

North River Commission

Representing the Towns of – Hanover, Hanson, Marshfield, Norwell, Pembroke & Scituate
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Minutes February 23, 2023 - Meeting #582

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

7:00 - Call to Order

7:00 - Request for Determination - 102 River Road, Hanover - Callanan

Hearing was continued at the applicant's request.

7:15 - Informal Discussion/Request for Determination - 51 North River Drive, Marshfield - Kilcoyne

James Kilcoyne, property owner of 51 North River Drive, Marshfield appeared to discuss a project to stabilize his dock float with piles. Mr. Kilcoyne has meet with Dave Hill at DEP to discuss the problem already. Mr. Kilcoyne described the existing condition of the dock structure and further described the site and river conditions that were contributing to the stabilization issues. He described how there was open water between the mouth of the river and his dock and a fetch from the northeast during storms of roughly one mile. The motion of the float on account of conditions is being transferred to the dock box. He described how the dock box was being destabilized by wave action and demonstrated how the structure was being separated from the existing piles. He reviewed a photograph showing this separation. He fears that the entire structure will come apart. Dave Hill has recommended that the support the float with piles in order to take the stress and weight off the dock box. He noted that his dock was unique in that it was the only deepwater dock in the area, the only other deep water docks in the area being commercial docks at Roht Marine and the Town of Marshfield dock at Damon's Point which stand on piles. Mr. Kilcoyne proposes to remove the existing aluminum poles that secure the float to the dock box and replace them with four greenheart pilings, two on the rear and one on each side of the float. He has received approval from Mass DEP to add piles around his float. Ms. Leonard asked when the Commission had approved the original design. GW stated that the current structure was approved in 2014. Mr. Kilcoyne added that this structure was subject to the entirety of the river's flow twice daily due to the tides. He believes that the current as the low tide goes out is most harmful. GW displayed some photos of the area at this time. There was some discussion about the amount of boats in the area and the speeding that occurs, some of which was acknowledged as necessary to deal with the strong current in this area. It was often necessary for boaters to "dig in" to handle the conditions. Mr. Jones asked if Mr. Kilcoyne was asking for a determination. Mr. Kilcoyne is not sure what the Commission requires but would like to make sure that he is okay with the Commission and to receive a written acknowledgement for his and the Commission's files. Mr. Jones said it sounded like he wanted a Determination. Mr. Molla added that it was a permissible use to repair existing docks and that if Mr. Kilcoyne had a plan that showed the proposed changes the project should be approved. Mr. Jones agreed. GW asked if the Commission was comfortable with the plan submitted which was an abstract of the original plan with additional information showing the location of the new piles. Ms. Heine asked if anything else on the dock was being revised. No other revisions are proposed. Mr. Fellini

asked if continuing to use the existing aluminum poles in addition to new piles would accomplish anything. Mr. Kilcoyne explained how the float currently moved several feet horizontally as the tide rose and fell and that this movement would be curtailed by the new piles, resulting in vertical float movement only. Mr. Butler asked how high above the water the piles would be. Mr. Kilcoyne, while acknowledging that it wasn't an exact science, expected that they would be similarly situated as the existing piles. Mr. Fellini asked how deep the piles would be driven. Mr. Kilcoyne expects the piles to be driven to "refusal." A motion was made and seconded that the project as described and shown on the plan submitted is an "Allowed Use." The motion passed unanimously.

Plans/Documents referenced: "Site Plan, #51 North River Drive and Vacant Land, Marshfield, Massachusetts, Scale: As Noted, Dated: March 12, 2014, Revisions Dated: 3/8/14, 7/14/14 and 9/19/14, Peter G. Palmieri, P.E.", Updated with Pile Locations 2/23/23.; Applicant Site Photos; Commission File Photos

7:30 - New Business

1. Minutes approved for January 26, 2023 meeting.
2. Administrators Report - Administrator Gary Wolcott (GW) reported on...
 - 14 Damon's Point Road, Marshfield - Received revised plan that annotated the visual impact distance that had changed slightly from the original approved plan. The visual impact increased from 73.6 ft. to 74.7 ft.
 - 102 River Road, Hanover - Communicated with applicant's engineer about the revisions the Commission requested at the January meeting regarding the proposed garage. Received a revised plan whereon the garage was rotated so that the length of the garage parallel to the river was less than 20 ft. Subsequently the applicant asked that their February 23, 2023 meeting be continued.
 - Communications with current hearing attendees about their projects and appearing at this meeting.
 - Inquiry from architect about building height standard for an addition to an existing dwelling in the Corridor. Reviewed that the standard was the lowest elevation to the highest roofline, excluding chimney or cupola, as seen from the river. Forwarded the architect the protective order and design standards.
 - Inquiry from landscape architect about a project on Neal Gate Street, Scituate. Reviewed the Protective Order and Site Design Standards on Vegetative Cutting and setbacks and forwarded the same.
 - NSRWA in communication about scheduling an appointment to present a proposal to remove the dam at Luddum's Ford. They were unable to schedule for February or March meetings but intend to attend the April meeting.
 - Real Estate transactions in the Corridor - None
 - Site Visits - 150 Brick Kiln Road, Pembroke - BB & GW. Mr. Boulter reviewed the visit and described a pine tree the homeowner wanted to remove and one he wanted to prune. GW displayed site photos taken on the visit. Ms. Leonard asked where the trees were. Mr. Boulter indicated the trees were near the house and leaning, and GW added they were within 100 ft. of the river. GW relayed that the job would be done by hand and that no heavy or tracked equipment will be used within the 100 ft. setback. Mr. Boulter had no issues with the project and recommended approval without any further action.

- Recent municipal filings of Corridor properties - Projects previously reviewed, currently under review or expected to come under review by the North River Commission. Marshfield, 200 Damon's Point Road, Conservation Commission to discuss invasive species removal, 14 Damon's Point Road, Conservation Commission to review revised plan noted above.
3. Boat Patrol-Surplus Boat - Mr. Boulter reviewed the possibility of Town of Pembroke gifting the Commission with a surplus boat. There are some issues that require resolution with the town releasing the boat which Mr. Boulter will follow up on. The question came up about whether the North River Commission is the type of entity that can own property. GW will forward some questions to Attorney Thomas for his views. The Commission further discussed the logistics and costs of maintaining a boat versus the cost of hiring municipal police boat patrol details.

Meeting adjourned 8:50 pm

Gary Wolcott, Administrator