

# North River Commission

Representing the Towns of – Hanover, Hanson, Marshfield, Norwell, Pembroke & Scituate  
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## Minutes May 25, 2023 - Meeting #585

Present: Hanover, Daniel Jones (M), Hanover, Andrew Butler (A), Hanson, Jennifer Heine (M), Marshfield, Maryanne Leonard (M), Norwell, Tim Simpson (M), Pembroke, Bill Boulter (M), Scituate, Adria Gallagher (M)  
Not Attending: Hanson, Donna Frehill (A), Marshfield, Mike Dimeo (A), Norwell, Robert Molla (A), Pembroke, Gino Fellini (A),

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

### **7:00 - Request for Determination - Blackthorne Lane, Norwell - Blackthorne Lane Common Area Trust**

Jed Hannon, Atlantic Coast Engineering, representing the applicants appeared to present a proposal for a pier/dock/gangway/float proposal. With Mr. Hannon was Larry Vasquez, representing the Blackthorne Lane Common Area Trust. Mr. Hannon reviewed the plan, describing the existing conditions on the site, the location of the vacant lot on which the project is proposed and the existing path that will be used for access. He explained that there are three lot owners on Blackthorne Lane that are proposing the dock and that there are also applications with Norwell Conservation Commission and the Department of Environmental Protection. Mr. Hannon described the structural components of the project, describing a mix of 6-inch and 12-inch piles, a 30-foot-long gangway and a 5.2-foot separation between the pier and the salt marsh. He also indicated the float would not protrude into the navigable channel. Mr. Hannon reviewed the deed and the trust that controls the property on which the dock is proposed. Mr. Jones asked for clarification on the location of the lot and whether the intention at the time it was created was that it would be a buildable lot. Mr. Hannon is unfamiliar with the entire history of the lot. GW reviewed the Trust documents, indicating that there were restrictions and covenants on the lot that were enacted at the time the trust was created setting aside the lot as a "recreational" lot that prohibited the building of any structures on the lot aside from those for recreational purposes. Mr. Vasquez confirmed. Mr. Jones asked if the facility would be used by all the residents of Blackthorne Lane. Mr. Vasquez explained that there were five lots on Blackthorne Lane, that three property owners would use the facility and that the remaining two property owners would lease the land to the other three. Mr. Jones asked how many docks there currently were Blackthorne Lane. Mr. Hannon stated that there was one existing dock on one of the remaining two lots on Blackthorne Lane. GW reviewed some photos of the area that showed the existing docks in the area and the location of the proposed project. Mr. Simpson noted the Commission applauds instances of shared docks. GW explained that that the three-property owner/applicants owned lots that didn't have frontage on the river. The lot they propose to construct the dock on is one of three on Blackthorne Lane that does have frontage. Of the remaining two lots with frontage, one has a dock. Mr. Jones asked after the access to the dock from the neighborhood, whether a parking area would be required. Mr. Vasquez replied that no parking area is proposed, the only access would be through the existing footpath. Mr. Simpson asked what the hand rail would be constructed from. It will be wooden. Mr. Jones asked what height requirement over the marsh the State was asking for. Mr. Hannon explained the 1.5:1 ratio for height compared to width, i.e., the height of the pier over the marsh must be  $1\frac{1}{2}$  times the width of the pier. A Mr. Conway in the audience asked how many new docks have been constructed in the Corridor since its creation in 1978. The Commission replied that the information was not readily at hand but could be determined with a little research of the files. Mr. Conway asked how many boats would be allowed

to tie up to the float and how large was the float. The proposed float's dimensions are 10' x 20'. Mr. Simpson and Ms. Leonard reiterated the Commission's policy that a float this size would ordinarily be allowed for community or shared docks but not for individual docks. Mr. Conway asked how many families and how many boats would be allowed to use the dock and what would be the biggest boat allowed to tie up. Mr. Boulter described that, in his experience, only smaller boats can pass under the Bridge St./Union St. bridge to access that portion of the river. Mr. Simpson and Mr. Jones both noted that the Protective Order does not have restrictions/regulations on boat size-float size relationships. Mr. Boulter thinks that two boats or three small boats would fit at the proposed float. Mr. Conway asked how the Commission could tell three property owners that only two boats could use the float. Mr. Simpson and Ms. Leonard replied that the Commission would not, that the usage is determined by what can effectively be managed in practical use. Mr. Butler noted that the Commission does not have any jurisdiction over size of boats and how many could tie up to docks. Mr. Simpson asked if the float would be grounded by attached "feet" and Mr. Hannon indicated it would. Mr. Conway asked how, if the owners had to take their boats in and out of the water, they would be able to get their boats to the dock. Mr. Hannon stated that there were multiple points along the river that would enable access. Mr. Conway believes that the Commission's analysis about use of the dock and how it is regulated is extremely open ended and wondered how it would be managed. Ms. Leonard stated that the actual terms of use were beyond the Commission's remit and that the members of the Trust that owned the property and dock would manage their use. Mr. Conway asked if there was anything on the plan that would prohibit the construction of a storage building or shed. Mr. Butler noted that the Commission could only rule on what was before them. Should the applicants wish to construct anything else within the Corridor an additional filing would be necessary. Ms. Leonard stated that the applicant has a right to access the river and to construct a dock and that is what their application is asking the Commission to make a decision about. A motion was made and seconded to approve the proposal as an Allowed Use. The motion passed unanimously.

Plans/Documents referenced: "Proposed Dock System & Amenities, Blackthorne Lane, Norwell, MA, Prepared for Blackthorne Lane Common Area Trust, Dated: April 2023, Scale: 1"=40', Atlantic Coast Engineering, LLC, Joseph E. Hannon, P.E."

## 7:15 - New Business

1. Minutes approved for April 27, 2023 meeting.
2. Administrators Report - Administrator Gary Wolcott (GW) reported on...
  - Trouants Island, Marshfield – Received anonymous complaint about activity on Trouants Island. Ms. Leonard walked out there and took some photos. GW followed up with a letter to the Trust Association Board inviting them in for meeting. Received email from Jim Tarbox explaining the current work. They are planning on future development of the site and were performing perc testing on existing cleared land. Received a phone call from Grady Consulting informing that they would be submitting an application and plan for a proposal for developing the site.
  - 30 Old Landing Road, Pembroke – Forwarded Allowed Use Determination for garage addition, retaining wall and driveway expansion project to applicant and applicant's representative.
  - 74 Carolyn Circle, Marshfield – Received a request for information regarding a dock on the site. The property owner is renewing his license with the state and town and wanted to discuss what our requirements were. As no changes are being made, merely state license renewal, GW asked for a copy of any new licenses.
  - Received inquiry from a Norwell Historical Society member who is writing a research paper on the history of the river. He had some questions about how the river came to be protected as a 'scenic' river. GW forwarded him copies of the enabling legislation and the Management Plan.

- 67 Collier Road, Scituate – Communicated with David Cahill about status of filing with Town. Reviewed Conservation Commission YouTube videos. As there is still no progress/resolution from the town or information from the review engineer the town hired it was agreed to continue the NRC hearing to next month.
  - Collier Road, Scituate – Received a complaint from a resident of construction equipment parked on a site on Collier Road within the 100 ft. setback to the Natural Bank. GW contacted the homeowner who stated that he was already intending to move the equipment to another site and was amenable to relocating which was done prior to the current meeting.
  - Review of open files - 251 Damon's Point Road, Marshfield – Property owner is under a restoration order by the Conservation Commission which requires two-year reporting. The Commission has received the one-year report from the environmental consultant; no second-year report has been completed. Ms. Leonard has observed the site and has concerns about the effectiveness of the restoration. GW reviewed the first-year report that evidenced very good growth of the plantings. Ms. Leonard acknowledged that her observations were during the non-growing season. The Commission agreed to review the site again after some more time has passed, allowing for additional growth.; 22 Salt Meadow Lane, Scituate – The property owner had cleared some vegetation in anticipation of constructing a garage/barn on the site. He has completed the restoration plan that was agreed to by the Conservation Commission and the NRC. He has been advised that any proposal a garage/barn construction or any other additional work in the North River Corridor must be permitted by the NRC.; 87 Edmund Road, Marshfield – GW reviewed his latest communications with the homeowner, now several months old, asking for a status/progress report on how the project might be brought into compliance. The property owner has had difficulty getting an engineered solution to the problem but is willing to work with the Commission on rectifying the issues. Options were discussed on how to proceed. The Commission directed GW to send a letter to the homeowner expressing the Commission's continued desire to see a resolution of the matter.
  - Arrowhead Drive, Norwell - Received a complaint about planks on marsh on Arrowhead Drive, Norwell site. GW visited the site for drone ops and photos. The planks have been placed by one property owner but are actually on land owned by his abutter. Ms. Leonard noted a similar situation on a property in Marshfield near her property The Commission reviewed the Protective Order for whether the plank/platforms are a structure that violates the Order. They determined that it was. Mr. Simpson will contact the abutter on whose property the planks have been placed and Ms. Leonard will contact the property owner in Marshfield.
  - Communications with current hearing attendees about their projects and appearing at this meeting.
  - Real Estate transactions in the Corridor - 874 Summer Street, Marshfield, 233 River Street, Norwell. Welcome letters were sent to the new property owners.
  - Site Visits - GW - Arrowhead Drive-Drone ops for planks on marsh, ML – Trouants Island
3. NRC Planning & Objectives - GW reviewed progress since last meeting regarding planning and objectives that were discussed with NSRWA's Becky Malumut. She has agreed to work on updating the NRC website while GW would seek proposals from GIS consultants about adding the Corridor to the MassGIS website and from scanning companies about digitizing the NRC's files.
- GIS - no real response yet from companies that GW has contacted. He will redouble his efforts and contact additional companies.
  - Scanning Project - GW reviewed two proposals to scan the NRC files. The Commission reviewed and discussed the two proposals and Mr. Butler has agreed to further review the proposals and report back to the commission with any recommendations.

- Boat Patrol - Town of Marshfield has requested that we lower the amount of boat patrol details. The Commission reviewed and discussed a form/log that the Harbormaster could complete for each detail patrol that they completed.
4. FY 2023 Budget Review - GW reviewed the remaining budget and how it relates to the planning and objectives noted above. The Commission directed Mr. Butler and GW to review and decide which scanning proposal to accept. GW and Ms. Leonard will communicate with Town of Marshfield about revising the Memorandum of Understanding regarding boat patrols and meet with them to discuss the proposed revisions and boat patrol forms/logs.

Meeting adjourned 9:02 pm

Gary Wolcott, Administrator