

## North River Commission – Minutes

Meeting #619 – March 26, 2026 – Norwell Town Offices, 93 Longwater Circle, Norwell, MA

Present: Boulter (Pembroke), Heine (Hanson), Jones (Hanover), Leonard (Marshfield), Lalone (Scituate – A)

Absent: Kemmett (Hanson – A), Cyrus (Marshfield – A), Lynch (Norwell), Simpson (Norwell – A), Gallagher (Scituate), Conway (Scituate – A)

### 1. Special Permit Application – 22 Barry’s Landing, Scituate (D’Argento)

**Request:** Addition to existing dwelling. (Continued from February 26, 2026) A notice requesting the hearing be continued to the May 2026 meeting was received.

### 2. Special Permit Application – 78 Stony Brook Lane, Norwell (Robinson)

**Request:** Raze and rebuild an existing single-family dwelling.

**Presentation:** Attorney Jeff DeLisi appeared on behalf of applicant David Robinson, along with contractor Brian Greenberg and engineer Dillon Brady of Grady Consulting. Attorney DeLisi provided a summary of the project: the property contains a non-conforming single-family dwelling and a detached garage, with the closest structure approximately 60 feet from the natural bank, while the river itself is approximately 500 feet away. The property has approximately 190 feet of frontage along the river and lies within a FEMA flood zone at elevation 15. The existing dwelling is non-flood-compliant. The Robinsons propose to raze and reconstruct the two structures into a single residence, moving it approximately 12 feet further from the natural bank to approximately 72 feet — more than 20 feet further from the river itself — and bringing it into full FEMA compliance. Additional improvements include relocating the septic system entirely outside the 100-foot setback and replacing it with an environmentally friendly system, along with approximately 1,458 square feet of enhancement plantings to stabilize the natural bank. Attorney DeLisi noted that since the February meeting, the Norwell Conservation Commission reviewed and approved the project, expressing enthusiasm for the environmental upgrades. Mr. Brady presented a house cross-section demonstrating that the minimum foundation elevation of 17 feet (two feet above the FEMA flood elevation of 15) is required for compliance. With this constraint, the proposed structure would be approximately 33 feet tall. Commission members noted that in past hearings involving flood zone construction, height has been measured from the lowest buildable point rather than penalizing applicants for the elevation required to achieve FEMA compliance. Mr. Brady confirmed the grade in certain areas must also be lowered to preserve flood storage volume, further constraining the design. Mr. Greenberg presented an architectural

rendering of the proposed gambrel-style dwelling prepared by a professional graphic artist. He reviewed historical special permit applications, noting that over the prior five years there were no raze-and-rebuild applications involving a change in building location. He outlined the Commission's visual massing guideline — no greater than 25% increase in facade — and argued that for a raze-and-rebuild with a change in locus, the metric should incorporate distance from the natural bank, as an object further away has less visual impact. Applying a “facade per foot from natural bank” metric, the proposed increase was calculated at 23.8%, within the 25% guideline. Using a traditional facade square footage comparison but excluding the gap between the two existing structures (a developed area occupied by parked vehicles with no natural scenic value), the calculated increase was 28%. Mr. Greenberg presented aerial and ground-level photographs of neighboring properties along both sides of the river corridor, contending that the project is consistent in character with the existing built environment. He also referenced the 67 Collier Road case in which the Commission approved a 30% facade increase.

**Discussion:** Commission members engaged in detailed discussion regarding the facade calculation methodology. Members clarified that the 28% figure was derived from the maximum-footprint site plan, while the architectural rendering represented the actual proposed design, which is smaller and contained within the filed footprint. Members expressed general comfort with the 28% increase, noting the FEMA-driven height constraints, the significant environmental benefits of the project, and the context of the surrounding corridor. Members indicated a preference for conditional approval rather than an outright approval pending full architectural plans, consistent with the approach taken at the prior meeting for the Hoffman application. Members agreed that the visual massing presentation materials, including the rendered drawings, the height cross-section, and the facade calculations, should be placed in the project file to document the basis for any variance from the 25% guideline. Members asked that the final approval condition include receipt of drawings showing the final footprint overlaid on the approved site plan, with facade square footage and percentage calculations annotated.

**Action:** Motion to approve the Special Permit conditionally upon receipt of drawings demonstrating compliance with the height standard and the mass increase percentage calculation as described in the guideline policy, and showing the proposed footprint overlaid on the filed site plan. (Jones/Heine) – Vote 4-0.

## **New Business**

**Certificate of Compliance Request – 81 Kings Landing, Norwell:** The Commission reviewed a request for a Certificate of Compliance associated with a 2017 Special Permit for septic system upgrade and house repairs at the property. The work involved installation of a new septic system requiring temporary removal of an existing deck, which was subsequently rebuilt in its original location. The house footprint was not increased. The engineer of record, McKenzie, provided a letter confirming the work was completed as approved. The Commission reviewed photographs and supporting documentation provided with the submission.

**Action:** Motion to approve the Certificate of Compliance for 81 Kings Landing, Norwell.  
(Leonard/Heine) – Vote 4-0

**Approval of Minutes (February 26, 2026):** Commission members reviewed the draft minutes of the February 26, 2026 meeting. Chairman Boulter noted that the minutes did not reflect the Commission’s vote to issue a Cease & Desist Order to the property owner at 22 Barry’s Landing regarding unauthorized vegetative cutting within the corridor, in addition to the vote to send correspondence to the tree company responsible for the cutting. A typographical error was also identified the name “DeLisi” was rendered as “Lisi” in one instance under item 5. Administrator Wolcott confirmed he would review the recording and revise the minutes accordingly prior to filing.

**Action:** Motion to approve the minutes of February 26, 2026 as corrected, with revisions to include the Cease & Desist Order vote and correct the typographical error. (Heine/Leonard) – Vote 4-0.

**Administrator’s Report:** Administrator Wolcott reported on several matters:

**14 Damon’s Point Road, Marshfield:** The determination for the approved Phragmites control project has been sent.

**Tree Service Activity – Scituate:** A member of the public reported observing a tree service sign at a property on Moorland Road in Scituate, within the corridor, but did not observe any active cutting. The Commission discussed sending a friendly informational letter to the property owner as a precautionary reminder of the vegetative cutting standards prior to any work commencing.

**Loose Float:** The Commission received a report of a float that had broken loose and was floating downstream. The matter was referred to the property owner and appears to be in the process of being resolved. Discussion followed regarding the importance of including float identification requirements in the proposed Float By-Law update.

**Andrew Butler:** Hanover Alternate Andrew Butler has resigned from the Commission. Hanover Member Jones has a replacement in mind and will follow-up.

**Prior Special Permit Approvals:** The Administrator distributed the approved special permits from the February meeting (16 River Road, Hanover and 89 Neal Gate Street, Scituate) for member signatures.

**NRC-DCR MOU Update:** Discussions with the relevant parties are ongoing.

**Marshfield Trails Inquiry:** A representative from Marshfield Trails contacted the Administrator seeking background information on the North River Commission, including its legislative origins and mandate, for use in a trail kiosk or signage project. The Administrator provided relevant documentation including the enabling legislation, management plan, and Protective Order.

## **General / Old Business / Open Discussion**

**Proposed Float By-Law Update:** The Commission discussed rescheduling the continued public hearing on the proposed Float By-Law update. The Commission agreed to hold the hearing on a separate evening from the regularly scheduled monthly meeting. The Administrator will confirm room availability at Norwell Town Offices and circulate proposed dates by email, prioritizing the availability of the three drafting committee members (Lynch, Gallagher, and Boulter). Members also discussed the value of incorporating float identification and registration requirements in the updated by-law, prompted by the recent loose-float incident.

**67 Collier Road, Scituate:** Chairman Boulter raised ongoing concerns about a lack of progress on the matter, which was remanded back to the Commission following a prior appeal. No action has been taken or scheduled by the Town to date. Members agreed that DCR should be contacted for guidance, as the agency authorized the Protective Order and may have appropriate leverage or procedural direction. The Administrator was directed to draft a communication to DCR Counsel. Members also discussed the broader issue of Commission practice regarding hearing applications prior to receipt of all required local approvals, noting that the Protective Order directs applicants to obtain local approvals before construction, and that the Commission may wish to make its approvals explicitly conditional on all local approvals being secured.

## **Adjournment**

Motion to adjourn the meeting. (Leonard/Jones) – Vote 4-0.

Minutes prepared by: Gary Wolcott, Administrator