

North River Commission

Representing the Towns of – Hanover, Hanson, Marshfield, Norwell, Pembroke & Scituate
PO Box 760, Hanover, MA 02339

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Minutes November 17, 2022 - Meeting #579

Present: Hanover, Daniel Jones (M), Hanover, Andrew Butler (A), Hanson, Jennifer Heine (M), Hanson, Donna Frehill (A), Marshfield, Maryanne Leonard (M), Norwell, Tim Simpson (M), Norwell, Robert Molla (A), Pembroke, Gino Fellini (A),
Not Attending: Marshfield, Mike Dimeo (A), Pembroke, Bill Boulter (M), Scituate, Joseph Norton (M), Scituate, Adria Gallagher (A)

7:00 - Call to Order

7:00 - Request for Determination - 0 Edmund Road, Marshfield - 66 Edmund Road LLC

James Garfield of Morse Engineering appeared on behalf of the homeowners to discuss the re-construction of an existing pier/gangway/float. The applicants were before the Commission in August 2022 when an initial presentation was made. The Commission continued the meeting so that the applicant could receive comments from the Marshfield Conservation Commission. Since then, the applicant has received approval from the Marshfield Conservation Commission and the Marshfield Zoning Board of Appeals. Mr. Garfield reviewed changes from the plan he had initially described at the August NRC meeting. At that meeting the Commission requested that the size of the proposed float be reduced. The applicant has done so and is now proposing a reduction in float size from 10' x 20' to 8' x 16'. Mr. Fellini asked what was the matter with the existing dock onsite. Mr. Garfield noted the existing dock was falling apart and falling into the river. GW asked if any other changes to the plan were made besides the float size reduction. Mr. Garfield described steel bars from the float to the pilings to brace the float and some additions to Construction Sequence Notes. Mr. Fellini asked how high the railing on the pier was. Mr. Garfield indicated it was 3 feet high. Mr. Fellini asked if it wasn't supposed to be higher than that and Mr. Garfield assured him it didn't and that they had permitted many piers with this railing height. Mr. Molla has no issues with the design. Mr. Simpson asked for clarification of the gangway length. Mr. Garfield explained that the 35' length proposed is the minimum necessary to reach a float that needs to comply with Conservation Commission's requirement that the bottom of the float must be above a minimum of 2.5' of water at mean low water. GW reminded the members that the Department of Marine Fisheries requirement of a 1.5:1 ratio of separation of pier from marsh to width of pier had elevated piers and lengthened gangways in general to accommodate the increased heights. Mr. Jones noted the Commission had traditionally tried to keep pilings on the marsh as opposed to out in the channel but acknowledged that doing so here would result in an inordinately long gangway. Mr. Garfield concurred, noting that the harbor master would not allow a longer gangway than the applicant was proposing. He further noted that the current design pulled the decking back slightly from where the prior structure was. Mr. Jones asked for clarification of where exactly the property line was located in relation to the pier and it was given. Mr. Jones asked what Priority Habitat of Rare Species is delineated on the plan. Mr. Garfield explained that it was a shellfish habitat and that the applicant had received favorable comments from the National Heritage for Endangered Species that this project would have no adverse impact on the shellfish habitat. Mr. Simpson asked if this was a community dock and Mr. Garfield indicated it wasn't. The dock is a private single residence dock. A motion was made and seconded that the project as presented was an Allowed Use. The motion carried unanimously.

Plans/Documents referenced: "Proposed Dock Plan 0 Edmund Road (Assessor's Parcel: D20-01-34), Marshfield, Massachusetts, Dated: 4/5/22, Last Revision Dated: 10/26/22, Scale: As Noted, Morse Engineering Co., Inc., Gregory J. Morse, P.E."

7:15 - New Business

1. Minutes approved for October 27, 2022 meeting.
2. Administrators Report - Administrator Gary Wolcott (GW) reported on...
 - 26 River Road, Hanover - Approval Letter for Request for Determination filing for stairway, shed, vegetative cutting and replanting project forwarded to applicant and representative.
 - 67 Collier Road, Scituate - Residents from Third Cliff neighborhood have been calling in to express their concerns and discuss the boulder wall construction at 67 Collier Road. Residents were updated with current information and scheduling possibilities for future hearings.
 - Off Riverside Drive, Hanover - GW reviewed communication with Town of Hanover Conservation Commission about structure built on land off Riverside Drive. The structure is an observation deck constructed by the Hanover Open Space Committee and permitted by the Conservation Commission.
 - Neal Gate Street, Scituate - Inquiries made about a potential addition to an existing dwelling. GW reviewed the Protective Act with the homeowner and emailed a copy of the Act to the caller.
 - River Street, Norwell - A prospective buyer of a River Street property called to discuss what might be possible on the site. GW reviewed the existing conditions of the site and the Protective Act with the caller. A copy of the Protective Act was emailed to the caller.
 - 76 Macomber's Ridge, Marshfield - Project in permitting process with town for a septic system upgrade. GW communicated with Conservation Commission and Board of Health about the nature of the project and was forwarded a copy of the Board of Health approved plan.
 - Real Estate transactions in the Corridor - 56 Canoe Club Lane, Pembroke
 - Site Visits - 36 Little's Lane, Marshfield - GW and Mr. Molla visited the site to view the homeowners' tree cutting Request for Determination application.
 - Recent municipal filings of Corridor properties - Projects previously reviewed, currently under review or expected to come under review by the North River Commission. Marshfield, 76 Carolyn Circle, Conservation Commission for dock project, 76 Macomber's Ridge, BOH for septic system upgrade, Norwell, Stony Brook Lots 55 and 56, ConCom for stormwater review.
3. Structure off Riverside Drive, Hanover - GW reviewed a call the office received from a resident about a structure being built along the river in Hanover, off Riverside Drive. GW and Mr. Boulter visited the area and conducted drone flights to capture photos of the structure. GW communicated with Hanover Conservation Commission about the resident's call, the structure and the photos taken. Conservation Commission informed that the structure is an observation deck, permitted by the Conservation Commission and constructed by the Open Space Committee. Ms. Leonard noted that if it was a homeowner the Commission would expect a filing for permitting and Ms. Heine agreed. Mr. Molla believes that the Town of Hanover should be held to the same standard that a homeowner is. GW was instructed to send a letter asking the Open Space Committee to attend a meeting with the Commission, together with any plans or documentation for the project.
4. 76 Macomber's Ridge, Marshfield - GW reviewed a project that was submitted to Marshfield Board of Health and Marshfield Conservation Commission for the upgrade of an existing septic system. The Commission discussed and determined that while an upgrade to a septic system is an Allowed

Use per the Protective Act, a review of the project is still appropriate. The Commission believes that an applicant should be able to demonstrate how the project adequately protects the interests of the Protective Act. GW was instructed to send a letter to the homeowner similar to the last item, asking them to attend a meeting with the Commission to discuss the project.

5. 53 Collier Road, Scituate - GW reviewed a current filing with the Scituate Conservation Commission for the repair of an existing rock wall. GW described how the site does not have Natural Bank frontage but is still located in the North River Corridor. The Commission reviewed aerial photography of the area to get perspective on this project in relation to other recent projects in the area. They also reviewed the record orthographic maps that delineate the location of the Natural Bank. In addition to the reasoning applied in the previous two items, the Commission noted that a filing provides the Commission with information about a project that is instrumental in explaining activity along the river to any concerned abutters' inquiries. The Commission directed GW to send a letter to the homeowner asking them to attend a meeting with the Commission to discuss the project.

7:45 - General-Old Business-Open Discussion

1. Review Protective Order - The Commission began a review of the Protective Order to examine issues that might benefit from clarification and how that clarification can be accomplished.

Meeting adjourned 8:45 pm

Gary Wolcott, Administrator