



Approved January 7, 2020

TOWN CLERK

Town of Duxbury Conservation Commission

2020 JAN 23 PM 2: 51
DUXBURY, MASS:

Minutes of December 3, 2019

The Duxbury Conservation Commission met on Tuesday, December 3, 2019 at 7:00 PM in the Mural Room at the Duxbury Town Hall.

Members Present: Corey Wisneski; Robb D'Ambruoso; Sam Butcher; Tom Gill; Mickey McGonagle; Holly Morris

Members Absent: Scott Zoltowski

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

The meeting was called to order at 7:04 pm

PUBLIC HEARING; CHARLES HUSK; 160 MARSHALL STREET; PIER REPAIR SE18-1890

Joe Grady reported that this pier was rebuilt without Orders of Conditions. In August an Enforcement Order was issued. The applicant lives in New Hampshire and can't attend the meeting tonight due to the snowstorm. Joe Grady said the plan that has been submitted is from an old Chapter 91 license application, but it is not specific enough and has no dimensions. Joe Grady recommends the Commission require a professionally prepared plan as would be the case with any other pier project.

On a motion by Corey Wisneski, seconded by Tom Gill, it was voted 6-0 to continue the hearing for SE18-1890, 160 Marshall Street until December 17 at 7:25 pm.

PUBLIC MEETING; RACHWALSKI; 321 KING CAESAR ROAD; INCREASE SIZE OF GANGWAY

John Rachwalski, the property owner, described the project. As it stands now he can't bring his boat to his pier because the front of the boat hits the spur pilings. If he lengthens the gangway the float will be moved back and he will be able to bring his boat in without hitting the pilings. Joe Grady said the Commission has permitted these longer gangways in several locations, and it is a temporary seasonal structure that can be a solution for those who want longer piers. Corey Wisneski asked if there will be any offseason storage issues, and Mr. Rachwalski said the gangway will be stored on the pier.

Sam Butcher made a motion to issue a Negative Determination so that no Notice of Intent is required for the longer gangway at 321 King Caesar Road. The motion was seconded by Holly Morris and approved by a vote of 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; DUXBURY CONSTRUCTION; 0 HORNBEAM ROAD; BEACH
NOURISHMENT
SE18-1892**

Freeman Boynton Jr. of Duxbury Construction said he is representing the Hornbeam Road Homeowners Association and described the project which is to do about 10 yards of beach nourishment each year. The beach access at the end of the road has damaged concrete and it is difficult to access the beach, so they want to add sand to improve the access.

Joe Grady said he does not feel there is much room for sand between the road and marsh, and has concerns that the sand will wash down and kill the salt marsh. He said the water runs down the street and down the ramp and the end of the ramp is washed out and there are broken concrete pieces. Rainwater will wash away any sand placed there. There was a discussion about alternative approaches, and the consensus was that the broken concrete could be used to secure the area between the marsh grass and the asphalt and steps could be added rather than doing beach nourishment.

On a motion by Sam Butcher, seconded by Holly Morris, it was voted 6-0 to continue the hearing for SE18-1892, 0 Hornbeam Road, until December 17 at 7:30 pm.

**CONTINUED PUBLIC HEARING; DUXBURY CONSTRUCTION; 661 WASHINGTON STREET;
RETAINING WALL
SE18-1885**

Freeman Boynton Jr. of Duxbury Construction said he has been unable to reach the homeowner, but he and Joe Grady have discussed alternative approaches that might work for this project. It was recommended that a site visit might be useful and the Commissioners are encouraged to visit the site at their convenience. Mr. Boynton asked that the hearing be continued.

On a motion by Sam Butcher, seconded by Holly Morris, it was voted 6-0 to continue the hearing for SE18-1885 until December 17 at 7:35 pm.

ADMINISTRATIVE MATTERS

Certificates of Compliance:

SE18-1636, 48 Grand View Ave: Joe Grady has been unable to inspect this project because of the weather so recommends postponing any action on this request for Certificates of Compliance until the next meeting.

Meeting with Board of Selectmen regarding 0 East Street Right of First Refusal

Members of the Conservation Commission, Community Preservation Committee, and Planning Board attended the Selectmen's meeting on December 2 to discuss the 0 East Street Right of First Refusal (ROFR). There was discussion, and members of the Fiscal Advisory and Finance Committees weighed in with concerns about the P&S agreement and financing the project. Concerns about the Riders attached to the P&S were raised by the Selectmen as well. The ability for the CPC to finance this project and a potential ROFR at Temple Street were raised; Holly Morris discussed a warrant article that will ask the Town to raise the CPC surcharge to 3%, and in addition the CPC has the ability to

bond. The Board of Selectmen will continue to seek answers to the various questions being raised before making a decision about whether to exercise their ROFR.

Executive Session: Robb D'Ambruoso made a motion to go into Executive Session to discuss strategy with respect to litigation, as an open meeting may have a detrimental effect on the litigating position of this Commission, and to reconvene in open session at the conclusion of the Executive Session in accordance with MGL C.30A, section 21. The motion was seconded by Sam Butcher, and the roll call vote was: Sam Butcher, yes; Robb D'Ambruoso, yes; Tom Gill, yes; Mickey McGonagle, yes; Holly Morris, yes; Corey Wisneski, yes.

Adjournment: On a motion by Sam Butcher, seconded by Mickey McGonagle, it was voted 6-0 to adjourn the meeting at 8:18 pm.

MATERIALS REVIEWED AT THE MEETING

NOI Materials for SE18-1890; SE18-1892; SE18-1885

RDA Materials for 321 King Caesar Road