Sam Butcher, the Commission voted 6-0-0 to make a Negative Determination such that no Notice of Intent is required for the deck project at 15 Priscilla Ave.

### **PUBLIC HEARING; CARTY; 344 TEMPLE STREET; GARAGE SE18-1818**

Rick Grady of Grady Engineering described the project which is to add a garage. The resource areas are a bog to the west and an irrigation pond to the north, the majority of the lot is within the 100' buffer. The garage is 24' x 24' and encroaches into the 50' buffer zone, and Rick Grady wanted to ask the Commission to consider a 46' setback. The coverage is 15.5% but the existing deck can be reduced in size to achieve the maximum 15% allowable coverage. Rick Grady said he had spoken to Joe Grady who had suggested changing the configuration because the garage does not meet the required 50' setback. Rick Grady said he believes the Commission has the discretion to allow exceptions to this in Section 23.9; there is some contradiction in paragraphs B and C but he is asking the Commission to use its discretion and allow the project. He could trim 4' off the garage but it will be narrow, and for potential mitigation they could add roof drywells and add vegetation; they are reducing the size of the gravel drive.

Joe Grady said this project does not meet 3 of the Commission's rules and regulations; the garage is closer than 50' to the wetland area, there is more than 15% coverage, and the driveway does not meet the required 25' setback from wetlands. He suggested a continuance. He asked Rick Grady for a breakdown of coverage by its components prior to tonight's hearing and has not yet gotten that.

Rick Grady asked for clarification about whether the Commission would use its discretion for the 50' setback. Sam Butcher asked if the garage could be built on sonotubes, which are allowed within 35' of the wetlands. Rick Grady said there are wall and roof concerns with sonotubes and no benefits to the wetland resource areas. Sam Butcher said he is reluctant to bend rules; Corey Wisneski concurred. Mr. Carty, the property owner, said he understands the rules and is willing to do mitigation by removing the driveway and doing plantings. Rick Grady said he understands the guidance the Commission is offering regarding meeting the 50' setback.

On a motion by Corey Wisneski, seconded by Sam Butcher, it was voted 6-0-0 to continue the hearing for SE18-1821, 344 Temple Street until September 25 at 7:30 pm.

**PUBLIC HEARING; TOWN OF DUXBURY DPW; OCEAN ROAD S., OCEAN ROAD N.,  
CABLE HILL WAY, GURNET ROAD, BAY AVE; SEAWALL & STONE REVETMENT  
SE18-1819**

Pat Brennan of Amory Engineers, representing the Department of Public Works, described the project. The project consists of four parts. The first part is to replace approximately 800 feet of seawall that failed. The second part is to prevent damage to the rest of the seawall using a stone revetment to protect the footing. The third part is temporary repairs of placing riprap stone in front of areas that have failed, this was funded at the recent Special Town Meeting. The fourth part is maintenance of the revetment. Last year the DPW filed an RDA for some one-time repairs, but they would like to get approval for maintenance under a Notice of Intent which would be good for 3 years.

Approximately 400 feet of wall failed at Ocean Road North along with stairs; an additional 400' failed at Cable Hill Way. His recommendation is to build the wall to elevation 24.5; base flood elevation is 22 feet which allows 2' for sea level rise issues. The base flood elevation is based on a Wood Hole Study. Using a NOAA model and an Army Corps of Engineers model and averaging their findings, sea level rise over the next 50-75 years is predicted to be just under 2 feet.

The wall would be 16' tall with a 2' footing on a crushed base. There will be a stone revetment in front of the wall to protect the footing from erosion. There will be a drain system behind the wall and drains on top of the wall. The staircase will be replaced. The toe protection extends 15' from the base of the wall and will mostly be under the beach. At the southern end there is 2800 square feet of the footprint in priority habitat so the plans have been sent to the National Heritage and Endangered Species Program.

Joe Grady and Pat Brennan met with Cris Lufazzi of the Duxbury Beach Reservation over her concerns about the end of the wall; Pat Brennan has provided more detailed drawings and Cris is satisfied with the design.

To construct the wall, they will excavate, build the wall, and then backfill behind the wall. During construction all work will be done from the beach side, with haul access at Ocean Road North.

Tim Spellman of 61 Ocean Road North, who is on the Seawall Committee, said he hopes the Conservation Commission realizes the importance of the project; Corey Wisneski assured him the Commission appreciates the gravity of the situation.

Robb D'Ambruoso asked about the life of the seawall; Pat Brennan said that is hard to answer because storms are becoming more frequent and severe, and it is a concrete structure in a salt water environment, but the hope is it will be good for 50-75 years..

Alisha Babcock of Ocean Road South, also on the Seawall Committee, said previous surveys of the wall condition said the wall is rated as very poor and that it is well past its useful life. Scott Zoltowski asked if similar construction has been used elsewhere in Massachusetts; Pat Brennan said it is based on the design being used on Marshfield.

On a motion by Corey Wisenski, seconded by Sam Butcher, it was voted 6-0-0 to write Orders of Conditions for SE18-1819.

**PUBLIC HEARING; DUXBURY CONSTRUCTION LLC; 33 FREEMAN PLACE; RAISE HOUSE AND SEAWALL  
SE18-18??**

Scott Zoltowski recused himself from this hearing because he lives on Freeman Place.

Freeman Boynton Jr. of Duxbury Construction LLC described the project which is to raise a house and put in a new foundation, and use fill to improve the grading. The seawall elevation will increase 18". Corey Wisneski asked if the house is getting any closer to the water, and Mr. Boynton said no. Holly Morris asked about the driveway and Mr. Boynton said it will be raised up in the existing footprint. There is no net change in coverage.

Rob Fawcett of 363 Washington Street is concerned about what the change in elevation will do to his property; Mr. Boynton said he is far enough away so there should be no floodwater deflected in his direction. John Haggerty of 12 Water Street is an abutter and said he supports the project. Holly Morris asked if the seawall is only being raised in front of 33 Freeman Place and Mr. Boynton said yes; the next hearing is for 30 Freeman Place but the height of that seawall will not change.

Corey Wisneski said that because no DEP Project Number has been issued for this project, the Public Hearing can't be closed; so the hearing will be continued.

On a motion by Corey Wisneski, seconded by Sam Butcher and approved by a vote of 6-0-0 the hearing for the project at 33 Freeman Place will be continued until September 28 at 7:35 pm.

**PUBLIC HEARING; DUXBURY CONSTRUCTION LLC; 30 FREEMAN PLACE; GRADING & FILL  
SE18-18??**

Scott Zoltowski recused himself from this hearing because he lives on Freeman Place.

At this location there will be a small amount of grading related to the project at 33 Freeman Place. Corey Wisneski said that because no DEP Project Number has been issued for this project, the Public Hearing can't be closed; so the hearing will be continued.

On a motion by Sam Butcher, seconded by Robb D'Ambruoso and approved by a vote of 6-0-0, the hearing for 30 Freeman Place will be continued until September 28 at 7:36 pm.

**PUBLIC MEETING; DUXBURY CONSTRUCTION LLC; 0 WASHINGTON STREET; GRADING & FILL**

Freeman Boynton Jr. of Duxbury Construction LLC is representing the Duxbury Rural & Historical Society. This project is to raise the property 6 inches because of continual flooding during moon tides, it will still flood in a 100 year storm. He will ad a single row of large rocks around the perimeter and take down the dead trees, then replant grass.

On a motion by Corey Wisneski, seconded by Sam Butcher, it was voted 6-0-0 to issue a Negative Determination such that no Notice of Intent is required for the project at 0 Washington Street.

**Adjournment:** On a motion by Corey Wisneski, seconded by Robb D'Ambruoso, it was voted 6-0-0 to adjourn the meeting at 8:08 pm.

**MATERIALS REVIEWED AT THE MEETING**

RDA Application materials for 15 Priscilla Ave; 0 Washington Street

NOI applications for SE18-1821, SE18-1819, 33 Freeman Place; 30 Freeman Place