



Town of Duxbury
Conservation Commission
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DUXBURY, MASS.

Minutes of July 12, 2016

The Conservation Commission met on Tuesday, July 21, 2016 at 7:00 PM in the Mural Room at the Duxbury Town Hall.

Members Present: Chairman Corey Wisneski, Sam Butcher, Robb D'Ambruoso, Tom Gill

Members Absent: John Brawley, Holly Morris

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

The meeting was called to order at 7:00 PM

PUBLIC HEARING; BESCEMI; 554 UNION STREET; DETACHED GARAGE, GRADING, UTILITIES, DRIVEWAY

SE18-1739

This project is to build a detached garage with a driveway and utilities. There is a perennial stream to the rear and bordering vegetated wetlands. The project is outside the 100 foot buffer except for the grading which is within the 200 foot Riverfront area and is land subject to flooding. They are proposing compensatory flood storage. For mitigation for the degradation of the Riverfront area, they are proposing planting 20 shrubs (a 1:1 ratio of mitigation).

Joe Grady said the application is complete and meets the Rules and Regulations. It is a complex site but most of the project is outside the 100 foot buffer.

On a motion by Sam Butcher, seconded by Tom Gill, it was voted 4-0-0 to write Orders of Conditions for SE18-1739, 554 Union Street.

CONTINUED PUBLIC HEARING; ARDEA REALTY TRUST, STARR, JR. TTE; 326 POWDER POINT AVE; REVETMENT AND LANDSCAPING

SE18-1738

Tom Mazurski of Merrill Engineering described the project which is to rebuild the revetment so the top is at about elevation 17. The boat house will be pushed back 5-6 feet and elevated to comply with FEMA requirements. They will remove invasive species and replace with native species; 1:1 mitigation is required in a Riverfront area but this plan offers 1.6:1 mitigation. There is a 9356 square foot increase in impervious surfaces, and they are proposing a 15,000 square foot restoration directly adjacent to the resource area.

Joe Grady said the proposed mitigation which is between the project and the river is in an excellent location. The boat house is being pulled about 6 feet further off the beach.

Bob Hayes of 310 Powder Point Ave asked about how the wall elevation is in relation to neighboring walls. Mr. Mazurski said the neighboring walls are 12-15 feet tall; they will taper the wall to meet the neighbor's walls. Mr. Hayes asked if there will be any effects on the neighboring revetments and Mr. Mazurski said there will not be any effects, the face of the new wall will match the face of Mr. Hayes' wall and the walls will be flush to each other. Mr. Hayes asked if

they plan to leave the naturally occurring vegetation that is present, Mr. Mazurski said they will leave the trees that aren't interfering with the revetment, but some trees will have to be taken down.

On a motion by Tom Gill, seconded by Sam Butcher, it was voted 4-0-0 to write Orders of Conditions for SE18-738, 326 Powder Point Ave.

PUBLIC HEARING; COFFEY; 50 ALEXANDER WAY; POOL, POOL SHED, GRADING AND LANDSCAPING

SE18-1741

Paul Brogna and property owner Brian Coffey were present to describe the project which is a pool and pool shed and landscaping. There is currently 8.3% coverage and there will be 13.8% coverage after the project. The pool and decking are not yet designed. The final design might include a slope or a tie wall. They will remove one 30" tree.

Corey Wisneski asked if the design changes if they will be closer to the wetlands and Mr. Brogna said no. Joe Grady said the project meets the regulations regarding setbacks and coverage. Sam Butcher reminded the applicants that they are bumping up close to the allowable coverage and that the project should not be made any larger. A letter from an abutter was acknowledged.

On a motion by Sam Butcher, seconded by Robb D'Ambruoso, it was voted 4-0-0 to write Orders of Conditions for SE18-1741, 50 Alexander Way.

PUBLIC HEARING: TRIPI; GARSIDE RESERVOIR ASSOCIATION; AQUATIC MANAGEMENT AT GARSIDE RESERVOIR

SE18-1740

Solitude, an Aquatic Control management company since 1992, represented the applicant. The existing Orders of Conditions have expired. This is a shallow pond with lots of nutrient input and they want to implement a control program utilizing herbicides as an ongoing maintenance project. Normally they would use the herbicide Sonar early in the season, as it is now later they will use Reward which is a contact herbicide.

Joe Grady asked if they would plan to treat the reservoir each year; the plan would be to use Reward every year and Sonar every few years. Joe Grady said this property was transferred from the Selectmen to the Conservation Commission and therefore the Commission needs to be aware of all chemical usage. The Orders will require a map of the vegetation, a follow-up inspection map, and an annual year-end report.

On a motion by Sam Butcher, seconded by Tom Gill, it was voted 4-0-0 to write Orders of Conditions for SE18-1740, Garside Reservoir.

PUBLIC HEARING; CORENTTA; 44 WIRT WAY; PIER

SE18-1742

Paul Brogna representing the applicant said there is an existing pier and they are proposing a new pier 164' in length and 4' for the walkway with a 3' x 20' gangway and a float. The regulations require using the shortest practical distance which is 25 feet from the lot line, but the neighbor wants better spacing from his pier so the applicant has located the pier further away and it is longer because of the location.

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Joe Grady asked whether this is a repair or replacement. Corey Wisneski said the new pier is shorter than the existing pier by 9-10 feet. Sam Butcher said this area is not part of a Tidal Creek, Mr. Brogna agrees and Corey Wisneski said this is an open water location. Sam Butcher asked if the old pilings will be removed; Paul Brogna said they would be cut off so the resource area won't be disturbed and new ones will be driven in. Joe Grady said the old pilings must be removed.

Joe Grady asked if a copy of the Division of Marine Fisheries letter could be provided. He said non treated local hardwoods or recycled plastics can be used.

Neighbor Jim Linsdell asked if the height and width of the pier will affect the view from his property. Paul Brogna said there are handrail options that are more invisible and they are open to suggestions.

Corey Wisneski asked how much higher the replacement pier will be. Mr. Brogna said the existing pier is about 14-14.5' tall, the new one is about 15.5' tall or about a foot taller.

On a motion by Sam Butcher, seconded by Robb D'Ambruoso, it was voted 4-0-0 to write Orders of Conditions for SE18-1742, 44 Wirt Way.

INTERVIEW FOR OPEN CONSERVATION COMMISSION SEAT

Scott Zoltowski was interviewed for the open seat after the completion of her term by Dianne Hearn. Mr. Zoltowski described his background and experience. Joe Grady highly recommended Mr. Zoltowski.

On a motion by Tom Gill, seconded by Robb D'Ambruoso, it was voted 4-0-0 to recommend to the Board of Selectmen that Scott Zoltowski be appointed to the Conservation Commission.

ADMINISTRATIVE MATTERS

MINUTES

On a motion by Tom Gill, seconded by Sam Butcher, the minutes of May 10, 2016 were approved by a vote of 4-0-0.

CERTIFICATES OF COMPLIANCE

SE18-1454; 4 Midway Road Joe Grady has inspected the property, the required documentation has been submitted, the project conforms to the Orders of Conditions and he recommends Certificates of Compliance be issued. On a motion by Sam Butcher, seconded by Tom Gill, it was voted 4-0-0 to issue Certificates of Compliance for SE18-1454; 4 Midway Road.

SE18-952; 4 Midway Road: Duplicate Originals

Duplicate Original Certificates of Compliance were signed because the originals were lost by the applicant.

SE18-1547; 46 Standish Road: This was a salt marsh restoration project. The marsh has been fairly well restored. The project complies with the Orders of Conditions, the necessary documentation has been received and Joe Grady recommends Certificates of Compliance be issued. On a motion by Sam Butcher, seconded by Tom Gill, it was voted 4-0-0 to issue Certificates of Compliance for SE18-1547, 46 Standish Road.

SE18-1705; 59 Gurnet Road: For this project, Joe Grady said he is looking for guidance from the Commission. The coverage exceeds the coverage proposed in the Notice of Intent. The existing coverage was 4160 square feet, the proposed project was to be 3409 square feet, and after completion of the project the coverage is 3645 square feet. Sam Butcher said that in general it is important to hold people to what is presented in the proposed project and suggested the applicant be invited to the meeting to discuss this with the Commission. Robb D'Ambruoso added that if it was intentional it is an issue; if it was inadvertent it should be discussed. The applicant will be invited to the next Conservation Commission meeting.

SE18-840; 43 Hawkins Place: A partial Certificate of Compliance was issued for this project on June 17, 1998. The only outstanding issue at that time was for the lawn to regrow for the full Certificates, the lawn is now grown in and Joe Grady recommends that Certificates of Compliance be issued. On a motion by Robb D'Ambruoso, seconded by Sam Butcher, it was voted 4-0-0 to issue Certificates of Compliance for SE18-840, 43 Hawkins Place.

SE18-1707; 71 Ocean Road N: Joe Grady has not yet inspected this property so does not recommend a vote at this time.

CHANGES TO PLAN: SE18-1720; 237 King Caesar Road

Joe Grady explained this does not need to be discussed at this time.

CONSERVATION FUND EXPENDITURE

Joe Grady explained that there is a need to cover costs for the waste disposal service for the Mutt Mitt program to pay an invoice to Waitkus Disposal Services. The Town's Department of Public Works now performs this service.

On a motion by Robb D'Ambruoso, seconded by Tom Gill, it was voted 4-0-0 to approve the expenditure of \$1521 from the Conservation Fund to pay an invoice for Mutt Mitt disposal in fiscal year 2016.

EXECUTIVE SESSION

Corey Wisneski made the following motion: I move we go into Executive Session to consider the taking, purchase, exchange, lease or value of real property if such discussion may have a detrimental effect on the negotiating position of the governmental body; and to reconvene in open session in accordance with MGL c. 39, section 23B, subsection 6. The motion was seconded by Sam Butcher. Roll call vote: Corey Wisneski, yes; Sam Butcher, yes; Robb D'Ambruoso, yes; Tom Gill, yes

Adjournment: On a motion by Sam Butcher seconded by Tom Gill, it was voted 4-0-0 to adjourn the meeting at 8:30 pm.

MATERIALS REVIEWED AT THE MEETING

NOI materials for SE18-1739; SE18-1738; SE18-1741; SE18-1740; SE18-1742