

North River Commission

Representing the Towns of – Hanover, Hanson, Marshfield, Norwell, Pembroke & Scituate
188 Broadway, PO Box 760, Hanover, MA 02339 Office Hours 9am – 1pm, Tuesday & Thursday,
Phone: [781-659-7411](tel:781-659-7411) Website: www.northrivercommission.net Email: northrivercom@gmail.com

Minutes May 27, 2021 - Meeting #561

Present: Hanover, Dan Jones (M), Hanover, John O'Leary (A), Marshfield, Chris Head (M), Marshfield, Maryanne Leonard (A), Norwell, Tim Simpson (M), Norwell, Robert Molla (A), Pembroke, Gino Fellini (A), Scituate, Adria Gallagher (A)
Not Attending: Hanson, Jennifer Heine (M), Pembroke, Bill Boulter (M), Scituate, Joseph Norton (M)

7:00 - Call to Order

1. Minutes approved for April 22, 2021 meeting.
2. Administrators Report - Administrator Gary Wolcott(GW) reported on...
 - Recent correspondence- a. 31 Islandview Circle, Norwell-Revised plan received showing a reduced size driveway apron/extension per the request of the Commission, no closer than 75' to the Natural Bank. b. Letter sent by Commission to Attorney General Maura Healey requesting attention to our funding request with DCR. c. Special Permit Application fees for 31 Islandview Circle, Norwell and 67 Collier Road, Scituate sent to DCR. d. Information about mooring balls in the river in Norwell off Brigantine Circle sent from resident. e. Copy of 34 Islandview Circle, Norwell Chapter 91 Application with DEP/Waterways received. f. 87 Edmund Road, Marshfield requested to be placed on July 22, 2021 Agenda for an Informal Discussion regarding shed project. g. Information received about leave burning and possible vegetative cutting violations on Canoe Club Lane. h. Contacted Norwell Town Hall for information on when in-person meetings will be allowed again. No decision has been made yet. They are waiting for additional guidance from the Governor, expecting some resolution in mid June.
 - Recent municipal filings of Corridor properties - For projects previously reviewed, currently under review or expected to come under review by the North River Commission - Off Indian Head Drive, Hanover-Donnelly PhD candidate research project-Hanover Conservation Commission. 3 Cove Creek Lane, Marshfield-Vista Pruning-Marshfield Conservation Commission, 31 Islandview Circle, Norwell-Additions and driveway expansion-Norwell Conservation Commission, River Marsh 40B project, Water Street, Pembroke-Pembroke ZBA.
 - Real estate transactions in the Corridor - New North River Corridor property owners at 40 Washington Street, Hanover and 112 Brigantine Circle, Norwell. Welcome letters sent.

7:15 - Informal Discussion - 12 Hunter Drive, Marshfield - DiRico - Mr. DiRico was unable to attend and asked to be continued to the next available meeting. GW will place him on the June 24, 2021 Agenda and coordinate with Mr. DiRico.

7:30 - Request for Determination - 100 Old Meeting House Lane, Norwell - Arnold - Mary & William Arnold, Homeowners, presented a project for an addition to an existing garage. The Arnolds plan to add an additional bay to the existing two-car garage. The plan indicates the location of the North River and its Natural Bank and the 300', 200' and 100' setback lines to the Natural Bank. The addition is 279' from the Natural Bank. Photos included with the plan show the area of the addition. The applicant also presented an architectural drawing showing the elevation profile of the addition. Mr. Molla asked for clarification of the 300' setback line, pointing out that part of the existing garage and addition were outside the Corridor. Mr.

Molla and Mr. Simpson state the existing garage is not visible from the river and have no objections to the project. A motion was made and seconded that the Commission determine that the addition as shown and described is an "Allowed Use" under the Protective Act. The motion was carried unanimously.

Plans referenced: Engineering-"Prop. Garage Addition, 100 Old Meeting House Lane (Assessor's Parcel: Map 62 Lot 37) Norwell, Massachusetts, Plan to Accompany North River Commission Special Permit Request, Morse Engineering Co., Inc., Scale: 1"=40', Dated: 1/22/20"; Architectural-"Garage Bay Addition, Bill and Mary Arnold, 100 Old Meeting House Lane, Norwell, Scale: ¼"=1'-0", Dated: 5/26/21, JE Fitzgerald, Housesmith Inc. Design-Builders."

7:45 - Request for Determination - 35 Blockhouse Lane, Norwell - Lederer - Jed Hannon, Atlantic Coast Engineering, Representative for the homeowner presented a plan for the construction of a dock, pier and float at 35 Blockhouse Lane. Mr. Hannon stated that the design is in compliance with the town's Conservation Commission and the States DEP Waterways requirements. The proposed pier is 90' long and 3' wide, the proposed ramp is 30' long and the proposed float is 8' wide x 15' long. Mr. Hannon suggests the length of the ramp is necessary to get the necessary depth under the float as DEP requires. The float will be secured by helix screws. Mr. Hannon reviewed the proposed profile of the system. Mr. Head asked whether the outer two pairs of pilings were in the mud rather than the marsh. Mr. Molla suggested that the marsh was receding in this area of the river and that soon a number of pilings would be in the mud. Mr. Molla further asked about the presence of ledge and its effect on proposed pile driving. Mr. Hannon proposes 15' or refusal as a depth and that other piles in the area were successfully drilled to the proposed depth. Mr. Molla stated that most of the ramps in the area are of similar length. Mr. Simpson asked for a description of the helix screws and how they secure the float. Mr. Hannon described how after consultation with various agencies (DEP, Harbormasters, Shellfish Wardens, Towns, etc) it was determined to keep floats from resting on the mudflats. The float sits on posts which rest on concrete "shoes" secured by helix screws which prevent movement of the float. Mr. Jones asked for the separation distance between the pier and the marsh. It is shown on the plan, 5.25' separation for a 3.5' wide pier. Mr. Head asked if special driving equipment is necessary for the helix screws. Mr. Hannon explained only an auger bit/torque wrench is employed. Mr. Simpson asked about the cross bracing. Mr. Hannon explained this design is somewhat more conservative than others and they use traverse and longitudinal cross bracing to protect against the tide and ice flow. Mr. Simpson commented that it created additional visual impact. Mr. Head found that many ramps/gangways in the area were shorter than the ramp proposed but suspected that the piers they ran from were lower to the marsh than the one proposed here as DEP has only recently increased the ratio used to determine pier height, meaning that the older ramp/gangways could necessarily be shorter. Mr. Simpson does not believe that a 30' ramp in this area of the river poses a navigational hazard. Ms. Leonard asked about reducing the length of the ramp. Mr. Hannon says they are willing but that commercial availability means choosing between 30' and 25' and that 25' might be too short based on the height required for the dock. Mr. Simpson reiterated his points. Mr. Fellini asked about how the posts are installed. Mr. Hannon indicated an air-pneumatic hammer was used that can drive 6" or 8" piles and that no heavy equipment like a pile driving barge is required. Mr. Hannon described it as the least obtrusive means for driving piles. Mr. Fellini further asked if sufficient light was capable of getting under the pier for the marsh vegetation. Mr. Hannon stated that the project meets the DEP requirements in this area. Mr. Jones confirmed that this is DEP's reasoning for increasing the ratio between pier width and separation to marsh, to increase the amount of sunlight available to vegetation beneath the pier. A motion was made and seconded to determine the project as described is an "Allowed Use" under the Protective Act. The motion carried unanimously.

Plans referenced: "Proposed Dock System & Amenities, 35 Blockhouse Lane, Norwell, MA 02061, Scale: As Noted, Dated: May 11, 2021, Atlantic Coast Engineering LLC, Joseph E. Hannon, Registered Professional Engineer, James E. McGrath, Professional Land Surveyor."

8:00 - Request for Determination - 21 Damons Point Circle, Marshfield - Head - Mr. Head, as the applicant recused himself from the deliberation and voting on this matter. Christopher Head, Homeowner, described a proposed project to repair/replace a failing deck. The proposed deck will be built upon the existing footprint and no expansion in size is proposed. Mr. Head also described the materials and colors selected for the project. The deck will be dark brown with black railings. Mr. O'Leary asked for confirmation that it is a replacement only, of an existing deck, with no expansion. Mr. Head confirmed this. A motion was made and seconded to determine that the project as described was an "Allowed Use." The motion was passed unanimously.

Plans referenced: "Asbuilt Addition Plan, Lot 3A Hidden Acres in Marshfield, MA, Scale: 1"=40', Dated: June 23, 1998, Aaberg Associates, Inc, Douglas L. Aaberg, Registered Land Surveyor"

8:15 - Request for Determination - 3 Cove Creek Lane, Marshfield - Curtis - Rick Curtis, Homeowner, described his project for vista pruning of property at 3 Cove Creek Lane, Marshfield. Mr. Curtis presented photographs of vegetation that he intends to prune. Lines are overlaid on the photos, between which very selective precise pruning of individual limbs is proposed. No individual trees will be cut down and no substantial limbs will be trimmed. Mr. Curtis reiterated that no cutting of vegetation at ground level will occur and that he is proposing additional plantings (20-25) per Conservation Commissions suggestions. He has an agreement for ongoing maintenance and pruning with the Marshfield Conservation Commission in the proposed area. Mr. Molla commended Mr. Curtis on his efforts regarding his property. Mr. Simpson approves of this approach to vista pruning. Mr. Curtis promises personal involvement in the selection of limbs for pruning. Ms. Gallagher supports this project. Mr. O'Leary made a motion to determine that the project as described is an "Allowed Use", with the proviso that the determination is for this application only and that no ongoing permit for maintenance and pruning is included. The motion was seconded and carried unanimously.

Plans referenced: "Resource Area Plan - Plan accompanying petition for Richard D. Jr. & Joan A. Curtis for Private Boat Dock, Ramp and Float at 3 Cove Creek Lane, Marshfield, MA 02050 for Access to Cove Creek, Tributary to the North River, Scale: 1"=80', Dated: September 3, 2019, Last Revision May 11, 2021, Stenbeck & Taylor, Inc., William J. McGovern, Professional Land Surveyor"; Project Narrative, Project Photographs and accompanying documentation.

8:30 - General-Old Business

- **52 Moorland Road, Scituate - COC Request** - GW reviewed the submission of a Certificate of Compliance Request for work done at 52 Moorland Road, Scituate. A Special Permit issued in 1995 for a septic system project was never completed and a simple sewer connection was installed in its place once sewer became available in the neighborhood. An asbuilt plan showing this and a deck that was constructed over an existing patio/platform was submitted to the Commission by the Applicant and demonstrated compliance with the Special Permit. A motion was made and seconded to issue a Certificate of Compliance. The motion was carried unanimously.
- **Fiscal Year 2021 Budget Review** - GW reviewed the funds that would be available after June expenses at the end of the Fiscal Year 2021 budget, June 30, 2021. The Commission discussed what to do with the remaining funds. Mr. Molla suggested encumbering the funds at the next meeting June 24 for administrative purposes. A discussion ensued about the mechanics of implementing the anticipated budget funding and how it would be disbursed. Some follow up is needed.
- **River Marsh 40B Project** - The Commission discussed the River Marsh 40B project on Water Street, Pembroke now under review of the Pembroke Zoning Board of Appeals. GW and Ms. Leonard updated the Commission on the April ZBA meeting. There was particular interest in the comments

by a group of abutters concerning the delineation of the Natural Bank of the North River and the methodology used. They suggest that there is possibly some confusion over how the Natural Bank should be delineated and where the Natural Bank is. The applicants will provide the ZBA with a response letter from an environmental scientist describing the methodology used to delineate the Natural Bank. The Commission will review the response letter when it becomes available.

- **Boat Patrol** - The Commission reviewed the status of the Boat Patrol Committee. In anticipation of receiving additional funds in the Fiscal 2022 budget Mr. Head is anxious to plan accordingly so that the Commission is ready to activate a boat patrol when the funds become available. To that end he asked that members of the Boat Patrol Committee continue and accelerate their ongoing efforts to determine the cost, feasibility and nature of a boat patrol.
- **142 River Road, Hanover** - GW reviewed discussions he had with the homeowners about the Cease & Desist Order that had been issued and how they and the Commission might move forward. The homeowners believe that they are in compliance with the Protective Order and that nothing further is required from them. They asked that the Cease & Desist Order be lifted. Commissioners agreed that GW could suggest measuring the dock, pier and float system at 142 River Road as a starting point, so that the Commission and the homeowners would have a common reference when discussing the project. Commissioners are unwilling to lift the Cease & Desist Order on this measurement alone, preferring a review of what the project consists of before taking action on the Order.
- **River Road, Hanover Docks** - Members discussed the status of docks on River Road, specifically that there were a number of docks that the Commission had no information about. Docks at 150, 158, 164, 174 and 182 River Road were constructed without consultation of the Commission and any permitting process. As far as could be determined these properties also had no Chapter 91 Licenses from DEP Waterways. Docks at 102 and 112 River Road had no permitting with the NRC but did have Interim Amnesty Approvals from DEP Waterways. Members discussed ways to gather information about the docks at these locations so that they would be on the record and able to be reviewed for compliance with site and design standards for docks and in the event that future modification, renovation, enlargement, etc. were proposed. Members decided to send out letters to the homeowners at the location of these docks asking them to voluntarily provide the Commission with information about their docks, including any plans or approvals they might have.

Meeting adjourned 9:45 pm

Gary Wolcott, Administrator