

# North River Commission

Representing the Towns of – Hanover, Hanson, Marshfield, Norwell, Pembroke & Scituate

PO Box 760, Hanover, MA 02339

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

## Minutes July 22, 2024 – Meeting #599

Present: Hanover, Daniel Jones (M), Hanson, Jennifer Heine (M), Hanson, John Kemmett (A), Marshfield, Maryanne Leonard (M), Norwell, Tim Simpson (M), Norwell, Stephen Lynch(A), Pembroke, Bill Boulter (M), Scituate, Adria Gallagher (M), Scituate, Ken Conway (A), Scituate, John Lalone (A)

Not Attending: Hanover, Andrew Butler (A), Marshfield, Mike Dimeo (A)

### 7:00 – Call to Order

### 7:00 – Special Permit Application – 67 Collier Road, Scituate – Cahill

Continued from June 24, 2024. Property owner David Cahill appeared for a Special Permit Application for the construction of a boulder retaining wall within 100 feet of the Natural Bank of the North River.

- **Discussion Summary**

Mr. Cahill updated the Commission on the status of his application with the Town of Scituate Conservation Commission (SCC.) They are awaiting a report from a review engineer. There was a discussion about whether the North River Commission (NRC) should wait for the SCC review engineer's report. Mr. Jones believes that the NRC is not bound by anything in the report and that there is sufficient reason already to deny the application. The applicant feels the report could be impactful and feels that the NRC has committed to waiting for the report.

- **Motion** - 1) Mr. Jones moved that the Special Permit Application be denied. The motion was seconded by Ms. Leonard.

- **Discussion Summary (continued)**

The applicant reviewed their process for how what was ultimately built was decided upon. Several members feel that they cannot approve a structure built within 100 feet of the Natural Bank and that, after nearly two years, it is time to come to a decision. The parties discussed why the property is included in the North River Corridor and subject to the Protective Order. Mr. Conway, an NRC member, and abutter to the property, recused himself from deliberating on the matter but wished to comment from the gallery. A member objected that he had a conflict-of-interest, as had additional members at prior meetings, and felt that Mr. Conway needed to remove himself from the room. Mr. Boulter, the Chair, upon advice of consultants, feels that the member has a right to comment and would allow it.

- **Motion** - 2) Mr. Kemmett moved that the Chair be overruled and that Mr. Conway not be allowed to comment as an abutter. The motion was seconded by Mr. Lynch.
- **Outcome** -2) The motion was carried 5-1. (Aye-Hanover, Hanson, Marshfield, Norwell, Scituate, Nay-Pembroke.)
- **Discussion Summary (continued)**

Members discussed whether alternate members can make motions. No further discussion was undertaken regarding Motion -1.
- **Outcome** -1) The motion to deny the Special Permit Application was carried unanimously, 6-0. (Aye-Hanover, Hanson, Marshfield, Norwell, Pembroke, Scituate.)

Plans/Documents referenced: "North River Commission Special Permit Plan for 67 Collier Road in Scituate, Mass., Scale: 1"=20', Dated: April 12, 2021, Ross Engineering Company, Inc., Paul Joseph Mirabito, P.L.S."; "As-Built Plan for 67 Collier Road in Scituate, Mass., Scale: 1"=20', Dated: October 19, 2022, Ross Engineering Company, Inc., Paul Joseph Mirabito, P.L.S."

**7:20 - Special Permit Application - 75 Harbor Lane, Norwell - Carvette**

The homeowner, Robert Carvette, and his representative, Brad Holmes, of Environmental Consulting & Restoration, LLC appeared to present a Special Permit Application for the construction of an accessory building.

- **Discussion Summary**

Mr. Holmes described the existing conditions on the site and the proposed project. The applicant proposes to construct a 20' x 30' accessory building on piles, in place of an existing shed and chicken coop with mitigative plantings. The Commission reviewed the project location file for applications and/or approvals of the current structures on the lot. The approval of the original structure in the late 1970's in a seemingly non-compliant location was reviewed. The members were concerned that the proposed location substituting the proposed dwelling for the existing non-conforming structures would increase the non-conformity and discussed alternative locations for the structure. The height requirement for accessory structures was reviewed. The applicant suggested that a site visit might be helpful in reviewing project, particularly the location of the Natural Bank in the field relative to its location as shown on the plans cited in the Protective Order that depict the Natural Bank location. The applicant requested that they be given an opportunity to supplement the material submitted with additional details regarding the proposed structure. They also invited the Commission members to make a site visit. The members agreed and the parties will schedule a visit.

- **Motion** - Mr. Jones moved to continue the hearing to August 19. Mr. Simpson seconded the motion.
- **Outcome** - The motion was carried 6-0. (Aye-Hanover, Hanson, Marshfield, Norwell, Scituate, Pembroke.)

Plans/Documents referenced: "NRC Submittal, 75 Harbor Lane, Norwell, MA, Prepared For: Robert & Kimberly Carvette, Dated: April 29, 2024, Scale: 1"=30', James E. McGrath, PLS"

**New Business**

1. **Administrators Report - Administrator Gary Wolcott (GW).**
  - Norwell Historical Shipyard Signs - Had discussions with Norwell Conservation Commission about steps necessary to perform landscape maintenance around the historical shipyard signs. Administrative Permits will likely suffice, depending on amount and type of vegetation and location relative to the river. GW will set up onsite meetings with the Conservation Commission agent to review.
  - Norwell Town Hall Osborn Room availability for August and October meetings. Due to scheduling conflicts with Town of Norwell business the Osborn room is not available for the regularly scheduled August 26 meeting, nor certain dates in October. The Commission agreed to move the August meeting date up to August 19. The revised schedule will be posted on the Commission Website. northrivercommission.net. Rescheduling for the October meeting will be taken up at a later date.
  - Fiscal Year 2024 Financials were completed.
  - Pembroke Police marine patrols of the North River have started.
  - 85 Harbor Lane, Norwell - Determination of Allowed Use for a dock project was forwarded to the applicant and their representative.
  - Site Visits -85 Harbor Lane, Norwell for Vegetative Cutting Review.
  - Real Estate Transactions in corridor - None
  - Municipal Hearings
    - Hanover - None
    - Hanson - None

Marshfield - 172 Carolyn Circle, ConCom for deck/pool project 290'+ to the Natural Bank of the North River.

Norwell - 85 Harbor Lane, ConCom for dock project.

Pembroke - None

Scituate -ConCom, 67 Collier Road, ongoing, no action this month.

2. Approval of Minutes - A motion was made and seconded to approve the Minutes, with noted revisions, of Meeting #598, June 24, 2024. The motion was carried unanimously.

Meeting adjourned 9:00 pm

Minutes Compiled by Gary Wolcott, Administrator

Complete video of this meeting is available on demand from Norwell Spotlight TV at

<http://72.93.231.20/CablecastPublicSite/search?query=north%20river%20commission&site=2>