



Approved 11/1/16

TOWN CLERK

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DUXBURY, MASS.

Town of Duxbury Conservation Commission

Minutes of July 26, 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, Tom Gill; Holly Morris

Members Absent: John Brawley, Robb D'Ambruoso

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

The meeting was called to order at 7:00 PM

PUBLIC HEARING; DUXBURY CONSTRUCTION LLC; 167 BAY ROAD; SEPTIC SYSTEM, GRADING, LANDSCAPING SE18-1743

Freeman Boynton, representing homeowner Virginia Williams, described the project. The owner is selling the home and a septic system that is the best option possible for the property has been designed; the design is to pump the effluent up to a leaching chamber which helps reduce the distance to the groundwater. Corey Wisneski asked if the trees on the property will remain and Mr. Boynton said yes.

Neighbor Kate Szczesny of 155 Bay Road asked if there will be regrading that may worsen her basement water issues. Freeman Boynton said the system has been designed to keep runoff on the site. Joe Grady asked if there will be any grading of Bay Ridge Lane and Mr. Boynton said there will be no grading.

On a motion by Holly Morris, seconded by Sam Butcher, it was voted 4-0-0 to write Orders of Conditions for SE18-1743; 167 Bay Road.

ADMINISTRATIVE MATTERS

SE18-1705; 59 GURNET ROAD; DISCUSSION ABOUT CERTIFICATE OF COMPLIANCE (coverage change)

Candace Martin, the property owner, explained that originally there was 4160 square feet of coverage at the site and the approved plan by the Conservation Commission allowed 3437 square feet. Some changes during completion of the project have resulted in there being 3645 square feet of coverage. The additional coverage is due to needing larger increased the sill size due to building department requirements related to wind loading, reconfiguring the front steps to fit the grade, and adding rounded corners to the driveway.

Sam Butcher commented that there is no easy way to reduce coverage at this site, but the mitigating factor is that the pre-existing coverage has not been exceeded. Joe Grady commented that most people keep the original coverage, and in this case the proposed

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project coverage was reduced 515 square feet. Holly Morris commented that this should not set a precedent, but it is not easy to reduce coverage at the site now.

On a motion by Sam Butcher, seconded by Tom Gill, it was voted 4-0-0 to issue Certificates of Compliance for SE-1705, 59 Gurnet Road, noting that the coverage exceeds the approved coverage but is less than the preexisting coverage.

SE18-1708; 80 SEABURY POINT ROAD; PROPOSAL FOR CONSULTING SERVICES FROM LEC ENVIRONMENTAL

Joe Grady reviewed that the engineer for this project, Paul Brogna, has requested amending the slope stone revetment. Joe Grady is recommending that the Commission hire a consultant to look for a solution because the amended wall is vertical which the Commission prefers not to allow and a new Notice of Intent may be required for it. Joe Grady is recommending that Stan Humphries of LEC Environmental be hired and a copy of his price proposal has been provided to the Commission.

Sam Butcher asked if Mr. Humphries recommends a solution that the Commission does not support, can the Commission not support that recommendation. Tom Gill said the Commission can take or reject the recommendation of the consultant. Corey Wisneski suggested the language in the draft contract be amended in Section 1.1 to add 'while maintaining protection of resource area' at the end of the sentence that now ends 'less intrusive on property.'

On a motion by Sam Butcher, seconded by Holly Morris, it was voted 4-0-0 to accept the proposal for consulting services from LEC Environmental including the amendment to Section 1.1.

CERTIFICATES OF COMPLIANCE

SE18-1705; 59 Gurnet Road see vote approving Certificates of Compliance under description of this matter on previous page

SE18-1707; 71 Ocean Road N.: Joe Grady said the project complies with the Orders of Conditions, all required documentation including an as-built plan have been received, he has inspected the property, and he recommends partial Certificates of Compliance be issued because the beach grass and vegetation that have been planted have not had enough time to successfully grow; he recommends certification for everything except the revegetation plan. On a motion by Holly Morris, seconded by Tom Gill, it was voted 4-0-0 to issue Partial Certificates of Compliance for SE18-1707, 71 Ocean Road N.; complete Certificates of Compliance may be issued after the vegetation is successfully established.

SE18-1699; 140 Plantation Drive: The project complies with the Orders of Conditions, the necessary documentation has been received and Joe Grady recommends Certificates of Compliance be issued contingent on the receipt of the \$75 fee for a Certificate of Compliance that has not yet been received by the office. On a motion by Sam Butcher, seconded by Tom Gill, it was voted 4-0-0 to issue Certificates of Compliance for SE18-1699, 140 Plantation Drive contingent on receipt of payment.

SE18-1303; 37 Fort Hill Lane: Joe Grady reported that the as-built for this project is not accurate. It reflects the walkway accurately but not the float; there are 2 large floats that exceed what the regulations allow. Joe Grady spoke with Paul Brogna and the original Chapter 91 license from 1996 allowed for a 40 foot long float. Today there are 2 floats that total 40 feet in length; the question is whether to accept this as 'grandfathered.'. At a minimum an accurate as-built is necessary. Corey Wisneski said the plan as submitted to the Conservation Commission for SE18-1303 in 2005 does not show a 40 foot float. Joe Grady said the 2005 plan shows 1 normal sized float. On a motion by Tom Gill, seconded by Holly Morris, it was voted 4-0-0 to issue Certificates of Compliance for SE18-1303 subject to receipt of an accurate as-built plan.

SE18-977; 110 Humphries Lane: The project complies with the Orders of Conditions, the necessary documentation has been received and Joe Grady recommends Certificates of Compliance be issued for SE18-977. On a motion by Sam Butcher, seconded by Tom Gill, it was voted 4-0-0 to issue Certificates of Compliance for SE18-977, 110 Humphries Lane.

SE18-565; 51 Stockade Path: Certificates of Compliance have already been issued for this project although they have been lost by the applicant; duplicate originals Certificates of Compliance are being provided.

SE18-509; 848 Franklin Street: The project complies with the Orders of Conditions, the necessary documentation including an as-built plan has been received and Joe Grady recommends Certificates of Compliance be issued for SE18-509. On a motion by Holly Morris, seconded by Tom Gill, it was voted 4-0-0 to issue Certificates of Compliance for SE18-509; 848 Franklin Street.

SE18-1422; 427 Bay Road: The project complies with the Orders of Conditions, the necessary documentation including an as-built plan has been received and Joe Grady recommends Certificates of Compliance be issued for SE18-1422. On a motion by Tom Gill, seconded by Sam Butcher, it was voted 4-0-0 to issue Certificates of Compliance for SE18-1422; 427 Bay Road.

Duplicate Originals: Duplicate original Certificates of Compliance are being provided for SE18-459, 26 Salt Meadow Lane and SE18-1676, 23 Sagamore Road.

CONSERVATION COMMISSION RESIGNATION/NEW CANDIDATE

John Brawley has resigned from the Conservation Commission because he has difficulty attending the meetings. Mickey McGonagle, a longtime volunteer in many capacities in Duxbury with a strong finance background, has submitted a Talent Bank application for the Commission. He will be invited to the next meeting for an interview for the open position.

CONSERVATION FUND EXPENDITURE

Joe Grady explained that at the Keene's Mill site, there is a CPC project to restore the mill foundation. Bids were issued and came in too high; the project was re-bid and reconfigured into phases, and the bids still came in higher than the available funds. An additional \$3,375 is needed (the low bid is for \$26,700).

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On a motion by Sam Butcher, seconded by Holly Morris, it was voted 4-0-0 to approve the expenditure of \$3,375 from the Conservation Fund for the contract with Dandel Construction to fund the Keene's Mill Dam repair.

Adjournment: On a motion by Sam Butcher seconded by Tom Gill, it was voted 4-0-0 to adjourn the meeting at 8:00 pm.

MATERIALS REVIEWED AT THE MEETING

NOI materials for SE18-1743

SE18-1705 plan showing coverage

SE18-1708 consulting services proposal