

# North River Commission

Representing the Towns of – Hanover, Hanson, Marshfield, Norwell, Pembroke & Scituate  
PO Box 760, Hanover, MA 02339

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## Minutes April 28, 2022 - Meeting #572

Present: Hanson, Jennifer Heine (M), Hanover, Daniel Jones (M), Marshfield, Maryanne Leonard (M), Norwell, Robert Molla (A),  
Not Attending: Hanover, John O'Leary (A), Norwell, Tim Simpson (M), Pembroke, Bill Boulter (M) Pembroke, Gino Fellini (A), Scituate,  
Joseph Norton (M), Scituate, Adria Gallagher (A)

### **7:00 - Call to Order**

### **7:00 - Request for Determination - Stony Brook Lane Lots 62-55, 62-56, Norwell - Webb**

Paul Gunn of Morse Engineering Co., Inc. presented a project for the construction of a single-family dwelling on lots 55 and 56 on Stony Brook Lane. Mr. Gunn described the existing conditions on the site, describing a 6.3 acre site primarily consisting of woodland and wetland, accessed by a 12' wide private gravel way. In addition to being in the North River Corridor, the site contains inland Bordering Vegetated Wetlands. He further indicated the location of the Natural Bank, depicted in blue on the plan, and the limit of the Corridor, depicted in pink. Mr. Gunn described the length of the proposed structure as 92.5', requiring a frontage setback to the Natural Bank of 180'. He proposes a setback of 198' and frontage along the Natural Bank of 372', which meets the frontage requirement. He described the combined setback and frontage as 570' which meets the required 460'. He indicated that the height of the structure from the finished grade to the roof ridgeline is 29', lower than the 35' maximum allowed. Mr. Gunn stated that both of the driveway entrances were setback greater than the required 75'. The applicant had initially proposed a vista pruning element to the project that Mr. Gunn indicated is no longer part of the application and that if it is pursued at a later time an application will be made for that purpose. Mr. Jones asked for clarification on an unlabeled section of the house that Mr. Gunn answered was a covered porch. Mr. Gunn demonstrated where the existing treeline was and what proposed cutting would occur for the construction of the house and driveway. Ms. Leonard asked for clarification and Mr. Dunn elaborated, showing the area around the proposed house where tree cutting would occur and indicating an area across Stony Brook Lane, between the structure and the Natural Bank, where no cutting was proposed. Mr. Gunn exhibited an architectural rendering showing the river facing elevation of the house where he was able to confirm for Ms. Leonard the proposed 29' height. Ms. Leonard asked for information about the septic system and it was provided; Mr. Gunn indicating that the area of the proposed septic system was chosen to be as far as possible from both the Natural Bank and the Bordering Vegetated Wetlands on-site. Mr. Molla asked for information regarding the lot's location in relation to some nearby land that the town of Norwell owns. Mr. Gunn did not have the information at hand, GW would provide it for Mr. Molla later. Ms. Leonard asked whether there was a garage proposed. Mr. Gunn indicated its location on the southeasterly side of the structure and stated that the entrance did not face the river. Ms. Leonard asked what material was proposed for the driveway. The applicant proposes bituminous concrete and Mr. Gunn indicated that the required Notice of Intent and Stormwater Management applications would be made to the town. Mr. Molla asked what the square footage of the foundation was and Mr. Gunn believes that it is approximately 2,600 S.F. Mr. Gunn also confirmed for Mr. Molla that the lot was currently vacant. The Commission noted that all of the requirements of the Protective Order seemed to have been addressed in this application.

A motion was made and seconded that the project presented was an "Allowed Use." The motion passed unanimously.

Plans/Documents referenced: Engineering: "Plan to Accompany NRC Filing, Lots 55 & 56 Stony Brook Lane (Assessor's Parcel: 16D-62-55 & 56), Norwell, Massachusetts, Prepared for Greg Webb, Dated: 3/24/2022, Scale: 1" = 40', Morse Engineering Co., Inc, Gregory J. Morse, P.E."; Architectural: "New Home, Lot 55, Stony Brook Lane, Norwell, MA, A1-Plans, Dated: 3/21/22, Scale: 3/16" = 1'-0", Narlee Design"; "New Home, Lot 55, Stony Brook Lane, Norwell, MA, A-2-Front Elevation, Dated: 4/1/22, Scale: 1/4" = 1'-0", Narlee Design."

**7:15 - Special Permit - 26 River Road, Hanover - Phillips**

Darren Grady and Dillon Brady from Grady Consulting LLC presented a project for the construction of an addition to an existing structure within 100 ft of the Natural Bank of the North River. Mr. Brady reviewed the proposed plan, describing the existing configuration of the dwelling and detailing what the addition would consist of. He indicated that the proposed addition was a second-floor addition that would add 6' to the existing height of the structure, from 24' to 30'. No addition in length is proposed, nor is the building setback to the Natural Bank altered. Mr. Brady indicated that the addition would result in a 19% increase in the visual impact of the structure as viewed from the river. Mr. Jones pointed out that, relatively speaking, the house is one of the smaller in the area and that the increase is starting from a low figure to begin with, that a 19% increase is not very much considering its current area. Ms. Leonard asked for additional details regarding the addition. Mr. Brady provided them, indicating what portion of the roof would be heightened and which part would remain unchanged. No abutters were present to comment. The Commission confirmed that 25% was generally the maximum allowable increase, with some flexibility allowed for smaller structures where the overall area being considered is less substantial. A motion was made and seconded that a Special Permit be issued for the project described. The motion passed unanimously.

Plans/Documents referenced: "Plot Plan for Addition, #26 River Road, Hanover, Massachusetts, Prepared for Kimberly A. Phillips, 21 Lamplighter Lane, South Easton, MA 02375, Dated: March 18, 2022, Scale: 1" = 20', Grady Consulting, LLC, Darren M. Grady, P.E., Timothy R. Bennett, P.L.S."

**7:30 - Request for Determination - 224 Water Street, Pembroke - Currier & Richards**

Brad Holmes from Environmental Consulting & Restoration, LLC presented a plan for the construction of a footpath/boardwalk within the 300' North River Corridor. Mr. Holmes described the location and configuration of the lot. He noted that they had completed a Notice of Intent with the town's Conservation Commission. He briefly described aspects of the project that were outside the North River Corridor. In the Corridor, the applicant proposes a mix of footpath and boardwalk to access the river. The boardwalk would be constructed in swamplier areas and would be 3' wide and slightly elevated above the surface on posts. The footpath/boardwalk will stop as it approaches the natural bank of the river to serve as an access point for the future construction of a pier/dock/float. Mr. Holmes assured the Commission that the appropriate agencies, including the Commission, would receive applications for the anticipated pier/dock/float when the applicants were ready to move forward with that project. Ms. Heine asked for clarification about the depiction of the path on the presented plan. Mr. Holmes indicated that the path was colored one way to denote areas where it was in a Bordering Vegetated Wetlands and another way to denote where the path was in an Upland area. Mr. Jones noted that it seemed unclear where the Natural Bank was shown on the plan. Mr. Holmes elaborated what the lines on the plan indicated, pointing out where he had delineated the natural bank and the corridor line. Ms. Leonard asked how high the boardwalk would be. Mr. Holmes stated that it would be approximately one foot above the wetland. Mr. Molla asked for clarification on the project's location in relation to other recent projects in the area and it was given. Ms. Leonard asked if there was an existing path on the site. Mr. Holmes indicated there was a rough path existing that they would follow and that they would meander the path as necessary to avoid trees. Ms.

Heine asked for confirmation that trees would not be cut down and it was given, Mr. Holmes noting that it would create more work to cut and remove trees than simply meandering the path around trees. Mr. Jones asked where the boardwalk would stop, suggesting that at a certain point, standards for the height of a pier within the bounds of the natural bank would apply. Mr. Holmes stated that the path would stop well short of the natural bank. A motion was made and seconded that the project presented was an "Allowed Use." The motion passed unanimously.

Plans/Documents referenced: "Plan of Land Prepared for Christina Currier and Robert Richards, 224 Water Street, Pembroke, MA., Dated: 06 Feb 22, Scale: 1" =40', Moran Surveying Incorporated, Stephen F. Moran, P.L.S."

#### 7:45 - New Business

1. Minutes approved for March 24, 2022 meeting.
2. Administrators Report - Administrator Gary Wolcott (GW) reported on...
  - 88 Stony Brook Lane, Norwell - Received a copy of the Chapter 91 Waterways License.
  - 3 Trouant's Island, Marshfield - Received the requested detail plan that showed the total width of the structure as viewed from the river, including decks and steps.
  - 69 Neal Gate Street, Scituate - Discussed a Release of a Cease & Desist Order issued against this property in 1994. The Order had been given for unpermitted vegetative cutting. Upon restoration, an original Release had been given to the homeowner but had never been recorded at the Registry of Deeds, meaning that the Cease & Desist Order was still on record. The current, different owner's attorneys uncovered this in a title search and asked that a new Release be issued. An original Release of Cease & Desist Order was drafted, signed by the Chair and Vice-Chair and provided to the attorney.
  - 251 Damon's Point Road, Marshfield - Received a copy of a monitoring report for the restoration plan for the non-compliant vegetative cutting that had occurred. The report indicated that the new vegetation had taken hold and continuing to grow.
  - 22 Salt Meadow Lane, Scituate - Applicant has completed restoration plans but is still waiting for his architectural plans; he will schedule a hearing with the Commission when they are finished.
  - Recent municipal filings of Corridor properties - Projects previously reviewed, currently under review or expected to come under review by the North River Commission.  
Hanover, 26 River Road, Conservation Commission for addition currently under review.  
Marshfield, 76 Carolyn Circle, Conservation Commission for dock project, 64 Little's Lane, Conservation Commission and ZBA for dock project, Norwell, Lots 55 and 56 Stony Brook Lane, Conservation Commission for house construction currently under review, 46 Bridge Street, Conservation Commission for Dock repair, 22 Salt Meadow Lane, Conservation Commission for restoration plan of vegetative cutting,
  - Real Estate transactions in the Corridor - 124 Brigantine Circle, Norwell, 474 Spring Street, Marshfield, 78 Stony Brook Lane, Norwell - Welcome letters sent.
  - Site Visits - None.
  - Salmond School needs the office space that the Commission had been using for other purposes and has asked the Commission to relocate. They have arranged some office space at the offices of the Hanover DPW at the Water Filtration Plant on Pond Street Hanover. GW is in the process of moving the office with the intention of completing it by the end of April. He suggests that the proposed space will serve temporarily but believes that a long-term solution should be sought. The proposed location will be unable to service walk-ins from the public as the office is at the rear of the building and requires walking through some of the machinery of the plant and is thus not suitable for public access.

7:45 - Old Business

- **Funding for Fiscal Year 2023** - Ms. Leonard reviewed recent developments regarding the Fiscal Year 2023 Budget. She described her communications with Representative Kearney where he relayed the progress of the request through the House and Senate and expressed optimism that the funding would be budgeted. They are hopeful that a permanent funding structure can be created that would make the funding of the Commission part of the annual budget and preclude the necessity to seek an "earmark" every year. The legislation has been designated House Amendment 215 for tracking purposes.
- **Boat Patrol** - Ms. Leonard updated the status of the Boat Patrol. Town of Marshfield has tentatively agreed to perform details for a fee by the Harbormaster. The town will draft a Memorandum of Understanding that will outline the parameters of the agreed upon patrols. The Town Administrator has been busy with Town Meeting and will forward a draft of the MOU shortly.
- **Shipyard Signs** - Marshfield Community Preservation Committee has allotted funds to place signs at three historic shipyards on the North River. The Commission reviewed the design standards for signs along the river. Ms. Leonard will follow up with the Preservation Committee as circumstances warrant.
- **142 River Road, Hanover** - Received a call from the homeowner asking for an update on a Release of a Cease & Desist Order issued against the property. They ask for a resolution of the issue and suggest that it may be time for them to pursue their own efforts to rectify the situation. The Commission reviewed the history, timeline and correspondence of the project and agreed to invite the homeowners to the next meeting for a Request for Determination of Allowed Use hearing.

Meeting adjourned 8:50 pm  
Gary Wolcott, Administrator