



Town of Duxbury Conservation Commission

Approved 2/12/2019

TOWN CLERK

2019 FEB 13 AM 9:27

DUXBURY, MASS.

Minutes of October 30, 2018

The Conservation Commission met on Tuesday, October 30, 2018 at 7:00 PM in the Mural Room at the Duxbury Town Hall.

Members Present: Corey Wisneski, Chair; Robb D'Ambruoso; Sam Butcher; 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; CARTER; 225 GURNET ROAD; ENCLOSE AND SLIGHTLY ENLARGE DECK

Mark Harrington of Advanced Home Improvement described the project which is to convert a deck into a 3 season sunroom. The house was put on pilings about 10 years ago. The deck will be enlarged by 1 foot.

On a motion by Corey Wisneski, seconded by Sam Butcher, it was voted 6-0 to issue a Negative Determination such that no Notice of Intent is required for the project at 225 Gurnet Road.

CONTINUED PUBLIC HEARING; DUXBURY CONSTRUCTION LLC; 298 POWDER POINT AVE; SEAWALL, BEACH NOURISHMENT, COASTAL BANK STABILIZATION SE18-1797

Freeman Boynton Jr. of Duxbury Construction said there have been changes made to the plan based on the comments of Jim O'Connell who represents the Langeland's. Bushes will be planted in clusters, not rows and jute matting will be added at the top surface in the stabilization area. The rocks marked with 'X's on the plan will be removed.

Gene Guimond, attorney for the Langeland's, said he submitted to the Commission some suggested conditions to be included in the Orders of Conditions. Jim O'Connell said they have questions about how often the monitoring should be done and by whom. Freeman Boynton said Brooks Chase will do the monitoring and will replant as needed. He suggested Brad Holmes could submit an annual report on the conditions of the plantings for 3 years. Jim O'Connell said he wants post storm monitoring because he expects end scour. Corey Wisneski said it's hard to define what is a storm, and Robb D'Ambruoso added that reporting after every storm is a significant expense. Freeman Boynton said they will do post storm monitoring and will make necessary repairs, it is in Mr. Chase's best interests to make sure the seawall and coastal bank stabilization work.

There was a discussion of whether the Orders of Conditions should have 290 Powder Point Ave or 298 Powder Point Ave listed as the site address; Joe Grady said the legal ad and DEP

878 Tremont Street, Duxbury, MA 02332; Telephone: 781-934-1100 x 5471; Fax: 781-934-1137

application are for 298 Powder Point Ave so this must be the address used. Brooks Chase is the applicant.

Corey Wisneski asked how the work will be done and where the access will be from. Freeman Boynton said he wants to go along the beach if he can get permission from the property owners, or will access over the Chase's property if he can't get permission. Joe Grady asked how the stones will be removed, and Mr. Boynton said they will use a bobcat over sand only and won't go over any vegetation. Bob Hayes of Powder Point Ave said he has not received a request for transport over his property and is concerned with possible damage.

The quorum for this hearing is: Corey Wisneski, Scott Zoltowski, Mickey McGonagle, and Holly Morris. On a motion by Corey Wisneski, seconded by Scott Zoltowski, it was voted 4-0 by the quorum members to write Orders of Conditions for SE18-1797 to include the special conditions suggested by Attorney Guimond, and there can be no crossing of vegetation with machinery to do the project.

**PUBLIC HEARING; DUXBURY CONSTRUCTION LLC; 24 WATER STREET; RETAINING WALL & SEAWALL
SE18-1837**

Scott Zoltowski recused himself from this hearing.

Freeman Boynton, Jr. described the project which is to replace an existing section of seawall constructed of railroad ties with a concrete wall to match the wall across the rest of the property, and to raise the elevation of the wall. The existing wall is at elevation 8.5 and it will be raised to about elevation 10. Behind the wall there is lawn and it will be replaced after the work is done. The wall height will match the height of the neighboring property. John Haggerty, an abutter at 12 Water Street, said he supports the project.

On a motion by Corey Wisneski, seconded by Sam Butcher, it was voted 5-0 to write Orders of Conditions for SE18-1837, 24 Water Street.

**PUBLIC HEARING; DUXBURY CONSTRUCTION LLC; 12 MIDWAY ROAD; DEMOLISH & RECONSTRUCT A SINGLE FAMILY HOME
SE18-1838**

Freeman Boynton Jr., representing property owner Ron Murphy, described the project. The existing driveway is at a 45 degree angle, and will be moved to the other side of the lot. The existing house will be demolished. There is bordering vegetated wetlands, salt marsh, and coastal bank resource areas on the property. The existing septic will be replaced with a conventional system in front of the house, so the house will be moved back to make room for the septic system. Coverage will be increased from 1% to 14.88% after the project.

Sam Butcher advised caution because the coverage is close to the maximum allowed coverage of 15%. He suggested not installing the patio until the house is constructed and coverage calculated. John King of 4 Midway Road, an abutter, asked how much the elevation will change. Mr. Boynton said there will be a lower grade in the rear of the property because of the removal of the mounded septic system. He will meet with Mr. King to discuss how to make the properties blend together and a swale will be constructed to be sure neither property impacts the other. Sam Butcher expressed concern with runoff on the northern side of the property. Freeman Boynton said a retaining wall might be needed but would be outside of the 100' buffer.

Nancy King of 4 Midway Road asked again about the grade on their side of the property; r. Boynton said on that side the grade is not being changed.

On a motion by Corey Wisneski, seconded by Sam Butcher, it was voted 6-0 to write Orders of Conditions for SE18-1838, 12 Midway Road.

PUBLIC HEARING; DUXBURY CONSTRUCTION LLC; 172 CHURCH STREET; DEMOLISH & RECONSTRUCT PART OF A SINGLE FAMILY HOME

SE18-18???

Robb D'Ambruoso recused himself because he represented the buyers of this property.

No DEP File number has been assigned for this project yet. The project is to demolish and reconstruct part of a single family home. The project is to remove the house and pour a foundation, then rebuild the house and reattach the porch. At a later date a deck and screened porch will be added; these are included as part of this NOI.

On a motion by Corey Wisneski, seconded by Sam Butcher, it was voted 5-0 to continue the hearing for 172 Church Street until November 13 at 7:35 pm.

CONTINUED PUBLIC HEARING; DUXBURY CONSTRUCTION LLC; 1 ABRAMS HILL; MOVE HOUSE & COASTAL BANK

SE18-1832

Note: Sam Butcher is not part of the quorum having missed the previous hearing.

Freeman Boynton said after the previous discussions, they are now proposing to keep the filling below the flood elevation so there is no impact on the coastal bank and it remains where it is. The seawall will stay at the same height. They will plant a buffer of native plants along the seawall in place of the existing lawn. The cottage will be elevated on wood pilings in the same location.

Sherm Hoyt, an abutter, expressed concern over building a berm because it will be hard to maintain and recommended not removing the mature vegetation between the retaining wall and the coastal bank. Corey Wisneski said no berm is being created, the lawn is being elevated with a gentle slope so the water will sheet flow over it. The trees around the cottage won't survive, but bushes can be planted. Lorrie Hall of 175 Abrams Hill asked if the slope will reduce the current puddling that occurs in heavy rain, and Mr. Boynton said yes it would reduce the puddling.

Robb D'Ambruoso said he reviewed the section of the regulations about Land Subject to Coastal Storm Flowage to see if this filling would adversely affect the wetland values. In this case, the area is now lawn and is remaining lawn, and the slope is not severe so it is consistent with the wetland values in the regulations.

On a motion by Corey Wisneski, seconded by Robb D'Ambruoso, it was voted 5-0 to write Orders of Conditions for SE18-1832, 1 Abrams Hill.

**CONTINUED PUBLIC HEARING; BOESS; 28 SUNSET ROAD; RETAINING WALL
SE18-1834**

This hearing had been continued because the DEP File number had not been issued at the previous hearing. Corey Wisneski said the DEP file number has been received for this project.

On a motion by Corey Wisneski, seconded by Holly Morris, it was voted 6-0 to write Orders of Conditions for SE18-1834, 28 Sunset Road.

**CONTINUED PUBLIC HEARING; DUXBURY CONSTRUCTION LLC; 675 BAY ROAD;
EXTEND A SEAWALL
SE18-1833**

The revised plans were not received by the deadline for this meeting so could not be reviewed.

On a motion by Corey Wisneski, seconded by Sam Butcher, it was voted 6-0 to continue the hearing for SE18-1833, 675 Bay Road until November 13 at 7:38 pm.

ENFORCEMENT; 98 HARRISON STREET; SE18-1796

No materials were received in response to previous comments so this discussion will be scheduled at a later meeting.

ADMINISTRATIVE MATTERS

Minutes

August 28, 2018: On a motion by Corey Wisneski, seconded by Scott Zoltowski, the minutes of August 28, 2018 were approved as written by a vote of 6-0.

September 11, 2018: On a motion by Robb D'Ambruoso, seconded by Corey Wisneski, the minutes of September 11, 2018 were approved as written by a vote of 6-0.

Certificates of Compliance:

SE18-1741; 50 Alexander Way: Joe Grady said he has inspected the project, all required documentation has been received, the project complies with the Orders of Conditions, and he recommends Certificates of Compliance be issued for this project. On a motion by Holly Morris, seconded by Scott Zoltowski, the Commission voted 6-0 to issue Certificates of Compliance for SE18-1741, 50 Alexander Way.

Hunting Request – Modoc Street

Don Merry, a Duxbury resident, made a request for the Commission to allow bow hunting off Modoc Street on a 56 acre parcel. Joe Grady said the parcel is primarily swamp and there are no active trails or use by the public, and he recommends allowing it. He said the Town has 1000 acres of land open to hunting and there have been no issues.

On a motion by Corey Wisneski, second by Scott Zoltowski, the Commission voted 6-0 to approve the request to allow bow hunting on this 56 acres parcel on Modoc Street.

Extension Permit Request; SE18-1198

This is a request to extend the Orders of Conditions for SE18-1198 for 3 years. On a motion by Corey Wisneski, seconded by Sam Butcher, it was voted 6-0 to extend the permits for SE18-1198, Duxbury Beach Reservation for 3 years.

Conservation Fund Expenditures

Joe Grady asked for approval to spend up to \$2000 for seedlings for the Jaycox Tree Farm from the Conservation Fund. Tree sale revenues are down due to the loss of trees several years ago. On a motion by Sam Butcher, seconded by Scott Zoltowski, it was voted 6-0 to approve the expenditure of up to \$2,000 from the Conservation Fund to purchase seedlings for the Jaycox Tree Farm.

Adjournment: On a motion by Sam Butcher, seconded by Corey Wisneski, it was voted 6-0 to adjourn the meeting at 8:15 pm.

MATERIALS REVIEWED AT THE MEETING

NOI applications for SE18-1797; SE18-1837; SE18-1838; SE18-1832; SE18-1834, SE18-1833
RDA application for 225 Gurnet Road
Draft minutes of August 28, 2018 and September 11, 2018