

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 Email: northrivercom@gmail.com

Minutes March 28, 2024 - Meeting #595

Present: Hanover, Andrew Butler (A), Hanson, Jennifer Heine (M), Norwell, Stephen Lynch(A), Scituate, Adria Gallagher (M), Scituate, John Lalone (A), Scituate, Ken Conway (A)
Attending Remotely: Pembroke, Bill Boulter (M)
Not Attending: Hanover, Daniel Jones (M), Marshfield, Maryanne Leonard (M), Marshfield, Mike Dimeo (A), Norwell, Tim Simpson (M), Pembroke, Gino Fellini (A)

7:00 - Call to Order

7:00 - Request for Determination - Unit #7, Trouant's Island, Marshfield - Tarbox

Jim Tarbox, applicant, presented a project for the construction of a new single-family dwelling on Trouant's Island, Marshfield designated as Unit #7 of a condominium association. The applicant met with the Commission informally in September 2023 to discuss the Protective Order's requirements for construction of a dwelling, particularly setback to Natural Bank, height of structure, scope of architectural plans, and septic system location. Mr. Tarbox reviewed the site plan. The plan includes a list of required elements/requirements wherein the engineer demonstrates compliance with the Protective Order. Mr. Tarbox noted the presence of a considerable vegetative buffer between the dwelling and the marsh. Members noted the height of the slab to the roof ridge line was 36'-6" while the height of the grade to the roof line as would be viewed from the river is 34'-6", which the Commission has historically and consistently held must be 35'-0" or less. A motion was made and seconded to determine that the proposed project, as described on the submitted plans, was an Allowed Use. The roll call vote results; Hanover-Yes, Hanson-Yes, Norwell-Yes, Pembroke-Yes, Scituate-Yes. Mr. Tarbox asked the Commission if there was a mechanism in the Protective Order that would consider a variance to the width/setback requirement which he felt was de minimus. Members noted that in their collective experience, no variance had ever been granted for setback relief for new construction.

Plans/Documents referenced: Engineering - "North River Commission Plan, Unit 7 Trouant's Island, Marshfield, Massachusetts, Prepared For: Jim Tarbox, Dated: March 21, 2024, Scale: 1"=20', Grady Consulting, LLC, Kevin S. Grady, P.E."; Architectural - "The Tarbox Residence, Dated: March 28, 2024, Scale: $\frac{1}{4}$ ' = 1'-0", Julia Chuslo:Architect"

7:20 - Informal Discussion - Lot E15-17 Development - Residents of Water Street

Several residents of Water Street, Pembroke, members of a group called Captain River Abutters, requested an opportunity to address the Commission. They have been in opposition to a Comprehensive Permit that was sought from the Town of Pembroke for a 40B development on the cited lot on Water Street. They provided the Commission with information regarding the proposal that they deem is relevant to the North River Commission and the Protective Order. They presented this information to the Commission and discussed several aspects of the project that they believe should receive additional review. A motion was made that the Commission enter into the record the information and testimony that Captain River Abutters submitted and to investigate further whether the matter is within the remit of the North River Commission to address based on the evidence submitted. The motion was seconded. The roll call results; Hanover-Yes, Hanson-Yes, Norwell-Yes, Pembroke-Yes, Scituate-Yes.

7:40 - Request for Determination - 85 Harbor Lane, Norwell - LaGrassa

Caroline Rees of Merrill Engineering, presented a project on behalf of the applicant, Richard LaGrassa of 85 Harbor Lane, Norwell. The applicant is seeking a Determination of whether a proposed addition to an existing dwelling is an Allowed Use, a Prohibited Use or if it is a use that requires a Special Permit. The proposal calls for a 2,300 s.f. addition. Ms. Rees reviewed the plan, indicating the locations of the addition, the river, the mean high-water line, the rear of the salt marsh and corresponding setback offsets. She described a one-story addition, no taller than any existing portion of the dwelling, that was primarily located off the front, street-side of the structure, no closer to the river than what is existing. The width of the dwelling will increase by 12 feet, a 5.2% increase in the visual mass of the structure as seen from the river. She reviewed the history of site and the prior approvals that were issued by the Commission that resulted in non-conformity. The Commission discussed how the non-conformity developed and what type of addition could be considered to a pre-existing, non-conforming structure. Ms. Rees also provided information regarding the proposal to remove trees on the site. She introduced photographs of prior instances of trees that fell on or near the existing dwelling. The applicant has contracted with an arborist to review the trees proposed for removal and to submit a report. The Commission reviewed standards for vegetative cutting, what exceptions there were and whether a conditional approval could be given which required submission of an arborist's report that recommended which trees should be removed. A motion was made and seconded to determine that the application was an Allowed Use, conditioned upon the arborist's certification and the Conservation Commission's approval. The roll call results; Hanover-Yes, Hanson-Yes, Norwell-Yes, Pembroke-Yes, Scituate-Yes.

Plans/Documents referenced: Engineering - "Site Plan, 85 Harbor Lane, Norwell, Massachusetts, Dated: March 21, 2024, Scale: 1"=20', Merrill Engineers and Land Surveyors, Brendan P. Sullivan, P.E., R.L.S."; Architectural - "LaGrassa Residence, 85 Harbor Lane, Norwell, Massachusetts, MDzyne Architects, Dated: Feb 22-2024, Scale: 3/16"=1'-0", Existing & New Floor Plan, Left, Right, Front, Rear Elevations, Details."

New Business

1. 110 Riverside Circle, Marshfield - The appeal period for Special Permit NRC 2/2024 having lapsed without submission of an appeal, Commission members affixed their signatures to the document.
2. Minutes of Meeting #594-February 22, 2024 - Vote to approve, roll call results; Hanover-Yes, Hanson-Yes, Norwell-Yes, Pembroke-Yes, Scituate-Yes.
3. Administrators Report - Administrator Gary Wolcott (GW).
 - Reviewed letter from NSRWA asking for support for a funding request for upgrading the Rockland Wastewater Treatment plant.
 - 46 Bridge Street, Norwell - Reviewed correspondence sent asking for meeting with Commission to discuss vegetative cutting. No response received. The Commission discussed sending a second letter, certified, to ensure that the property owner received the communication.
 - 3 Trouant's Island, Marshfield - Determination of Allowed Use for construction of an inground pool forwarded to applicant and representative.
 - Reviewed NSRWA's request for feedback on where No Wake signs should be posted along the river. Members' feedback included that no additional buoys should be placed as they tended to get caught up with vegetation, becoming partly submerged and acting as a navigational hazard. They also suggested that areas upstream of the Union St./Bridge St. bridge were problematic and should merit consideration and that any launching site for watercraft would be an effective area for posting. Members proposed the launching site on Indian Head Drive in Hanover and at the canoe launch on Brick Kiln Drive, Pembroke.

- Reviewed meeting with new Conservation Commission agent with Scituate member Ms. Gallagher.
- 67 Collier Road, Scituate - Reviewed setting up Special Permit hearing at the April 25, 2020 meeting.
- Site Visits - None
- Real Estate Transactions in corridor - 75 Harbor Lane, Norwell, 36 River Road, Hanover, Welcome letters sent.
- Municipal Hearings
 - Hanover - None
 - Hanson - None
 - Marshfield - ConCom, 170 Carolyn Circle, for removal of hazardous tree, 3 Trouant's Island, pool construction, 84 Bartletts Island Way, stonewall repair and COC
 - Norwell - ConCom, 95 Stony Brook Lane (Lot 62) for construction of new dwelling. Dwelling is outside the Corridor, only work in Corridor is a driveway which the NRC approved in 2018.
 - Pembroke - None
 - Scituate -ConCom, 67 Collier Road, ongoing, no action this month
- 4. Meeting Logistics - The Commission discussed the possibility of moving the location of meetings to the Osborne Room at Norwell Town Hall. The room offers enhanced video and remote participation capabilities but would require switching meetings from Thursday to Monday.
- 5. River Structures - The members continued ongoing discussions on float sizes and resolved to reach some decisions at the April meeting.

Meeting adjourned 8:55 pm

Gary Wolcott, Administrator