

North River Commission

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

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Minutes July 27, 2023 - Meeting #587

Present: Hanover, Daniel Jones (M), Hanson, Jennifer Heine (M), Hanson, Donna Frehill (A), Marshfield, Maryanne Leonard (M), Scituate, Adria Gallagher (M), Scituate, John Lalone (A)

Not Attending: Hanover, Andrew Butler (A), Marshfield, Mike Dimeo (A), Norwell, Robert Molla (A), Norwell, Tim Simpson (M), Pembroke, Bill Boulter (M), Pembroke, Gino Fellini (A), Scituate, Ken Conway (A)

7:00 - Call to Order

7:00 - Request for Determination - 85 Harbor Lane, Norwell - LaGrassa

Caroline Rees of Merrill Engineers, representing property owner Rich LaGrassa, presented a project for a proposed pier/platform/gangway/float. Ms. Rees distributed copies of the plan and aerial photographs of the area for the members' review. She described the existing two-acre lot and roughly 900 ft. of salt marsh between the upland and the edge of the channel side of the marsh. The proposed project includes a 4 ft wide x 888 ft long pier, a 6 ft x 8 ft platform at the end of the pier a 3 ft wide x 30 ft long gangway and 2-10 ft x 20 ft floats. The pier will require 156 piles with a 1 ft maximum diameter pile but 6-to-8-inch piles are envisioned. A 6 ft separation between the bottom of the pier and the salt marsh is proposed to meet the state's recommendation of a 1.5':1' ratio between separation to marsh and width of pier. Ms. Rees acknowledged the NRC prefers a smaller separation but feels bound to follow the state's guidance. The Commission recognizes the state's interest and has been accommodating in the past in similar circumstances and will be in this instance as well. In order to protect the edge of the bank the applicant proposes setting the end of the platform and the piles roughly 6 ft back from the edge of the bank which necessitates a 30 ft long gangway. 3 ft high wooden railings are proposed the length of the pier. Low level lighting that is directed downward to the pier is proposed along the railing. Mr. Jones asked for clarification on an annotation along the pier. Ms. Rees explained that it is was a distance scale that indicated the length of the pier. She also indicated the distance to the nearest moorings. Ms. Leonard asked for confirmation that it was a single-family dwelling and Ms. Rees confirmed it was. Ms. Leonard explained that the amount of float area was beyond what the Commission usually allowed. Ms. Rees indicated that Mr. LaGrassa owned multiple boats and that the project was a significant investment. She asks that the Commission provide room for multiple boats docking. Mr. Jones asked for information on sizes of neighboring docks. Ms. Rees referenced the aerial photographs. GW confirmed that many of the docks in the area had floats that were of similar size or larger than what the applicant proposes. However, those docks were, as shown on the current photographs, larger than was originally permitted. The largest size permitted to a single residential dock in the area was 10 ft x 20 ft., though many are now larger. Mr. Jones feels that the Commission should be reviewing those other docks for compliance as a separate matter and not allowing non-compliance of others to influence current or future applications. Ms. Frehill commented favorably on the increased separation to the marsh as she notes that tides are drawing ever higher. As mitigation for a larger float the applicant proposes to construct an osprey nest on the marsh on his property. Ms. Frehill asked about the possibility of additional boats using the nearby moorings. Ms. Rees explained that the moorings were owned by other entities. Ms. Heine asked for additional information on the lighting. Ms. Rees indicated they were anticipating solar lighting that would shine downwards onto the pier. Ms. Gallagher feels the project looks good except for the float size issue. Ms. Rees asked if some modification of the float configuration would

be helpful. Mr. Jones does not think he could be in favor of any float larger than the largest permitted in the area which is 10 ft x 20 ft. The Commission asked where the applicant was with other approving authorities. Comments from other agencies may affect the proposed floats. The Applicant still must complete permitting with the town and the state. The applicant is willing to continue the meeting until they have received comments from DEP. A motion was made to continue the hearing until a later date. The motion passed unanimously.

Plans/Documents referenced: "Dock Plan, 85 Harbor Lane, Norwell, Massachusetts, Dated: July 12, 2023, Last Revision Dated: July 24, 2023, Scale: As Noted, Merrill Engineers and Land Surveyors, Carmen C. Hudson, P.E."

7:15 - Request for Determination - 233 River Street, Norwell - DeCoste

Jed Hannon of Atlantic Coast Engineering, representing the property owner, presented a proposed project to rehab an existing seasonal camp structure, raze and rebuild an existing shed and to construct a 20' long x 4' wide pier with a 25' long x 3' wide gangway and 10' x 15' float. The pier is to be supported by 8" square wooden posts. Applicant proposes to replace the shed in its current footprint with no expansion to either its footprint or its height. The proposed shed is 19'-5" x 12'-4" and 7'-4" high. Ms. Frehill asked how high would the walkway to the dock be. Mr. Hannon replied that the 4' pier would have a 6' separation to the surface in compliance with the state's recommended 1.5':1' ratio. A member asked if there was a path for access to the structure. Mr. Hannon noted that the existing conditions were that it was open lawn between the existing dwelling and the proposed pier/gangway/float. Ms. Heine asked clarification of what structures were being replaced. Mr. Hannon indicated the shed would be rebuilt. Ms. Gallagher asked if the camp structure was being replaced. Mr. Hannon explained that the camp structure would be rehabbed but not replaced. Ms. Frehill asked if the camp was being rehabbed to be converted into a year-round structure. Mr. Hannon does not know. GW asked what a "camp" was. Mr. Hannon stated it was similar in nature to a cottage or a cabin. Ms. Gallagher asked if there was a septic component to the camp. Mr. Hannon is unsure as this issue was not part of what he was hired to present. Mr. Hannon's understanding is that the property is Title V compliant currently as it would have had to pass an inspection prior to a sales transaction. Ms. Leonard asked for additional details on what the camp rehab consisted of if there was no septic component. Mr. Hannon indicated that the project consisted only of exterior work to the structure, citing siding and roofing, with no change to the footprint. Mr. Jones asked if the Title V exam would include any possible septic component to the shed as any possible work in this area should be considered as part of the current application. Any soil absorption system on the property would have been included in the Title V exam, not just the main dwelling, so a passed exam would indicate that no septic work is necessary. A motion was made and seconded to determine that the proposal is an Allowed Use. The motion passed unanimously.

Plans/Documents referenced: Engineering: "Proposed Pier and Float, 233 River Street, Norwell, MA, Prepared for Robert DeCoste, Dated: June 25, 2023, Scale: 1"=30', Atlantic Coast Engineering, LLC, Joseph E. Hannon, P.E."

7:30 - Request for Determination - 62 Collier Road, Scituate - Horowitz

Paul Mirabito of Ross Engineering Company, a subsidiary of Grady Consulting, LLC, representing the property owners Ian & Eva Horowitz, presented a project for the construction of two additions to an existing dwelling. One addition is to the first floor of structure and one is to the second floor. Both are within the existing principal view of the dwelling as seen from the river. Mr. Mirabito described the additions noting that the second-floor addition would match the existing roof peak with no addition the height of the structure. He indicated the existing principal view had a width of 66.2 ft and that the proposed principal view would make no additions to this length. He noted the location of the 300' North River Corridor and the proposed 167.5 ft setback of the addition, matching the existing setback. Ms. Heine asked for clarification of an annotation on the Site Plan that indicates a peak elevation of 54.7 ft. Mr.

Mirabito stated that was the highest elevation on the existing dwelling. GW asked if the annotation reflects the actual elevation, not the height of the building as in an elevation above sea level, not the height of the building. GW believes Ms. Heine is asking what the height of the building is. Mr. Mirabito indicated that the height of the building was roughly 30 ft. Ms. Gallagher asked by what percentage the additions added to the size of the house. Mr. Mirabito explained the Zoning aspect of the addition, citing a 32% increase. Mr. Jones believes Ms. Gallagher is asking what the percentage increase is to the visual impact of the structure. He asked if there was anything on file about any prior work done to the building. GW noted he was unable to reach that information as the files are currently out of the office for scanning into digital form. GW's understanding is that the analysis about percentage increase in visual impact was undertaken for a Special Permit Application for an addition to a pre-existing, non-conforming structure and was not used for a Determination of Allowed Use application. He noted that the existing structure is conforming and that Mr. Mirabito is demonstrating that the proposed additions do not add anything to the visual impact as they are contained within the existing profile. Ms. Leonard asked for clarification of whether the addition added any height to the existing building. Mr. Mirabito reviewed this aspect of the architectural plans and confirmed that the addition peak would match the existing peak. GW directed the Commission's attention to the Proposed Front Elevation detail on the plans (Sheet A-5) that annotated the structure's height, noting that if one added the heights of the various sections annotated a total height of roughly 30.5 ft. The Commission reviewed aerial photographs of the area, noting the sizes of the various dwellings. A motion was made and seconded to determine that the proposal is an Allowed Use. The motion passed unanimously.

Plans/Documents referenced: Engineering: "North River Commission Plan for 62 Collier Road in Scituate, Mass., Scale: 1"=10', Dated: June 27, 2023, Ross Engineering Company, a Subsidiary of Grady Consulting, L.L.C."; Architectural: "Horowitz Deck Addition, 62 Collier Road, Scituate, MA 02066, Existing Floor Plans, Existing Elevations, Proposed Floor Plans, Proposed Elevations, Scale: $\frac{1}{4}$ "=1'-0', Dated: January 11, 2023, Custom Home Designs."

7:45 - Request for Determination - 37 Canoe Club Lane, Pembroke - Galvin

Rose Galvin, property owner, presented a project for a proposed gangway and float. She has received permitting from the town harbormaster and now seeks a determination that the proposed project is an Allowed Use per the North River Protective Act. She proposes a 20' long x 2' wide gangway and 10' x 20' float that will be removed seasonally. The applicant plans to make use of an existing stone pier that had been used by prior property owners. Ms. Leonard asked if the gangway would sit on top of the existing pier. It will. Ms. Leonard asked for confirmation of the proposed float size. Ms. Galvin indicated they have a float on hand but they are proposing a larger one that is 10' x 20'. Ms. Leonard stated that the Commission generally prefers something a little bit smaller than what is proposed here. Ms. Galvin is amenable to a smaller sized float. Ms. Gallagher asked about the orientation of the float. From the provided sketch it appears that the longer side of the float is perpendicular to the river bank. Ms. Galvin is willing to rotate the float so that the longer side of the float is parallel to the river bank. Mr. Jones asked what is the size of the current float they have on hand. Ms. Galvin stated the current float is small, roughly 8' x 10'. Mr. Lalone asked if the float will be anchored. Ms. Galvin intends to anchor the float and the gangway will be anchored to the stone pier. Mr. Jones asked that the plan be revised so that a smaller float is proposed. Ms. Galvin is agreeable to revising the plan presented at the meeting and signing it to indicate her agreement. The plan was revised to propose a maximum float size of 8' x 16' and signed. A motion was made and seconded to determine that the revised proposal is an Allowed Use. The motion passed unanimously. Plans/Documents referenced: Sketched Additions by applicant to "As-Built Septic System, Lot 4A (#37) Canoe Club Lane, Pembroke, MA, Dated: February 16, 2022, Revised: July 27, 2023, Scale: 1"=60', Sketched Additions not to scale, CCR Associates, Inc."

8:00 – New Business

1. Minutes approved for June 22, 2023 meeting.
2. Administrators Report – Administrator Gary Wolcott (GW) reported on...
 - 361 Water Street, Hanover – Determination of Allowed Use for proposed fences forwarded to applicant/homeowners.
 - 54 North River Drive, Marshfield – Determination of Allowed Use for proposed existing dwelling renovations forwarded to applicant/homeowners’ representative.
 - Town of Scituate has appointed two alternates to the North River Commission. The Commission welcomes Ken Conway and John Lalone.
 - Scanning Project – GW had communications with Morgan’s protocol manager. The Commission received a sample of scanned documents and GW reviewed file set-up and nomenclature.
 - Google Search – GW reviewed search results and updated information with Google for accuracy.
 - Boat Patrol Memorandum of Understanding with Town of Marshfield – The Commission continued working with the Town to revise language to reflect current circumstances.
 - 67 Collier Road, Scituate – Scituate Conservation Commission has selected a coastal geologist consultant to review the project. The Commission discussed how the state and towns approached these types of projects and how the two agencies interacted. NRC will continue the Special Permit hearing until they are able to review the consultant’s findings.
 - Review of GIS proposals for adding the North River Corridor to the MassGIS website continued.
 - Communications with current hearing attendees about their projects and appearing at this meeting.
 - Real Estate transactions in the Corridor - None
 - Site Visits - GW – Bridge Street Landing for drone ops.
3. Potential Float Violations – GW reviewed the issues regarding larger than permitted floats between Bridge Street and Kings Landing that had come up in an earlier application for a new pier/float project. The Commission directed him to draft a letter to the residents who appeared to have unpermitted docks asking them to contact the Commission about meeting to discuss the issues.
4. The Commission discussed granting the administrator a raise. A motion was made and seconded to give the administrator a raise. The motion passed unanimously.

Meeting adjourned 8:20 pm

Gary Wolcott, Administrator