



Approved January 6, 2015

TOWN CLERK

15 JAN -8 PM 12: 04

DUXBURY, MASS.

Town of Duxbury

Conservation Commission

Minutes of December 2, 2014

The Conservation Commission met on Tuesday, November 4, 2014 at 7:00 PM in the Mural Room at the Duxbury Town Hall.

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

Members Absent: Dianne Hearn; Joe Messina

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

The meeting was called to order at 7:02 PM. by Acting Chair Tom Gill

PUBLIC MEETING; GREGORY; 603 FRANKLIN STREET; SHED; 7:02 PM

This shed will be a pole building on a sonotube-like foundation. It will have 3 sides and be open in the front and be used for storage. Joe Grady said that at 38' this shed meets the rules and regulations requiring the sonotube foundation to be 35' from the bordering vegetated wetlands.

On a motion by Sam Butcher, seconded by Barbara Kelley, it was voted 5-0-0 to issue a Negative Determination so that a Notice of Intent is not required for the shed as described in the RDA at 603 Franklin Street.

CONTINUED PUBLIC HEARING; SANMARCO; 48 GRANDVIEW; PIER; 7:05 PM SE18-1636

There has been no further communication from the applicant so Joe Grady recommended this hearing be continued. On a motion by Barbara Kelley, seconded by Corey Wisneski, it was voted 5-0-0 to continue the hearing for SE 18-1636 until Tuesday, January 6, 2015 at 7:00 pm.

CONTINUED PUBLIC HEARING; GARRETT; 237 KING CAESAR, SEAWALL, 7:10 PM SE18-1681

Freeman Boynton, representing the applicant, explained that originally they planned to use riprap but that neighbors were concerned about wave energy being deflected to their property and with aesthetics. The plan was revised; 1.5 feet of concrete will be added to the top of the seawall and a stone footwall will be placed at the toe of the existing wall for stability. Holly Morris asked if any pilings from the pier are being removed; Mr. Boynton said one section of pier but no pilings are being removed.

On a motion by Corey Wisneski, seconded by Barbara Kelley, it was voted 5-0-0 to write Orders of Conditions for SE 18-1681, a seawall at 237 King Caesar Road.

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.

**PUBLIC HEARING; FITZGERALD; 51 CANDLEWICK CLOSE; REVEGETATION OF WETLANDS; 7:15 PM
SE18-1687**

Tim Fitzgerald said he had removed trees, oaks, red maples and pines from wetlands without realizing it was not allowed. Joe Grady recommends that a sprout maintenance approach be used to allow the regrowth of the cut vegetation; the existing stumps have the energy to grow sprouts more quickly than a planted tree will grow. The shrub layer will also come back.

Jane Polvere of 111 Candlewick Close said there are no trees left and she would like to see the restoration of the site and does not believe the sprout maintenance approach is adequate. Joe Grady said this approach has been successfully used at other sites and is a faster way to restore the growth than putting in nursery stock. Jane Polvere expressed concern with potential drainage issues because of the changes to the wetlands.

On a motion by Sam Butcher, seconded by Holly Morris, it was voted 4-1-0 with Barbara Kelley voting no to write Orders of Conditions for the restoration plan as proposed in the Notice of Intent. The orders will include that no fill may be placed in this area.

**CONTINUED PUBLIC HEARING; CROWLEY; 0 NORTH STREET; SINGLE FAMILY HOME; 7:20 PM
SE 18-1683**

Joe Grady reported that 40,000 square feet of upland are required for a house but is not currently available at this site; this is being addressed by the applicant. On a motion by Sam Butcher, seconded by Barbara Kelley, it was voted 5-0-0 to continue SE 18-1683 0 North Street until Tuesday, March 10, 2015 at 7:00 PM.

**CONTINUED PUBLIC HEARING; HOFFMAN; 5 CONGRESS STREET; SINGLE FAMILY HOME; 7:25 PM
SE 18-1675**

There is not a quorum present for this hearing. On a motion by Sam Butcher, second by Barbara Kelley, it was voted 5-0-0 to continue the hearing for SE 18-1675 until Tuesday, January 6 at 7:00 PM.

**PUBLIC HEARING; GISHOLT; 55 MAYFLOWER AVE; SINGLE FAMILY HOME, POOL, SEPTIC; 7:30 PM
SE 18-1688**

Paul Brogna introduced the team representing the applicant. The project is to raze the existing structure and reconstruct a 6 bedroom house with pool, septic, and landscaping. The existing site coverage is 24.1% and will stay the same. The proposed septic will be 165' from the wetlands versus the 40-45' feet of the existing septic. The area near the coastal bank will be replanted with native species after removal of the non-native invasive plants.

Sam Butcher asked if any work will be done on the seaward side of the coastal bank and was told only landscaping, but there will be no grade changes. He pointed out that there is no surface drainage included on the plan; Mr. Brogna said it is not on the plan yet; this will be required to be submitted to the Commission before the project can proceed. Sam Butcher asked if there is a net fill or net cut for the soils and Paul Brogna said there are no calculations yet; this information is also going to be required. Neighbors Jerard Gifford, Francis Burns, and Sue Coombs asked questions about the driveway access and parking of construction vehicles; this is not within the jurisdiction of the Commission.

On a motion by Sam Butcher, seconded by Corey Wisneski, it was voted 5-0-0 to issue Orders of Conditions for SE18-1688, 55 Mayflower Ave.

ADMINISTRATIVE MATTERS:

Certificates of Compliance; SE18-1609; 48 Seabury Road

Joe Grady reported that he has received the As-built plans and certifications and has made an inspection and he recommends a Certificate of Compliance be issued. On a motion by Holly Morris, seconded by Sam Butcher, it was voted 5-0-0 to issue Certificates of Compliance for SE 18-1609, 48 Seabury Point Road.

Certificates of Compliance; SE18-1226; 286 Keene Street

All necessary documentation has been received and Joe Grady inspected the project site and recommends a Certificate of Compliance be issued. On a motion by Corey Wisneski, seconded by Barbara Kelley, it was voted 5-0-0 to issue Certificates of Compliance for SE18-1226, 286 Keene Street.

Certificates of Compliance; SE18-1622; 9 Surfside West

Joe Grady recommended no action be taken at this time.

Mutt Mitt Waste System proposal

The Canine Study Committee recommended bylaw changes that were implemented at Town Meeting requiring that dog waste be removed and disposed of. The Mutt Mitt disposal system will place disposal bags and receptacles at a number of sites in Town. The Board of Selectmen will put a budget item in the Animal Control budget next year to cover ongoing costs, but have asked that the Conservation Commission fund the initial costs from the Conservation Fund. It is estimated that it will cost \$3500 for disposal services for 6 months, plus \$2700 for the dispensers, mutt mitts, waste receptacles, posts, and trash liners for a total of \$6200. On a motion by Sam Butcher, seconded by Holly Morris, it was voted 5-0-0 to appropriate \$6200 from the Conservation Fund for the Mutt Mitts disposal materials.

Minutes:

On a motion by Sam Butcher, seconded by Barbara Kelley, it was unanimously voted 5-0-0 to approve the minutes of October 21, 2014 as written.

On a motion by Holly Morris, seconded by Sam Butcher, it was voted 4-0-1 with Corey Wisneski abstaining to approve the minutes of November 4, 2014 as written.

On a motion by Sam Butcher, seconded by Barbara Kelley, it was voted 4-0-1 with Corey Wisneski abstaining to approve but not release the Executive Session minutes of November 4, 2014.

Adjournment: On a motion by Sam Butcher, seconded by Barbara Kelley, it was unanimously voted 5-0-0 to adjourn the meeting at 8:32 PM.

MATERIALS REVIEWED AT THE MEETING

RDA Application Materials for 603 Franklin Street
NOI Application Materials for 237 King Caesar SE 18-1681
NOI Application and supporting materials for 51 Candlewick Close SE18-1687
NOI Application and supporting materials for 55 Mayflower Ave SE18-1688
Draft minutes for 10/21, 11/4, and 11/4 Executive Session