

North River Commission

MA Dept of Conservation & Recreation – Hanover, Hanson, Marshfield, Norwell, Pembroke & Scituate
188 Broadway, PO Box 760, Hanover, MA 02339 Office Hours 9am – 1pm, Tuesday & Thursday,
Phone: 781-659-7411 Website: www.northrivercommission.net Email: northrivercom@gmail.com

Minutes May 28, 2020 - Meeting #547

(Meeting conducted via Zoom Video Conferencing)

Present: Hanover, Dan Jones (M), Hanover, John O'Leary (A), Hanson, Jennifer Heine (M), Marshfield, Chris Head (M), Marshfield, Maryanne Leonard (A), Norwell, Tim Simpson (M), Norwell, Robert Molla (A), Pembroke, Bill Boulter (M), Scituate, Joseph Norton(M)
Scituate, Adria Gallagher (A)

Not Attending:

7:00 - Call to Order

1. Minutes approved for April 23, 2020 meeting.
2. Administrators Report - Administrator Gary Wolcott(GW) reported on...
 - a. Correspondence-Communication-Review attempts to get DCR to give opinion about Forestry Cutting Plans, ongoing communications with current applicants with NRC and attempts to start dialog with various properties in NRC Corridor regarding reported violations.
 - b. Ongoing Municipal Filings
 - c. Field Visits to 1327 Union Street, Marshfield, 70 River Road, Hanover, Kings Landing to view Bulman Marine floats.
 - d. Status of current budget tracker and proposed 2021 Fiscal budget request.

7:15 - Special Permit - 22 Barry's Landing, Scituate - Alicia Fiscus - Homeowner - Ms. Fiscus presented a project to add an addition to the existing attached garage, add an entryway porch, reconfigure an asphalt driveway, construct a 12' x 16' accessory shed, add a 4' x 6' landing and stairs to the existing house and reconfigure an existing granite retaining wall and steps by relocating some of the granite of the wall to make additional steps down a steep grass slope. Additionally Ms. Fiscus described plans to renovate an existing deck rather than expand the deck as originally proposed at an earlier informal discussion. The Commission asked for clarification of the 100' setback to the Natural Bank and confirmed that the granite step configuration, the landing and the deck renovation were inside the 100' setback. Discussion centered on the construction of the landing and the reconfiguration/relocation of the granite as the renovation of the deck without expansion and the construction of the accessory structure in accordance with the design standards of the Protective Act were deemed "Allowed Uses." The additions on the side of the house facing away from the river and not part of the "principal view" were straightforward and received less examination. Ms. Fiscus described the nature of the grassy slope where the steps were proposed as steep and hazardous to users and that the steps would greatly improve functionality of the back yard and that the relocation of granite from the end of the granite wall to create steps would decrease the width of the current "principal view." Upon questions about the proposed landing Ms. Fiscus described the details of the landing referencing the submitted plans and photographs. She described how the landing would be constructed at a level to access the first floor of the dwelling where an existing two window treatment would be converted to an entrance to the dwelling. A motion was made and seconded to issue a Special Permit for the project and unanimously approved.

Plan referenced: "Proposed Site Plan, 22 Barry's Landing, Assessors Parcel 57-2-3, Scituate, Massachusetts, Scale: 1"=20', Dated: 3/25/2020, Last Revision dated May 28, 2020, Morse Engineering Co., Inc., Gregory J. Morse, Registered Professional Engineer"

7:30 - Informal Discussion - River Road Landing, Hanover - Gavin Graybill, Hanover Eagle Scout

Mr. Graybill presented an Eagle Scout project to clean the roadway alongside the Old Washington Street Bridge and to clear and maintain the access path at River Road Landing. Commissioners expressed support for the project and inquired of the methods to be employed to ensure that the project is conducted by hand and with no vehicular construction equipment. The parties discussed the possibility of a sign, particularly what it might say, its location and the Protective Act's signage requirements. The Commission approved the project as described.

7:45 - Request for Determination - 49 Collier Road, Scituate - Paul Mirabito, Ross Engineering & Ken Harrington, Architect, 209 Design - Representatives - Mr. Mirabito presented a project for a proposed raze/rebuild of the existing dwelling on site. The project is to raze the existing structure and build a new residence on the site. Mr. Mirabito described the principal view from the river of the proposed structure as blocked by the adjacent property structure. The Commission noted that were the adjacent structure to be taken down the proposed dwelling's size would then be clearly seen from the river and that percentage of view increase was therefore a factor to be considered. Mr. Jones asked for clarification of a profile architectural drawing that appeared to show a height of structure that may not meet the Protective Act's 35' height requirement. Mr. Mirabito explained that the depiction was intended to show a finish grade and height of ridgeline difference of 34'-8 $\frac{1}{2}$ " and that the profile as depicted was imprecise. The Commission asked that the 300' Corridor line and 100' setback to the Natural Bank be added to the plan and that a silhouette overlay of the proposed residence be placed over a profile of the existing dwelling so that a determination could be made of the percentage of increase in the structures principal river view. Mr. Mirabito and Mr. Harrington agreed to make the requested revisions to the plan. A motion was made to continue the meeting to the June 25, 2020, seconded and unanimously approved.

Plans referenced: "North River Commission Determination of Applicability Plan for 49 Collier Road in Scituate, Mass., Scale: 1"=10', Dated: May 20, 2020, Ross Engineering Company Inc, Paul Joseph Mirabito, Registered Land Surveyor"; "Exterior Elevations Plan - Design 2, Brown Residence, 49 Collier Road, Scituate, MA 02066, Scale: $\frac{1}{4}$ "=1'-0", Dated: May 19, 2020, 209 Design, Ken Harrington, Architect."

8:00 - Request for Determination - 70 River Road, Hanover - Katie Abercrombie, Robert Knudsen - Homeowners - Ms. Abercrombie and Mr. Knudsen presented a project for clearing invasive vegetative species on their property and for the construction of a shed. Ms. Abercrombie described the nature of the vegetation on the site and discussed photos showing the invasive species. The applicants described how the site had been a dumping ground of sorts before the current dwelling was constructed. The Commission agreed that removing invasive vegetation and detritus was permissible as well as clearing a path for a proposed dock provided the design standards of the Protective Act were met. Ms. Abercrombie presented annotated photographs of a shed that had been constructed on the site. It was determined that the shed was constructed beyond the 100' setback to the Natural Bank as required. The Commission asked that a site walk be performed to view in person the vegetation and cutting that had occurred and what may be permissible in the future. A disposition of the Request for Determination was continued until the site walk was complete.

Plan/photos referenced: "Photos of invasive species vegetation"; "Annotated photographs of shed construction."

8:15 - Request for Determination - 2 Washington Street, Pembroke - Andrew Sullivan - Homeowner, Thomas Pozerski, Merrill Engineers and Land Surveyors - Representative - Mr. Sullivan asked that Commission member Daniel Jones recuse himself from the hearing and Mr. Jones agreed to do so. Mr. Pozerski presented a revised plan for a proposed dock/pier/float project. Mr. Pozerski described the revisions to the plan that arose from the discussion at the May 28, 2020 meeting. Specifically Mr. Pozerski

noted the elimination of the proposed dock lift and a reconfiguration of the float, dock, pier system. Mr. Pozerski described a 8' wide x 20' long float, a 3' wide x 30' long aluminum gangway and a 25' long x 4' wide dock. Mr. Pozerski further noted the elimination of 18 of 22 proposed piles. Mr. Pozerski presented profile and cross-section views of the proposed system as requested at the last meeting. Mr. Simpson asked for tide height information in this section of the river and Mr. Pozerski provided it. Ms. Leonard asked for clarification of the cross section view of the proposed system and Mr. Pozerski expanded on his prior presentation. Mr. Boulter spoke of his local knowledge of this section of the river and believes the selected location of the proposed gangway and float is appropriate. Commissioners were still concerned about the distance that the dock/float extended into the river. Mr. O'Leary led a discussion that resulted in several suggestions for revisions to the current plan to address these concerns. The Commission asked that the length of the float be reduced from 20' to 18', that the gangway be reduced from 30' to 25' and that the two outermost piles be moved 4' inshore. The applicant agreed to these requests and they were added to a revised plan dated May 29, 2020 cited below. A motion was made and seconded that the project as shown on the revised May 29, 2020 plan was an "Allowed Use" and the motion was unanimously carried. Plan referenced: "Proposed Residential Dock Lift (North River Commission), #2 Washington Street, Pembroke, Massachusetts, Scale: 1"=20', Dated: April 3, 2020, Latest Revision dated May 14, 2020, Merrill Engineers and Land Surveyors, Thomas A. Pozerski, P.E."; "Proposed Residential Dock Lift (North River Commission), #2 Washington Street, Pembroke, Massachusetts, Scale: 1"=20', Dated: April 3, 2020, Latest Revision dated May 29, 2020, Merrill Engineers and Land Surveyors, Thomas A. Pozerski, P.E."

Meeting adjourned 10:15 pm

Gary Wolcott, Administrator