

Approved December 7, 2021



# Town of Duxbury Conservation Commission

Minutes of November 16, 2021

TOWN CLERK  
2021 DEC 28 PM 1:52  
DUXBURY, MASS.

The Duxbury Conservation Commission met on Tuesday, November 16, 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; and Holly Morris

**Members Absent:** Corey Wisneski

**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.

Roll call vote of members present: Sam Butcher, yes; Tom Gill, yes; Mickey McGonagle, yes; Holly Morris, yes; Scott Zoltowski, yes; and Robb D'Ambruoso, yes.

## **PUBLIC HEARING; GELDMACHER/DUXBURY CONSTRUCTION, LLC; 360 TEMPLE STREET; SINGLE FAMILY HOME AND SEPTIC SE18-1982**

Robb D'Ambruoso read the SE18-1982 Legal Notice. Freeman Boynton, Duxbury Construction, LLC presented the project for owners Chris and Andrea Geldmacher. The project consists of building a new single-family home and septic system on the 7-acre lot containing the Geldmachers' cranberry bogs. A paved driveway is proposed to be within the 50 ft. wetland Buffer Zone, the house is proposed to be outside the 100 ft. Buffer Zone and the septic system will be 150 ft. from the wetland. Erosion control measures will be installed at the edge of the house lot near the cranberry bog as shown on the Plan of Record. A 2.6% coverage is proposed within the 100 ft. Buffer Zone. Questions followed the presentation.

Sam Butcher made a motion, seconded by Holly Morris, to close the Public Hearing and write an Order of Conditions for SE18-1982. Motion passed unanimously on a roll call vote: Sam Butcher, yes; Tom Gill, yes; Mickey McGonagle, yes; Holly Morris, yes; Scott Zoltowski, yes; and Robb D'Ambruoso, yes.

Motion carried 6 – 0.

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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.

**PUBLIC HEARING; COLLIN/SOUTH SHORE SURVEY CONSULTANTS; 10 HUCKLEBERRY LANE; DEMOLISH/REBUILD SINGLE FAMILY HOME AND SEPTIC SE18-1983**

Robb D'Ambruoso read the SE18-1983 Legal Notice. Mark Casey, South Shore Survey Consultants, Inc. presented the project for owner, Hutton Collin. The project proposes to demolish and reconstruct a single-family home and septic system. A portion of the property is within a 200 ft. Riverfront Area. Erosion control measures will be installed prior to the start of work. Wetland Scientist, Brad Holmes, ECR Inc. delineated the Bordering Vegetated Wetland and the perennial stream bank. The new home and garage are located over 100 ft. from the BVW and 200 ft. from the Riverfront Area. A portion of the house deck is located within the 200 ft. Riverfront Area. The rear yard will be elevated with fill and a stone infiltration trench installed to prevent stormwater runoff from leaving the site and to recharge the stormwater. Native plants are proposed for any new plantings within the Riverfront Area. A large disturbed area will be produced by the project. Joe Grady stated the existing and proposed coverage is nearly equal and asked how much fill is proposed. Mr. Grady also stated, "The project is barely within our Infiltration Trench Regulatory Guidelines". Sam Butcher asked if the infiltration trench was for sheet flow only. Mr. Casey responded, "yes".

Holly Morris made a motion, seconded by Scott Zoltowski, to close the Public Hearing and write an Order of Conditions for SE18-1983. Motion passed unanimously on a roll call vote: Sam Butcher, yes; Tom Gill, yes; Mickey McGonagle, yes; Holly Morris, yes; Scott Zoltowski, yes; and Robb D'Ambruoso, yes.

Motion carried 6 – 0.

**PUBLIC MEETING; REED/SOLITUDE LAKE MANAGEMENT; 341 STANDISH STREET; AQUATIC MANAGEMENT**

Robb D'Ambruoso read the Public Meeting Legal Notice. Keith Gazaille, Solitude Lake Management, presented the project for phragmites control in the Allen's Pond outlet channel. Aquatic herbicide, AquaPro, will be selectively applied in the fall to kill the phragmites which will then be cut in the fall and winter. The aquatic herbicide will need to be repeated for two or three years. Joe Grady stated he requires a Request for Determination when an herbicide is being applied. If the phragmites are only being cut, with no herbicide application, he does not require an RDA.

Tom Gill made a motion, seconded by Scott Zoltowski, to issue a Negative Determination for the aquatic management project at 341 Standish Street. Motion passed unanimously on a roll call vote: Sam Butcher, yes; Tom Gill, yes; Mickey McGonagle, yes; Holly Morris, yes; Scott Zoltowski, yes; and Robb D'Ambruoso, yes.

Motion carried 6 – 0.

**PUBLIC HEARING; MCLAUGHLIN/SEACOAST ENGINEERING; 37 OCEAN ROAD NORTH; REQUEST TO AMEND OOC FOR SEAWALL IMPROVEMENTS SE18-1952**

Robb D'Ambruoso read the SE18-1952 Legal Notice to amend the Order of Conditions.

Paul Brogna, Seacoast Engineering, reviewed the project history and the proposed project change for owners Brendan and Suzanne McLaughlin. A July 20, 2021 site visit followed a request for a Superseding Order of Condition. Present at the on-site meeting were Joe Grady and Nancy Rufo, Duxbury Conservation; Paul Brogna, Seacoast Engineering; Brad Holmes, ECR, LLC; and Nate

Corcoran DEP Environmental Analyst. The conclusion of the meeting was that coir logs should replace the current timber wall as a "soft" design and a Best Management Practice for the location. Brad Holmes described the coir log materials and their uses. Joe Grady stated the coir logs are intended to degrade over time, they will not float or become projectiles in high intensity storms. Paul Brogna stated the new wall will consist of two 20-inch coir logs. He also stated the concrete pad will be removed and "duck bill" anchors will be used to secure the coir logs. At a recent site inspection, the McLaughlin's composite decking had been removed for the off season.

Sam Butcher made a motion, seconded by Holly Morris, to close the Public Hearing and Amend the Order of Conditions for SE18-1952 to incorporate a coir log retaining wall in place of the original timber retaining wall at 37 Ocean Road North. Motion passed unanimously on a roll call vote: Sam Butcher, yes; Tom Gill, yes; Mickey McGonagle, yes; Holly Morris, yes; Scott Zoltowski, yes; and Robb D'Ambruoso, yes.

Motion carried 6 – 0.

#### **ADMINISTRATIVE MATTERS:**

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

**Regular Session: November 2, 2021.** Scott Zoltowski made a motion, seconded by Holly Morris, to approved the November 2, 2021 Regular Session minutes. Motion passed unanimously on a roll call vote: Sam Butcher, yes; Tom Gill, yes; Mickey McGonagle, yes; Holly Morris, yes; Scott Zoltowski, yes; and Robb D'Ambruoso, yes. Motion carried 6 – 0.

**Approval of Executive Session Minutes.** Approval of past Executive Session minutes will be discussed at the next meeting on December 7, 2021.

##### **Request for Modification:**

**SE18-1936 Seely/Duxbury Construction; 187 King Caesar Road; coverage changes, newly proposed retaining wall and infiltration wall.** Joe Grady reported the project is not yet ready for a Commission vote.

**Update on deck removal at 160 Marshall Street:** Joe Grady reported the homeowner has complied with the Commission's Order of Conditions denial dated 10/20/21 for SE18-1978 (NOI application for deck, after-the-fact). The deck has been moved out of the Buffer Zone as shown in photo documentation submitted by owner, Charles J. Husk. A surveyor has been engaged to produce an "As Built" Plan.

**Special Town Meeting Recap:** Joe Grady reported Article 1 at the November 8, 2021 Special Town Meeting to purchase the 65-acre Pink property received an overwhelming positive vote and Article 5, the Citizens Petition to pause tree clearing at the Delorenzo Farm did not receive support.

**Discussion regarding Closing documents relative to Keene Street land swap with A.W. Perry:** The proposed land swap consists of A.W.Perry receiving a 3.5-acre town owned

parcel (#025-500-006) on Keene Street. In exchange, A.W.Perry will gift a 19-acre parcel (#011-070-000) of woodland off Congress Street near the Ashdod Forest to the town.

Sam Butcher made a motion, seconded by Holly Morris, in favor of the town accepting APN 11-070 (#011-070-000). Motion passed unanimously on a roll call vote: Sam Butcher, yes; Tom Gill, yes; Mickey McGonagle, yes; Holly Morris, yes; Scott Zoltowski, yes; and Robb D'Ambruoso, yes.

Motion carried 6 - 0.

## **NEW BUSINESS**

Use of Video presentations: Scott Zoltowski asked for the Commission's views on the use by applicants of video presentations and whether the Commission should develop a video policy. Discussion followed on the benefits and objections to video presentations. Several members voiced their support for the Commission establishing video standards.

New Business listed on every agenda: It was agreed "New Business" should be a regular agenda item.

In person or remote future meetings: Nancy Rufo was asked to send Commissioners individual emails in order to learn if they prefer remote, in person or hybrid meetings in the future.

**ADJOURNMENT:** Sam Butcher made a motion, seconded by Holly Morris, to adjourn the meeting at 8:30 p.m. Motion passed unanimously on a roll call vote: Sam Butcher, yes; Tom Gill, yes; Mickey McGonagle, yes; Holly Morris, yes; Scott Zoltowski, yes; and Robb D'Ambruoso, yes. Motion carried 6 – 0.

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