

# 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,  
Phone: 781-659-7411 Website: [www.northrivercommission.net](http://www.northrivercommission.net) Email: [northrivercom@gmail.com](mailto:northrivercom@gmail.com)

## Minutes April 23, 2020 – Meeting #546

(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, Robert Molla (A), Pembroke, Bill Boulter (M), Scituate, Adria Gallagher (A)  
Not Attending: Norwell, Tim Simpson (M), Scituate, Joseph Norton (M),

### **7:00 – Call to Order**

1. Minutes approved for February 27, 2020 meeting.
2. Administrators Report - Administrator Gary Wolcott(GW) reported on...
  - a. Ongoing Marshfield Conservation Commission matters regarding NRC properties at 251 Damons Point Road and 1327 Union Street. Informed Commission of results of site walk at 1327 Union Street.
  - b. Ongoing Hanover Conservation Commission matters regarding 25 Washington Street.
  - c. Correspondence - Communication status with 25 Washington Street, Hanover, 316 Spring Street, Marshfield, Bulman Marine at Kings Landing, Norwell, Thank You letter to State Senators and Representatives for their advocacy regarding Budget Request, receipt of filings addressed at this meeting.
  - d. Status of municipal filings in progress in Corridor Towns: Marshfield-3 Cove Creek Lane, 922 Summer Street, 76 Carolyn Circle; Norwell-156 Brigantine Circle
  - e. Reports of possible violations.
  - f. Reviewed revised plan for 922 Summer Street, Marshfield.

**7:15 – Request for Determination – 156 Brigantine Circle, Norwell** - Stephen Lynch - Homeowner, Brad Holmes, ECR - Representative - Mr. Holmes presented a project to repair and replace a deck and stairs, pool supports and pool decking for a pre-existing deck and pool. Mr. Holmes described the location of the project within the 300 ft. North River Corridor and 100 ft. setback to the Natural Bank. Mr. Holmes further described mitigative erosion control measures to protect wetland resource areas and the post-construction stabilization of disturbed areas surrounding the proposed project. The Commission confirmed that there was no expansion of what currently exists on the site and that the project is solely the repair and replacement of the existing deck and pool components. A motion was made and seconded to determine that the project as described was an "Allowed Use" per Section 4 of the North River Protective Act. The motion was passed unanimously.

Plan referenced: "Plan of Land, North River Commission, Prepared for Stephen & Karen Lynch, 156 Brigantine Circle, Norwell, MA, Scale: 1"=30', Dated: January 20, 2020, Moran Surveying Incorporated, Stephen P. Moran, P.L.S."

### **7:30 – Informal Discussion – 1327 Union Street, Marshfield** - Brad Holmes, ECR - Representative

Mr. Holmes presented a Forestry Cutting Plan for 1327 Union Street, Marshfield that has been submitted to the State (through DCR) and to the Town of Marshfield Conservation Commission. Mr. Holmes gave an overview of the project status, indicating that DCR had given its approval. Mr. Holmes described thinning of select trees to allow an opening of the canopy to allow certain other species to thrive, mainly white pines and to remove potentially hazardous trees. He also described the restoration plan that has been completed at the site at ConCom's direction for the prior removal of trees on the site and that the cutting of diseased vegetation and the selective and dispersed cutting of trees met the vegetative cutting standards of the Protective Act. Ms. Leonard asked for clarification about the location of the described cutting

stands in relation to the house and how the selection of trees to be cut was made. Mr. Holmes indicated that the forester had marked the trees in the field for selection. Mr. Head asked if DCR had visited the site and Mr. Holmes replied that Joe Perry, the DCR Forester had visited the site. Several members of the Commission expressed interest in walking the site as it was difficult to determine from the Cutting Plan sketch what would actually be removed on the ground. Mr. Head asked what the closest cut to the Natural Bank. Mr. Holmes did not have that information at hand. Mr. O'Leary asked whether DCR had weighed in with any opinion. They haven't. Mr. O'Leary further indicated they he would like their input. Mr. Boulter expressed concern about an open-ended description in the cutting plan about making changes to the plan once they were on site. Mr. Head suggested a site visit be made. Mr. Holmes agreed to ask the State Forester and designer of the Cutting Plan to attend a site visit with the Commission. A site visit was planned as well as further attempts to gain clarification from DCR about the relationship between Forestry Cutting Plans and the North River Protective Act.

Plan/Document referenced: "Forest Cutting Plan and Notice of Intent under M.G.L. Chapter 132 - The Forest Cutting Practices Act, 304 CMR 11.00, Dated: March 6, 2020, Prepared by Philip B. Benjamin, C.F., Benjamin Forestry Services, Inc., Mass. Licensed Forester"

**7:45 - Request for Determination - 2 Washington Street, Pembroke** - Thomas Pozerski, Merrill Engineers and Land Surveyors - Representative - Mr. Pozerski presented a project for a proposed dock and boat lift. Mr. Pozerski described the existing conditions of the site, the wetland resource area as delineated by ECR and a general overview of the project. Mr. Pozerski described the project as an "Allowed Use" under Section 5 of the Protective Act. Mr. Pozerski discussed performance standards listed in the Protective Act for Special Permit Uses. Ms. Leonard asked about the nature of the boat lift structure, describing others she had seen that included a roof and asked what the total footprint of the structure would be. Mr. Pozerski described the dimensions of the dock, piers and boat lift. Mr. Jones referenced Ms. Leonard's question about the dock lift size and described the various components of the pier/dock/ramp/lift system as effectively all dock, described the number of piles in the water as beyond the Commissions' usual allowance and questioned the characterization of the project, suggesting that it might be similar to others in the general area but not other dock/pier/floats in the North River. Mr. Jones drew a distinction between a project in Cove Creek where the Commission allowed repair to pre-existing dual floats and this proposal for new construction of dual docks supported by 20-12" piles driven into the river. Mr. Jones further asked for additional information about the depth of the River and suggested that a ramp and float addition to an already existing (larger than normally approved) deck on the site might be a better alternative to what is being proposed. Mr. Pozerski will look into reconfiguring the project upon consultation with structural engineers to potentially eliminate one of the two docks, reduce the amount of piles and shorten the 30' length of dock. Mr. Pozerski asked whether the Commission would entertain the possibility of a boat lift. Mr. Jones would like more information about what a boat lift would look like, i.e. photographs to supplement the two dimensional plan view provided and noted that the Commission had not previously allowed a boat lift. Mr. Boulter expressed that the proposed location was a good spot for a dock, that a dock at the end of the "point" would interfere with navigation on the river but that he would like to see a reduction in the size of the proposed project. Mr. O'Leary asked about the nature of the filing and what would be the best way for the applicant and Commission to move forward. Mr. Head reiterated concerns about the number of proposed piles in the river being far greater than anything the Commission had approved in the past and recollected only one instance of piles being allowed between the banks of the river for a public, commercial dock that he thought was smaller than the proposed project here. Mr. Jones suggested that the Commission might want to give the applicant some guidance as to what might be approvable. Mr. Pozerski would welcome this and recapped the Commissions' comments as to the nature of the proposed project. Mr. Jones pointed out that comparisons to the size of the next dock down the river should not be made as that one was allowed to be bigger since it was to be a community dock for a proposed subdivision. In return for allowing a bigger community dock the created lots of the subdivision were to be

prohibited from each having individual residential docks. The proposed project here is a single, residential dock and should not be compared to a community dock bargained for with individual residential prohibitions. Mr. Pozerski asked for approvable dock measurements. Mr. Head would like to see something within 10 ft of the bank and that a typical ramp/gangway would not be beyond 20' and the floats would be 10 to 12 ft long and 8 to 10 ft wide. Mr. Jones asked for more elevation information. Ms. Leonard reiterated Mr. Jones comments about the size of the dock and thought it should be reduced in size as well as being brought back closer to the bank. A motion was made to continue the hearing to the May 28, 2020 meeting, seconded and unanimously approved.

Plan referenced: "Proposed Residential Dock Lift (North River Commission), #2 Washington Street, Pembroke, Massachusetts, Scale: 1"=20', Dated; April 3, 2020, Merrill Engineers and Land Surveyors, Thomas A. Pozerski, P.E."

Meeting adjourned 9:00 pm

Gary Wolcott, Administrator