North River Commission – Minutes

Meeting #621 – May 28, 2026 – Norwell Town Offices, 93 Longwater Circle, Norwell, MA

Present: Boulter (Pembroke), Heine (Hanson), Jones (Hanover), Leonard (Marshfield), Lynch (Norwell), Gallagher (Scituate), Simpson (Norwell – A),

Absent: Kemmett (Hanson), Cyrus (Marshfield – A), Lalone (Scituate – A)

1. Special Permit Application – 22 Barry's Landing, Scituate -D'Argento) – Continued Hearing

Request: Construction of an addition and deck to a preexisting single-family dwelling; retroactive review of vegetation clearing within the North River Corridor.

Presentation: Applicants Russell and Alexis D'Argento appeared before the Commission. Chair Boulter opened the hearing by noting that the Commission had conducted a prior site visit to the property and observed evidence of vegetative clearing within the Corridor. Before turning to the addition application, Chair Boulter asked the applicants to address the members' concerns that portions of the cutting may have exceeded routine maintenance activities typically permitted within the river corridor and requested clarification from the applicants regarding the scope of the work performed. Mr. and Mrs. D'Argento explained that trimming had been undertaken in response to overhanging branches and safety issues and that neighboring property owners had requested portions of the work. The applicants indicated that communications and documentation existed regarding those requests and acknowledged the Commission's concerns regarding activities occurring within the protected area. Mr. D'Argento acknowledged that cutting continued after Chair Boulter had visited the site and instructed that work stop pending a permit, and he apologized for that.

Discussion: Chair Boulter acknowledged the neighbor's apparent consent but emphasized that work within 100 feet of the river requires Commission approval regardless of neighborly arrangements, and that work should have stopped immediately upon his direction. Commission members discussed the distinction between routine maintenance, vegetation management, and unauthorized cutting. Members emphasized the importance of obtaining approval before conducting work within regulated areas. The applicant was advised that for minor, urgent situations (such as a dangling limb), contacting the Administrator and having a Commission member make a site determination is an appropriate and accessible process.

Members discussed remediation. The Commission indicated it would expect native plantings along the cleared area, specifically salt-tolerant species such as Rosa rugosa (beach rose). The applicants confirmed they had already begun to replant with Rosa rugosa and were willing to submit a planting plan for the Administrator's review. The applicant was also advised that poison ivy on the property may be removed; members noted this is a noxious invasive species for which informal Commission clearance is typically available.

Turning to the building application, the applicants presented a revised proposal. The original application had contemplated an addition off a second-floor bedroom, but that element has been withdrawn. The current proposal involves converting an existing pergola at the rear of the house into a deck by adding a floor over the existing structure and connecting it to an adjacent small landing via a short infill section. The stairs to the existing landing will remain untouched. Posts would be clad in stone for a natural appearance. No new walls or structural modifications above the deck level are proposed.

A member noted that the original application had included a more extensive plan with an upstairs deck, which has been eliminated. The remaining proposal – essentially a deck within the existing pergola footprint – was viewed as a practical and relatively modest improvement. The applicants also mentioned a sloped lawn area and asked informally whether fill or grading to improve accessibility would be feasible; members indicated that a Special Permit could potentially cover modest grading to smooth out dips, but that a retaining wall or substantial re-grading would not be appropriate.

Action: Motion to approve the Special Permit for the deck/pergola conversion at 22 Barry's Landing, Scituate, consistent with the plans and photographs presented, and subject to the restoration planting discussed. (Lynch/Leonard) – Vote 6-0.

2. New Business

Approval of Minutes – April 23, 2026:

A member noted a minor correction in the draft minutes under the Float Identification discussion: the phrase "follow on" was queried as to whether it should read "follow up." After brief discussion, members agreed that "follow on" is the correct and intended usage in context, as it refers to a subsequent amendment rather than a general follow-up. An additional misspelled street name was also identified for correction.

Action: Motion to approve the minutes of April 23, 2026 as corrected. (Gallagher/Lynch) – Vote 6-0.

3. Administrator's Report

Administrator reported on the following matters:

Real Estate Transactions:
No new real estate transactions within the Corridor were recorded in the period since the last meeting.

Conflict of Interest Training:
Administrator reported receipt of additional conflict of interest training completion certificates from members and reminded members of the annual/biennial requirements: annual acknowledgment of receipt of the summary of the conflict-of-interest law, and completion of the

online training every two years. Members who have completed the training online will receive automatic renewal reminders from the state.

Office Supplies and Equipment – Printer Replacement:
Administrator advised that the Commission's printer is approximately six years old and has developed a drum issue causing staining along printed page edges. Based on his research, the cost to repair the drum is likely to exceed 30–50% of the value of a new unit, which is the standard threshold for recommending replacement. Administrator requested authorization to purchase office supplies (paper, postage, pens, and similar consumables) and a new laser printer.

Action: Motion to authorize the Administrator to purchase office supplies and a replacement printer as needed, with total expenditures not to exceed $1,000. (Lynch/Gallagher) – Vote 6-0.

River Patrol – Pembroke Police:
Chair Boulter reported that he had been in contact with the Pembroke Police Department Sergeant regarding the river patrol program. The Department has remaining budget for the current year and is ready to resume patrol activity. Chair Boulter requested a renewal of the patrol contract (same terms as the prior year, updated with current compensation and hours) and asked that the Department provide a summary of patrol activities from the prior season, which had not previously been forwarded to the Commission.

4. General / Old Business / Open Discussion

Float Bylaw – Post-Hearing Review and Proposed Amendments:

Member Lynch, who chairs the Float Bylaw committee presented a summary of proposed revisions to the draft Float Bylaw following the May 14, 2026 public hearing. Mr. Lynch noted that the public hearing was productive: attendees were thoughtful, respectful, and raised substantive considerations.

The committee identified three primary changes for the Commission's consideration, which were discussed at length:

- **Removal of "Upland" Requirement (Section 2, No. 4):** The requirement that floats be stored in an upland location during the off-season was proposed for deletion. This change reflects the practical reality that some riverbank owners do not have suitable upland storage space, and that the environmental impact of winter storage of floats on dormant marsh remains uncertain and contested. The committee concluded that the evidence presented at the hearing did not decisively favor either requiring or prohibiting this practice, and that deleting the upland requirement provides flexibility while retaining Commission oversight. In its place, the language would simply require storage "at a suitable location."

- **Anchorage – Addition of "or Equivalent Systems" (Section 2):** To acknowledge that anchoring technology is evolving and that alternatives to traditional block-and-tackle mooring exist (and may be environmentally preferable), the committee proposed adding the phrase “or equivalent systems” after references to anchorage. This allows the Commission to consider and approve alternatives to traditional anchors without prescribing any particular method.

- **Structural Organization – Placement of Amendments Article:** The committee proposed that the existing Article 13 (Amendments) be renumbered as Article 14, with the Float Bylaw provisions becoming Article 13, so that the Amendments article remains the final article in the bylaws as a matter of convention.

Administrator noted that the Commission’s legal notice for the public hearing indicated that written comments would be accepted for 30 days, with a vote contemplated at a meeting on or about June 14, 2026. Administrator advised that, in order to avoid any procedural question, the Commission should not vote on formal adoption of the bylaw until after the 30-day comment period closes. The Commission concurred.

The Commission continued discussion regarding establishment of a float identification and registration program. Members noted that a registration system could assist with identifying structures located along the river and improve accountability in situations involving damaged, abandoned, or drifting floats. Commissioners discussed potential administrative requirements and methods for implementing such a program in conjunction with future float regulations. Members discussed options including numbered tags, barcodes, or QR codes. The consensus was that the identification issue is worth pursuing, but that it need not be incorporated into the Float Bylaw at this stage; rather, it could be addressed as a procedural matter by the Commission or as a future bylaw amendment. The Commission agreed to continue this discussion at a future meeting.

80 Old Meeting House Lane, Norwell – Informal Discussion:

Administrator reported that a property owner at 80 Old Meeting House Lane, Norwell, had contacted the Commission regarding an additional float section that was added to an existing permitted structure. The original pier, ramp, and float at the property were permitted by the Commission in February 2011 and authorized under Chapter 91. The owner has since added a 4-by-16-foot float extension alongside the existing 8-by-15-foot float in order to accommodate a 42-foot vessel.

Members agreed that the proper course of action is consultation with the Commission and a Determination that a modification of a permitted structure is an “Allowed Use.” The Commission would also advise the owner that his Chapter 91 license may need updating for the expanded structure and that he should consult with the applicable licensing authority.

54 Moorland Road, Scituate – Vegetation and Site Work – Informal Discussion:

Administrator reported that the Commission has been in communication with the owner of 54 Moorland Road, Scituate regarding apparent vegetation clearing and related site work within the Corridor. Over the past month, the Administrator exchanged multiple emails with the property owner who submitted photographs and explanatory materials in lieu of an appearance at a meeting. The Commission reviewed the materials provided.

Members noted that while some of the work depicted may fall within permissible activity, other aspects – including the relationship of cedar trees to a neighboring fence line and other apparent modifications – warrant further review. Members agreed that a site visit should be scheduled.

Special Permit Execution – Prior Meeting (61 Bridge Street, Norwell / Pulsifer):

Administrator circulated the special permit approved at the April 23, 2026 meeting for 61 Bridge Street, Norwell (Pulsifer), for signature by members.

Hanover Alternate Vacancy – Prospective Member:

Member Jones introduced a potential Alternate Member for Hanover, who attended the meeting as an observer and expressed interest in serving. Chair Boulter and Member Jones noted that the appointment would require coordination with the Town. Mr. Jones agreed to speak with the Town Manager regarding the appointment process.

Adjournment

Action: Motion to adjourn the meeting. (Lynch/Gallagher) – Vote 6-0.

Minutes prepared by: Gary Wolcott, Administrator