



Approved September 6, 2016

TOWN CLERK

2016 SEP 27 AM 11:46

Town of Duxbury Conservation Commission DUXBURY, MASS.

Minutes of May 24, 2016

The Conservation Commission met on Tuesday, May 24, 2016 at 7:00 PM in the Mural Room at the Duxbury Town Hall.

Members Present: Chairman Corey Wisneski, Sam Butcher, Robb D'Ambruoso (arrives 7:03), Tom Gill, Dianne Hearn, Holly Morris

Members Absent: John Brawley

Staff Present: Susan Ossoff, Administrative Assistant

The meeting was called to order at 7:00 PM

CONTINUED PUBLIC HEARING; JULIANO ENTERPRISES; 0 CONGRESS STREET, SINGLE FAMILY HOME

SE18-1730

Mark Casey of South Shore Survey along with Brad Holmes of Environmental Consulting and Restoration represented the applicant. The Commission had requested the hiring of a consultant to verify the wetlands delineation, the applicant agreed and Nover-Armstrong was hired and provided a letter report. The report questioned the presence of a possible vernal pool, but this standing water was actually due to a blocked pipe that runs under the street and it is not a vernal pool. The pipe will be unblocked by hand.

The delineation of the wetlands areas were confirmed by the consultant. A portion of the house is in the buffer zone but nothing is closer than 50 feet. The project meets coverage requirements.

Chairman Corey Wisneski commented that the consultant's report was not received in time to be included in the Commissioner's packets, and therefore she would like to continue the meeting to provide adequate time for the Commissioners to review this report.

On a motion by Sam Butcher, seconded by Tom Gill, it was voted 6-0-0 to continue the hearing for SE18-1730 until June 7 at 7:25 pm.

CONTINUATION OF PUBLIC HEARING; PATEL; 20 BRADFORD ROAD; REVETMENT

SE18-1698

The hearing was opened. The hearing for 30 Bradford Road was also opened; the discussion for the projects continues under 30 Bradford Road below.

CONTINUATION OF PUBLIC HEARING; BRADFORD ROAD REALTY TRUST; 30 BRADFORD ROAD; REVETMENT

SE18-1697

Note: The quorum for the Bradford Road hearings is Tom Gill, Holly Morris, Sam Butcher, and Dianne Hearn.

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Rick Grady of Grady Engineering said the latest plans have incorporated two changes recommended by the Commission's consultant, Stan Humphries of LEC, which are the addition of a buffer strip along the top of the bank, and revising the wall in front of the house at 30 Bradford Road. Sam Butcher asked if the applicants are in agreement with the ongoing sediment replenishment requirements and Rick Grady said that the applicants understand and accept those requirements.

Holly Morris asked who will ensure that there is adequate sand on the ramp; this will be monitored as part of the annual sand level monitoring requirements.

Robb D'Ambruoso commented on a proposed condition suggested by Attorney Gene Guimond which stated that the condition of the dune shall be reported by March 1 of each year which may trigger replenishment of the beach. Robb D'Ambruoso pointed out this is not only an annual obligation; the trigger for replenishment is the exposure of the marker stones on the wall, not just a March 1 date. Rick Grady concurred that the marker stones are the indicator for the need to replenish the beach. The annual letter is the minimum reporting requirement.

Stan Humphries said the project meets the state and local regulations.

From the audience, Leo Chylack of 15 Bradford Road asked if any of the eroded area is being restored. Rick Grady said no eroded area is being restored. Mr. Chylack also asked about the ramp and whether the use of Sealegs on the ramp requires a base of stone under the sand. Rick Grady said there will be a stone base with sand on top of the stone.

Tony Kelso of 1 Elder Brewster Road asked about the ramp and whether it extends beyond the revetment, and if so whether it will cause any groin-like effects. Rick Grady said they tried to keep the ramp back as far as possible. Stan said initially the applicants had proposed a groin on the southern end of the wall adjacent to the beach; this would have led to a negative adverse impact. The ramp is on the north side of the 30 Bradford Road house which is not near a vulnerable resource area.

Mr. Chylack asked how long the revetment construction will take. Rick Grady estimated 2-3 weeks but he is not sure when it will start.

On a motion by Dianne Hearn, seconded by Tom Gill, it was unanimously voted 4-0-0 to write Orders of Conditions for SE18-1697, 30 Bradford Road.

On a motion by Dianne Hearn, seconded by Sam Butcher, it was unanimously voted 4-0-0 to write Orders of Conditions for SE18-1698, 20 Bradford Road.

PUBLIC HEARING: STARR, Jr. TRUSTEE; 326 POWDER POINT AVE; SINGLE FAMILY HOME.; 44 ELDER BREWSTER ROAD; SINGLE FAMILY HOME SE18-1731

Tom Pozerski of Merrill Engineering represented the applicant. The resource areas have been approved through the filing of an ANRAD; they have an approved ORAD. There will be 4451 more square feet of structure in the Riverfront Area than with the existing structures. 1:1 mitigation is required, they are proposing 10,625 square feet of mitigation area or a 2.3:1 ratio. The buffer zone coverage will increase from 7.1% to 10.8%. The home is 25 feet further from the resource areas than the existing home. They are proposing a 25 foot wide natural buffer

adjacent to the top of the Coastal Bank. An alternatives analysis has been provided; the proposed project is a major improvement from the current conditions which include a cesspool and grass adjacent to the resource area. The new sanitary disposal system is outside the buffer zone; the pool and tennis court are more than 50' away from the resource area. The landscaping will be changed to native and noninvasive species.

The Buffer Zone mitigation plan was not submitted when the other revised plans were submitted and so the Commissioners did not receive a copy of this plan. Copies of this plan have been provided to the Commission.

Holly Morris asked if there will be any drain pipes along the revetment area, Tom Pozerski said that there will not and the erosion on the east side of the property over the winter is due to a poorly constructed revetment. There will be a subsequent filing to replace the existing revetment. Holly Morris asked what types of materials will be used to build the retaining wall, Mr. Pozerski said there will not be any retaining walls and no changes below the top of the Coastal Bank are part of this current project submittal.

The hearing will be continued so the Commissioners will have time to review the mitigation plan. On a motion by Sam Butcher, seconded by Holly Morris, it was voted 6-0-0 to continue the hearing for SE18-1734 until June 7 at 7:27 pm.

ADMINISTRATIVE MATTERS

CERTIFICATES OF COMPLIANCE

SE18-901; 26 Saltmeadow Lane: duplicate originals: The original signed copies of the previously issued Certificates of Compliance for this project have been misplaced by the applicant, the Commission is signing new originals for the applicant to submit to the Registry of Deeds.

CHANGES TO PLAN: 7 Bay Ave; SE18-1712

The applicant has requested revisions to the approved project that include revising the covered porch on the ocean side, moving the main house further from the seawall, reducing the remaining porch to 325 square feet, and increasing the house and porch area to 4760 square feet as shown on a revised plan dated 5/17/2016 by Seacoast Engineering.

On a motion by Tom Gill, seconded by Sam Butcher, it was voted 5-0-0 (Robb D'Ambruso had not yet arrived to vote) to allow the minor modifications to the plan and allow the existing plan under the existing Orders of Conditions.

Adjournment: On a motion by Tom Gill, seconded by Sam Butcher, it was voted 6-0-0 to adjourn the meeting at 7:50 pm.

MATERIALS REVIEWED AT THE MEETING

NOI materials for SE18-1730; SE18-1698; SE18-1697; SE18-1734