

Approved June 24, 2014



Town of Duxbury

Conservation Commission

TOWN CLERK

14 JUL -3 PM 2:26

DUXBURY, MASS.

Minutes of June 3, 2014

The Conservation Commission met on Tuesday, June 3, 2014 at 7:00 PM in the Mural Room at the Duxbury Town Hall.

Members Present: Tom Gill, Acting Chair; Sam Butcher, Dianne Hearn; Holly Morris; Barbara Kelley, Corey Wisneski

Members Absent: Joe Messina

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

The meeting was called to order by Acting Chairman Tom Gill at 7:00 PM.

PUBLIC HEARING, FELAGO, 20 ISLAND CREEK ROAD, CONTINUE LAWN AND PLANTING BEDS, 7:00 PM SE18-1672

There was no representative of the project present. On a motion by Sam Butcher, seconded by Barbara Kelley, it was unanimously voted 6-0-0 to continue the hearing to June 24 at 7:12 PM.

CONTINUANCE OF PUBLIC HEARING, NOONE, 81 GURNET ROAD, REMOVE EXISTING CONCRETE DRIVEWAY AND REPLACE WITH POROUS PAVERS, 7:02 PM SE18 - 1669

At 7:10 PM, on a request by the applicant to the Conservation Administrator, the hearing was continued. On a motion by Sam Butcher, seconded by Dianne Hearn, it was unanimously voted 6-0-0 to continue SE18-1669 until Tuesday, June 24 at 7:10 PM.

PUBLIC HEARING, MARK, 16 SOULE AVE, NEW SINGLE FAMILY HOME, 7:05 PM SE18-1671

At 7:05 pm, Freeman Boynton, representing Jonathan Mark, described the project which is to take the existing house down and build a slightly larger one, cut down some trees for a back lawn and upgrade the septic system. The deck will be 90' from the bordering vegetated wetlands, the house itself is outside the 100' buffer zone. Barbara Kelley asked how many trees will be taken down; Mr. Boynton replied not many but they are very large.

Doug Gilbert, an abutter, expressed his concerns that it is very wet in the back of this property, stating there is a natural spring and he is concerned about adequate setback from the wetlands. Joe Grady explained that this project meets the rules and regulations of the Conservation Commission and meets the 25 foot setback requirement.

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

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.

On a motion by Barbara Kelley, seconded by Sam Butcher, it was unanimously voted 6-0-0 to write Orders of Conditions for SE18-1671.

The next 5 Public Meetings are for 5 related projects, all proposing to use the same techniques for the same purpose in the same geographical area with the work to be done by the same contractor. Acting Chairman Gill explained that he will read all 5 Public Notices, and then discuss all of the projects together.

PUBLIC MEETING, MCCORMACK, 58 KING CAESAR ROAD, INSTALL UNDERGROUND UTILITIES TO PIER USING DIRECTIONAL BORING, 7:10 PM

PUBLIC MEETING, KEARNEY, 70 KING CAESAR ROAD, INSTALL UNDERGROUND UTILITIES TO PIER USING DIRECTIONAL BORING, 7:11 PM

PUBLIC MEETING, LEONARD, 82 KING CAESAR ROAD, INSTALL UNDERGROUND UTILITIES TO PIER USING DIRECTIONAL BORING, 7:13 PM

PUBLIC MEETING KENNEDY, 98 KING CAESAR ROAD, INSTALL UNDERGROUND UTILITIES TO PIER USING DIRECTIONAL BORING, 7:13 pm

PUBLIC MEETING, SAFE, 48 RUSSEL ROAD, INSTALL UNDERGROUND UTILITIES TO PIER USING DIRECTIONAL BORING, 7:14 PM

At 7:12 PM, Freeman Boynton, representing all the applicants listed above for these 5 projects, described the project which is to run water and electric to the piers across King Caesar Road. The neighbors chose to do these projects at the same time to minimize the mobilization requirements for the boring crew. A small hole will be dug on each side of the road, 2 inch PVC conduits will be installed and the holes backfilled. All of this will occur within a day. An irrigation company will put pipe in the conduit and an electrician will run the electric.

Kathy Palmer, a neighbor, asked if this would mean that the piers will be lit at night. Mr. Boynton responded that the owners want to have power but as far as he is aware it is not for lighting at the piers. Tom Gill explained that the issue was beyond the Conservation Commission's scope.

On a motion by Sam Butcher, seconded by Dianne Hearn, the Commission voted 6-0-0 to issue a Negative Determination so that a Notice of Intent is not required for the proposed project of installing utilities to a pier by using directional boring at 58 King Caesar Road.

On a motion by Sam Butcher, seconded by Dianne Hearn, the Commission voted 6-0-0 to issue a Negative Determination so that a Notice of Intent is not required for the proposed project of installing utilities to a pier by using directional boring at 70 King Caesar Road.

On a motion by Sam Butcher, seconded by Dianne Hearn, the Commission voted 6-0-0 to issue a Negative Determination so that a Notice of Intent is not required for the proposed project of installing utilities to a pier by using directional boring at 82 King Caesar Road.

On a motion by Sam Butcher, seconded by Dianne Hearn, the Commission voted 6-0-0 to issue a Negative Determination so that a Notice of Intent is not required for the proposed project of installing utilities to a pier by using directional boring at 98 King Caesar Road.

On a motion by Sam Butcher, seconded by Dianne Hearn, the Commission voted 6-0-0 to issue a Negative Determination so that a Notice of Intent is not required for the proposed project of installing utilities to a pier by using directional boring at 48 Russell Road.

CONTINUANCE OF PUBLIC HEARING, MCLAUGHLIN, 685 WASHINGTON STREET, PIER SE18-1653

At 7:25 PM, Tom Gill explained that on the advice of the Conservation Commission's Counsel, the Chair who was presiding at the time of the original hearing should be present to chair the continuances. Jim Messina who had been the presiding chair was unable to attend the meeting tonight.

On a motion by Barbara Kelley, seconded by Dianne Hearn, it was unanimously voted 6-0-0 to continue the hearing to Tuesday, July 29 at 7:15 PM.

PUBLIC HEARING, FELAGO, 20 ISLAND CREEK ROAD, CONTINUE LAWN AND PLANTING BEDS, 7:00 PM SE18-1672

At 7:27 PM,. Tom Gill read the posting notice for this project again with the applicant's representative now present. Nick O'Connor, representing Thomas Felago, described the project which is to continue the lawn and planting beds to the north edge of the property similar to what was done on adjacent areas of the property several years ago. Joe Grady asked about the 25' buffer from the wetlands, the applicant responded that the planting bed takes up the 25' buffer zone. Joe Grady explained that the regulations only prohibit lawns and driveways in the 25' buffer zone. Holly Morris asked if there were any trees in the area, Mr. O'Connor said there were stumps and brush that would be removed. Barbara Kelley was concerned, looking at the pictures provided by the applicant's representative, at the nature of the plants in the planting which are not what was on the original planting plan from years ago. The Commission discussed the need for conditions requiring native species, with the planting plan requiring Joe Grady's approval prior to the start of the any plantings.

On a motion by Dianne Hearn, seconded by Sam Butcher, it was unanimously voted 6-0-0 to write Order of Conditions for SE18-1672 to include conditions that the plantings must be native species, must be approved by Joe Grady, and that no fertilizing is allowed within the 25' buffer zone.

ADMINISTRATIVE MATTERS:

Minutes: On a motion by Sam Butcher, seconded by Dianne Hearn, the minutes of May 6, 2014 were approved by a vote of 5-0-0 with Holly Morris abstaining.

Reappointments for expiring terms: Tom Gill and Sam Butcher have appointments that are expiring in June 2014. Both members expressed their interest in being reappointed for another term.

CONSERVATION MINUTES

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PAC TV: Joe Grady reported that there has been a request by PAC TV to televise the Commission's meetings. The Commission did not express interest in having the meetings televised.

Adjournment: On a motion by Tom Gill, seconded by Dianne Hearn, it was unanimously voted 6-0-0 to adjourn the meeting at 7:35PM.

MATERIALS REVIEWED AT THE MEETING

Notice of Intent materials for SE18-1672, 20 Island Creek Road

Notice of Intent materials for SE18-1671, 16 Soule Avenue

Request for Determination (RDA) materials for 58 King Caesar Road

Request for Determination (RDA) materials for 70 King Caesar Road

Request for Determination (RDA) materials for 82 King Caesar Road

Request for Determination (RDA) materials for 98 King Caesar Road

Request for Determination (RDA) materials for 48 Russell Road

Draft minutes of 5/6/2014 Conservation Commission Meeting

Respectfully Submitted, Susan Ossoff