

North River Commission

MA Dept of Conservation & Recreation – Hanover, Hanson, Marshfield, Norwell, Pembroke & Scituate
188 Broadway, PO Box 760, Hanover, MA 02339 Office Hours 9am – 1pm, Tuesday & Thursday,
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Minutes June 25, 2020 - Meeting #548

(Meeting conducted via Zoom Video Conferencing)

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

7:00 - Call to Order

1. Minutes approved for May 28, 2020 meeting.
2. Administrators Report - Administrator Gary Wolcott(GW) reported on and the Commission discussed...
 - a. Correspondence-Communication-Review ongoing budget communications, correspondence with current applicants with NRC and attempts to start dialog with various properties in NRC Corridor regarding reported violations, Chapter 91 Approval for 1327 Union Street, Marshfield, revised dock plan for 3 Cove Creek Lane, Marshfield,
 - b. Ongoing Municipal Filings - 40 and 50 Turner's Way, Norwell
 - c. Field Visit to 70 River Road, Hanover.
 - d. Budget Tracker, remaining funds for Fiscal Year 2020.

7:15 - Request for Determination - 49 Collier Road, Scituate - Paul Mirabito, Ross Engineering & Ken Harrington, Architect, 209 Design - Representatives - Mr. Mirabito presented a revised plan for a proposed raze/rebuild of the existing dwelling on site. Mr. Mirabito presented the architect's overlay of the proposed structure that demonstrates an 11.8% increase in the river facing principal view. The roofline was also lowered by several inches. Mr. Mirabito noted the 300' Corridor Line and 200' setback line were added to the plan as requested. Ms. Leonard asked about whether the stairs extending from the deck were included in the square footage calculation and Mr. Mirabito explained that they were not and that his opinion was that the steps, by definition, are not part of a principal structure. Ms. Leonard is not sure about that. Mr. Mirabito referenced the definition of Principal Structure in the Protective Act. Mr. Mirabito argued that the stairs are a structure but not a "principal structure". Mr. Boulter indicated that the Commission has always considered the stairs as part of the principal structure and that it has always been helpful in the past to reduce the visual impact by running stairs alongside the deck rather than perpendicular to the deck. Mr. Jones stated that anything connected to the house is part of the principal structure. The architect indicated that the owner would approve turning the stairs so that they paralleled the deck. Mr. Head is asking for the overall width of the structure and whether the width is even an issue for review at more than 200' from the Natural Bank. Mr. O'Leary suggests that the internet connection is poor and that he is having difficulty following the presentation and that the hearing should be continued to July. Mr. Jones is concerned about the height of the structure if the stairs are considered as part of the structure as they would extend the height beyond the required 35 feet. Mr. Mirabito suggested grading the yard such that the bottom of the stairs is at elevation 12 which would maintain an overall height less than the 35 ft. limit. The Commission likes this approach and asked Mr. Mirabito and Mr. Harrington to submit revised plans for the July meeting.

Plans referenced: "North River Commission Determination of Applicability Plan for 49 Collier Road in Scituate, Mass., Scale: 1"=10', Dated: May 20, 2020, Last Revision dated June 22, 2020, Ross Engineering Company Inc, Paul Joseph Mirabito, Registered Land Surveyor"; "Exterior Elevations Plan - Design 2, Brown Residence, 49 Collier Road, Scituate, MA 02066, Scale: ¼"=1'-0", Dated: May 19, 2020, Last Revision dated June 24, 2020, 209 Design, Ken Harrington, Architect

7:30 - Request for Determination - 70 River Road, Hanover - Katie Abercrombie, Robert Knudsen - Homeowners - Ms. Abercrombie and Mr. Knudsen presented a project for construction of a pier/dock/float project. The applicants presented plans and photos of a proposed pier, ramp and float system consisting of a repurposed 48' long gangway to serve as a pier, a 20' long ramp and a 20' long x 10' wide float with 4 or 6 driven piles in support on. Ms. Leonard asked for the possibility of reducing the size of the proposed float. The Commission recommended 12-16 feet long which the applicants agreed to. Mr. Head asked for clarification of the location of the gangway as shown on the plan. Mr. Jones asked for a drawing to scale. Mr. Head reiterated a request for a scaled depiction of the system on the provided plot plan. Mr. Jones asked about the gangway's nature, whether it was permanent, and suggested a Waterways Chapter 91 license may be required and noted that the gangway was metal and that the Commission requires wooden permanent structures. Mr. Head asked about the height of the gangway and whether it met DMF requirements. Applicants noted the gangway was not over marsh but over upland. Mr. Boulter asked whether the ramp moved up and down with the tide and applicants responded that it did. Mr. Boulter noted that the system as presented extended possibly into the navigable channel. Mr. Simpson clarified the distance the system extended into the river by noting that a significant portion of the proposed ramp extended over an existing ramp and that the distance was not as far as the length of the proposed ramp. Mr. Head suggested setting the end of the ramp nearer the center of the float rather than the edge to reduce the overall distance. Ms. Leonard asked if an 8' wide float would help. Multiple members asked for the width of the river and the location of a rock in the river relative to the proposed system. Mr. Head stressed the need for scaled plans. The Administrator displayed an Oliver GIS view that showed the river was roughly 122' wide in the area of concern. Mr. Simpson asked how much it was up to the Commission to account for the location of rocks/navigational hazards in the navigable channel at low tide relative to the location of proposed docks. The Commission discussed the visibility of the metal gangway/pier and suggested that as constructed it would draw notice. Mr. Boulter suggested spray painting the gangway a natural color. Mr. Head summed up the discussion and asked for additional scaled information on the plan, a reduction in size of the float and changing the color of the gangway to a natural neutral color. Applicants agreed to make the changes to a revised plan. Mr. Jones reiterated his concern that Waterways might have additional requirements. The meeting was continued to the July 23, 2020 meeting.
Plan/photos referenced: "Proposed Ramp and Float System," Dated June 18, 2020.

7:45 - Informal Discussion - 80 Kings Landing, Norwell - Michael Bulman - Owner, Bulman Marine, - Mr. Bulman appeared to discuss the renovation of the float system at Kings Landing, Bulman Marine. Mr. Bulman referenced the approvals by the DEP Waterways Division, The Army Corps of Engineers and the Town of Norwell and indicated the new floats are actually less in square footage than they previously were, that the overall area of the system is less than it was. Mr. Head asked for clarification. Mr. Bulman stated the reduction is expressed in square footage as DEP, Waterways and Army Corps of Engineers requires. The Commission reviewed the Army Corp and DEP Waterways approval letters. Mr. Bulman highlighted the approvals and the requirement that the State has for floats and docks to be maintained. In answer to Mr. Jones question about the finger floats, Mr. Bulman replied that the floats were 3" shorter than the old floats and that the prior moorings and mooring poles are re-used for the current system. The ramp and the pier were not replaced. Mr. Boulter says it looks like it's further in the river and that the Commission was bound to investigate complaints that this was the case. Mr. Bulman reiterates that the location is unchanged except that the finger floats are slightly less in square footage. Mr. Simpson asked about the float around the bend from the Marina. Mr. Bulman indicated it was a test float and mooring system done in conjunction with Norwell Harbormaster. The Commission expressed its gratitude to Mr. Bulman for coming in to explain the project.

8:00 - Informal Discussion - 84 Bartlett's Island Way, Marshfield - Lou & Jane Seoane - Homeowners
Mr. Seoane presented his intention to add a 14' x 18' addition to the existing dwelling at 84 Bartlett's Island Way. Mr. Seoane described the current configuration on the lot and introduced photos of the same and an earlier plan that the Commission had approved for a dock on the site that the addition was sketch added to. The Commission confirmed that the current dwelling is pre-existing and non-conforming. Mr. Head asked if we could determine from the file what the prevailing view from the river was. Mr. Jones suggested that a Special Permit was likely required in this situation and agrees that review of the file would be beneficial. Mr. O'Leary also wants to review the file to determine what has been added to the dwelling over the years. Mr. Seoane asked what the Commission would require on a plan. The Commission reviewed Special Permit Plan requirements and the Administrator referred to the Special Permit Checklist that listed required items. Mr. Seoane will hire an engineer to prepare an engineered plan and will add an elevation view of the addition that demonstrates the visual impact of the addition. The Administrator will try to access the file at the now-closed office to research the file and provide the applicant with prevailing view information.

Plan referenced: "Site Plan A, Plan showing the existing house and pier location and the proposed modifications to the pier, pier deck, ramp and float, 84 Bartlett's Island Way, Macomber's Creek, Marshfield, Scale: As Shown(Varies), Dated; December 2015, Latest Revision dated 1/21/16, John A. Capocéfalo, P.E."; "

Meeting adjourned 9:15 pm

Gary Wolcott, Administrator