

North River Commission

Representing the Towns of – Hanover, Hanson, Marshfield, Norwell, Pembroke & Scituate
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Minutes December 15, 2022 - Meeting #580

Present: Hanover, Andrew Butler (A), Hanson, Donna Frehill (A), Marshfield, Maryanne Leonard (M), Norwell, Tim Simpson (M), Pembroke, Gino Fellini (A), Scituate, Adria Gallagher (A)

Not Attending: Hanover, Daniel Jones (M), Hanson, Jennifer Heine (M), Marshfield, Mike Dimeo (A), Norwell, Robert Molla (A), Pembroke, Bill Boulter (M), Scituate, Joseph Norton (M),

7:00 - Call to Order

7:00 - Informal Discussion - 76 Macomber's Ridge, Marshfield - Clary

Doris Clary appeared to discuss the plan for a replacement/upgraded septic system. GW noted that the Marshfield Board of Health and Conservation Commission has approved the plan and that the North River Commission had asked the resident to review the plan with them as well. Ms. Leonard asked how many bedrooms the system was designed to handle. Ms. Clary said that it was a four-bedroom design. Ms. Frehill asked if the system was located across the traveled way from the dwelling. Ms. Clary indicated it was, as was the existing cesspool that it will replace. Ms. Frehill noted the new system will be an improvement of the existing cesspool. Ms. Clary agreed. Ms. Leonard asked if construction had begun on the project and Ms. Clary replied that it had not, that she has held off until all approvals had been obtained. Ms. Leonard asked if any abutters were present. None were. Mr. Fellini asked if there would be anything visible above ground. Nothing will. Mr. Butler reiterated that replacing the cesspool with a new leaching field was an improvement of the existing conditions. Ms. Leonard reviewed why the resident was asked to come in, explaining that even with so called "Allowed Uses" it was important that the Commission was informed about projects occurring in the Corridor as there usually would be calls or questions from abutters or other users of the river when construction is noticed and that it was helpful to have plans and information on the record. The Commission agreed that the project as presented is an "Allowed Use"

Plans/Documents referenced: "Septic System Design Plan, 76 Macomber's Ridge (Assessor's Parcel: F18-03-02), Marshfield, Massachusetts, Dated: 9-15-22, Last Revision Dated: 10-13-22, Scale: As Noted, Morse Engineering Co., Inc., Gregory J. Morse, P.E."

7:15 - Informal Discussion - Riverside Drive, Hanover (Lot 73-3) - Hanover Open Space Committee

Mary Dunn appeared on behalf of the Hanover Open Space Committee to discuss the construction of an observation deck/viewing platform on town owned land in the Chapman's Landing & Iron Mine Brook Conservation Area. Ms. Dunn explained that the project was in conjunction with a trail project at Chapman's Landing and Iron Mine Brook. She reviewed construction details, trail map drawings and photographs of the site. Ms. Frehill asked if there were any additional plans for work at the site. Ms. Dunn replied there were not, that this observation deck was the end point of the trail. Ms. Leonard explained that a resident had called and asked what was going on at the site and this was what generated the Commission's interest in the project. Ms. Dunn explained that they had received Conservation Commission and Town approval and thought that was all that was required. Mr. Fellini asked how high the observation deck was. Ms. Dunn stated the platform was eight feet high and in response to Ms. Leonard's question the builder added that the railing was an additional three feet. There was a discussion about phragmites on the site. The

Commission acknowledged that their removal was an "Allowed Use." Mr. Fellini asked if the Open Space Committee had future plans to create a path through the phragmites for river access. They do not, as there is an existing canoe launch nearby at Chapman's Landing, off Indian Head Drive. Ms. Leonard asked if a formal vote was required to determine that the project was an allowed use. While not technically necessary for an "Allowed Use" a written memorialization of the decision for the file would be helpful and informative. Ms. Dunn asked that the Commission consider a **Request for Determination**. A motion was made and seconded that the project as presented was an Allowed Use. The motion carried unanimously. Plans/Documents referenced: Narrative, Dated: December 9, 2022, Applicant Photographs, Commission Photographs.

7:30 - Informal Discussion - 53 Collier Road, Scituate - Alvarez

Alex and Linda Alvarez appeared to discuss the repair of an existing boulder wall at 53 Collier Road, Scituate. Mr. Alvarez distributed a plan showing the location of the existing wall and photographs of its current condition which demonstrated an area of collapse that had created a gap. Mr. Simpson asked if the wall had been damaged by storm surge and Mr. Alvarez confirmed storms were a contributing factor but also that the collapse of the town's seawall further seaward had allowed greater access of water than previously occurred. Mr. Simpson asked if the Town had intentions to fix their wall. Mr. Alvarez noted that there were intentions to do so but repairs have, so far, not occurred. GW displayed and reviewed drone photography of the site. Discussion continued about the town's wall. Ms. Leonard asked what kind of equipment would be required to repair the wall. Mr. Alvarez indicated that an excavator with a claw was required. Rocks onsite that had been displaced will be repurposed and supplemented by additional boulders as needed. Mr. Alvarez confirmed that the repair was contained to a 6-10 ft. area. Mr. Simpson asked whether the wall's purpose was to hold the wave action back or to lessen its impact. Mr. Fellini added it might be to prevent erosion. Mr. Alvarez indicated that it did both. Mr. Fellini asked Mr. Alvarez to confirm that the wall would not be raised higher and that the project was only to repair the current gap. Mr. Alvarez did so. GW reviewed the location of the site, explaining that the site was nearly at the rear limit of the North River Corridor, probably greater than 200 feet from the Natural Bank as it is shown on the record maps. He continued that having plans and records of the project on file was helpful when the inevitable phone call occurred when an excavator showed up on site. Mr. Alvarez asked that the Commission consider a **Request for Determination** that the project was an "Allowed Use." A motion was made and seconded that the project as presented was an Allowed Use. The motion carried unanimously.

Plans/Documents referenced: Abstract of "Site Plan of Land, 53 Collier Road, Scituate, Mass., Dated: August 10, 1999, Scale: 1"-20', Murphy & Wait, P.C., Neil J. Murphy, R.L.S."; Applicant Photographs, Commission Photographs.

7:45 - New Business

1. Minutes approved for November 17, 2022 meeting.
2. Administrators Report - Administrator Gary Wolcott (GW) reported on...
 - 0 Edmund Road, Marshfield - Approval Letter for Request for Determination filing for dock reconstruction project forwarded to applicant and representative.
 - Communications with current hearing attendees about their projects and appearing at this meeting.
 - Boat Patrol - Marshfield Harbormaster informed the Commission that logs for 2022 patrols will be provided once the boat is pulled from the water.
 - Real Estate transactions in the Corridor - None

- Site Visits - 88 Old Bridge Road, Hanover - GW met with resident on site to discuss a project for interior renovation, exterior window replacement and re-planking of an existing deck.
- Recent municipal filings of Corridor properties - Projects previously reviewed, currently under review or expected to come under review by the North River Commission. Marshfield, 76 Carolyn Circle, Conservation Commission for dock project, 22 Nathaniel Way/99 Bartlett's Island Way, Planning Board for review of ANR Plan, Pembroke, review of potential proposal by NSRWA for dam removal.

8:00 - General-Old Business-Open Discussion

1. 67 Collier Road, Scituate - The Commission reviewed the status of 67 Collier Road, Scituate. The applicant last appeared at the October 2022 meeting for an Informal Discussion to discuss the construction of a boulder wall within the 100 ft. setback to the Natural Bank. The boulder wall had not been included on the plan which accompanied the April 2021 Special Permit Application to raze/rebuild the existing dwelling. Nor was it discussed at the April 2021 hearing. At the October 2022 meeting the applicants' representatives suggested that they would file an after the fact Special Permit Application for the boulder wall. The Commission discussed and determined that sufficient time had passed for the completion and submission of the Special Permit Application. They directed GW to draft a letter to the applicants requesting that they submit a Special Permit for the January 2023 meeting. They further noted that, failing the submission of a Special Permit Application the Commission would consider a Cease & Desist Order at the February 2023 meeting.
2. 87 Edmund Road, Marshfield - The Commission reviewed the status of 87 Edmund Road, Marshfield. The Commission denied the Applicant's request for a Certificate of Compliance in February 2021 for a raze/rebuild shed project as the shed built did not conform to the design plan or the design requirements of the Protective Order. The applicant and the Commission reviewed how the project may be brought into compliance at an Informal Discussion during the December 2021 meeting. The applicant suggested that he would try to come up with a solution to the problem and that he would have an engineer review options. The Commission directed GW to communicate with the applicant about progress and resolution of the matter.

Meeting adjourned 8:20 pm

Gary Wolcott, Administrator