



Town of Duxbury
Conservation Commission
TOWN CLERK
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DUXBURY, MASS.

Minutes of December 6, 2016

The Conservation Commission met on Tuesday, December 6, 2016 at 7:00 PM in the Mural Room at the Duxbury Town Hall.

Members Present: Chairman Corey Wisneski; Robb D'Ambruoso; Tom Gill; Mickey McGonagle; Holly Morris

Members Absent: Sam Butcher, Scott Zoltowski

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

The meeting was called to order at 7:07 PM

PUBLIC MEETING; 174 MARSHALL STREET NOMINEE TRUST; 174 MARSHALL STREET; REPAIR ARMORED SEAWALL

Paul Brogna, representing Peter Muncie, Trustee of the 174 Marshall Street Nominee Trust, described the project. There is a 25'-30' section of failed rip rap wall they want to repair mostly using the stones on the site but importing some small stones, and keeping the toe of the slope exactly where it currently is. Joe Grady asked about access to the site, and whether they have permission to come down Ocean Ave. Mr. Brogna said they have verbal permission to cross 2-3 properties. Joe Grady said the work should be done at low tide to protect the wetlands resource areas. Holly Morris asked about the slope of the wall; Mr. Brogna said it was 3:2. Holly Morris asked how far the footing extends below the sand; Mr. Brogna said 2-3 feet below grade. Joe Grady said he recommends this project be conditioned so that the route of travel must be approved before any work can be done and written permission from the landowners needs to be provided to the Conservation Administrator.

On a motion by Holly Morris, seconded by Mickey McGonagle, it was voted 4-0-0 to issue a Negative Determination such that a Notice of Intent is not required for the repair of the seawall at 174 Marshall Street but no work can begin until both the route of travel and written permission from landowners is received and approved by the Conservation Administrator.

CONTINUED PUBLIC HEARING; DUXBURY CONSTRUCTION LCC; 283 KING CAESAR ROAD; DEMOLISH POOL AND PATIO, REMOVE BLOCK WALL AND CONSTRUCT SLOPE STONE SEAWALL

SE17-1752

Freeman Boynton, Jr., representing the Estate of Marianne Ellison, described the project which is to move a seawall on property belonging to the King Caesar Beach Trust onto the Ellison property. The owner at 315 King Caesar Road wants to remove the concrete seawall and build a slope stone wall further back with grading behind the wall to remove flooding potential. Joe Grady said this property is at the low point and the new wall will seal off the dike. The wall is being moved back out of the resource area and new resource area is being created. Corey Wisneski asked about the coverage calculations and whether the pool to be removed is included in them; Mr. Boynton said the calculations are accurate and the pool is not being replaced. Holly

Morris asked about the staircase; there will be 2 new staircases, one for access to the beach and one in front of the house. The wall will be 'married' to the wall on the adjacent property and the existing swale will be removed. Chris Norton, a neighbor, said that he welcomes this proposed work.

On a motion by Robb D'Ambruoso, seconded by Holly Morris, it was voted 4-0-0 to write Orders of Conditions for SE18-1752, 283 King Caesar Road.

DUXBURY WETLANDS REGULATIONS AND POLICIES CONTINUING REVIEW

The process for reviewing the Regulations was discussed. The revised draft will be made available to the public online at the Town's website and hard copies will be placed at the Town Hall and the library. Sam Butcher is writing a press release that will describe the availability of the draft and the process for offering comment. Comments about the draft revisions must be submitted to the Commission in writing by January 17 at noon. These comments will be distributed to the Commissions in advance of the January 24 meeting. On January 24 a working discussion/review session will be scheduled at the Commission's meeting and the public and anyone who submits comments will be invited to attend. A Public Hearing to adopt the regulations will be scheduled in February.

ADMINISTRATIVE MATTERS

MINUTES

August 16, 2016: On a motion by Holly Morris, seconded by Mickey McGonagle, the minutes of August 16, 2016 were approved by a vote of 4-0-0.

September 6, 2016: On a motion by Holly Morris, seconded by Mickey McGonagle, the minutes of September 6, 2016 were approved by a vote of 4-0-0.

CERTIFICATES OF COMPLIANCE:

SE18-1714; 274 Marshall Street: Joe Grady is not recommending a Certificate of Compliance for this property at this time; he is awaiting some further information from the applicant.

REQUESTED CHANGES TO PLANS UNDER EXISTING ORDERS OF CONDITIONS:

SE18-1755; 58 Stetson Place: The request is the addition of a patio; the proposed work meets the buffer and setback requirements and Joe Grady recommends it be accepted under the Existing Orders of Conditions.

On a motion by Robb D'Ambruoso, seconded by Holly Morris, it was voted 4-0-0 to approve the request to include the proposed patio under the existing Orders of Conditions for SE18-1755, 58 Stetson Place.

SE18-1708; 80 Seabury Point Road: Joe Grady explained that the Commission permitted a slope stone wall project at this property; Stan Humphries of LEC Environmental was the Commission's consultant and said that he believed erosion at this site was not a problem and this is not a V zone. The modified proposal is to have the bottom part of the wall be slope stone and the upper part be vertical stacked stone. Joe Grady recommends accepting the revised plan under the existing Orders of Conditions,

with a reminder to the applicant that they cannot occupy any part of the beach with this wall.

On a motion by Corey Wisneski, seconded by Robb D'Ambruoso, it was voted 4-0-0 to approve the request to include the revised plan title3d "Reconstruct Seawall for 80 Seabury Point Road, revision 4, dated 11/21/2016 and the letter from Seacoast Engineering dated 11/21/2016 under the existing Orders of Conditions for SE18-1708, 80 Seabury Point Road.

EXECUTIVE SESSION:

Robb D'Ambruoso made the following motion: I move we go into Executive Session to consider the taking, purchase, exchange, lease or value of real property because 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 to adjourn. The motion was seconded by Tom Gill. Roll call vote: Corey Wisneski, yes; Robb D'Ambruoso, yes; Tom Gill, yes; Mickey McGonagle, yes; Holly Morris, yes;

Adjournment: On a motion by Tom Gill, seconded by Robb D'Ambruoso, it was voted 5-0-0 to adjourn the meeting at 7:35 pm.

MATERIALS REVIEWED AT THE MEETING

RDA application materials for 48 Russell Road
Revised/updated plans for SE18-1720
Draft minutes of October 4, October 18, November 1
Draft Executive Session minutes of July 12, October 4, October 18, November 1
Draft Open Space and Recreation Plan