

North River Commission

Representing the Towns of – Hanover, Hanson, Marshfield, Norwell, Pembroke & Scituate

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Minutes November 18, 2024 - Meeting #603

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

7:00 - Call to Order

7:00 - Application to Amend Special Permit - 14 Damons Point Road, Marshfield - McCarthy

The applicant's representative, Paul Gunn of Morse Engineering Co., Inc. appeared to request an amendment to an existing Special Permit. Ms. Leonard, an abutter to the project, recused herself.

- **Discussion Summary**

Mr. Gunn reviewed the project, describing the existing Special Permit to construct a patio and add a raised deck to the existing dwelling. The Special Permit had been amended once before to convert one of the approved proposed decks into a sun room. The applicant currently proposes to amend the Special Permit by adding a fenced area to the right of the dwelling. Mr. Gunn described a five-foot high, black aluminum chain link fence. No additional revisions of the plan are proposed and the proposed location of the fence is further setback from the Natural Bank than any of the previously approved structures. Mr. Gunn addressed member's questions, describing the 6" gap at the bottom of the fence as a Conservation Commission requirement for unimpeded wildlife passage and the applicants intended use of the fence to corral a dog. The members reviewed policies for fences, considering whether the fence was architecturally neutral in color to blend with the surroundings, whether it was open, or visually transparent such as chain link or post and rail fences as opposed to stockade fences, and at what distance the fence became visible.

Motion - Ms. Heine made a motion to approve the Application to Amend the Special Permit. The motion was seconded by Ms. Gallagher.

Outcome - The motion was carried unanimously, 5-0. (Aye-Hanover, Hanson, Norwell, Pembroke, Scituate.)

Plans/Documents referenced: "Plan to Accompany NRC Filing, 14 Damon's Point Road (Assessor's Parcel: F18-3-17) Marshfield, Massachusetts, Dated: 9/21/21, Last Revision 10/23/24, Scale: 1"=20', Morse Engineering Co., Inc., Jeffrey M. Hassett, P.E."

7:20 - Request for Determination - 96 Old Bridge Road, Hanover - Ceurvels

The property owner, Arthur Ceurvels, appeared to present a Request for Determination for the removal of 5 trees.

- **Discussion Summary**

Mr. Ceurvels described how there are several trees on his property that are threatening his house. He described three oaks, a pine tree, and an additional dead oak tree that he feels present a risk to the safety of the house. He described how the trees are rooted in wet soil areas. Mr. Ceurvels submitted a certified arborist's report that further described these soil conditions and added descriptions of wind and weather patterns. The arborist concluded that the trees indicated are an immediate hazard to the property and posed an imminent threat to the residence and recommended the five trees be removed. Many members had visited the site and several reviewed what they had observed. Considering what they observed and reviewed regarding tree risk assessment analysis, several members of the Commission are not convinced of the imminent threat

and speculated about a second opinion being warranted. Some members expressed their concern with the Commission substituting its own opinion for that of a credentialed expert. Members reviewed the Vegetative Cutting Standards of the Protective Order, particularly the exceptions to the prohibition of cutting, culling, removing trees within 300 feet of the Natural Bank, to see if there were any other exceptions available to the applicant beyond removal of vegetation that presents safety hazards. Some members asked how the trees will be removed Mr. Ceurvels believes that a crane will be utilized, setting up on the driveway and reaching over the house to the back yard. Members suggested that Mr. Ceurvels consult with Hanover Conservation Commission as they have regulations regarding this type of project independent of the North River Commission, **Motion** - Mr. Jones made a motion to determine that the proposed project was an Allowed Use. The motion was seconded by Ms. Leonard.

Outcome - The motion was approved by a vote of 4-2. (Aye-Hanover, Hanson, Marshfield, Scituate; Nay-Pembroke, Norwell.)

Plans/Documents referenced: Arborist's Assessment, Top Notch Tree, Inc., Dated: October 28, 2024, Site Photographs

New Business

1. Approve Minutes of September 28, 2024
2. Approve Minutes of October 28, 2024
3. Administrators Report - Administrator Gary Wolcott (GW).
 - Island View Circle/Riverside Drive Lot 72-85, Norwell - The Request for Determination approval letter was forwarded to the applicant and their representative.
 - 67 Collier Road, Scituate - The denial of the Special Permit Application dated January 11, 2023 and a letter to the applicant discussing future steps were sent to the property owner.
 - Municipal Hearings - Municipal filings and applications in the Corridor towns of properties within the North River Corridor were reviewed.
 - Site Visits - 96 Old Bridge Road, Hanover - Visited by members on two separate occasions to review the vegetative cutting proposed.
 - Real Estate Transactions in corridor - None.
4. Review of Non-Compliant Projects - The Commission discussed several sites where there were compliance issues and where earlier efforts at communication with the property owners had not yielded any resolution. Efforts will be redoubled to communicate with such parties to schedule appointments to discuss resolution of those matters.

General-Old Business-Open Discussion

1. Bridge Street Area Floats - The members discussed prior discussions with homeowners along the river about float sizes. They would like to further those discussions and directed that the property owners who had met previously with the Commission about float sizes be asked to follow up with the Commission about requests that had been made to the homeowners regarding information about their current float configurations.

Meeting Adjourned at 8:50 pm

Minutes Compiled by Gary Wolcott, Administrator

Complete video of this meeting is available on demand from Norwell Spotlight TV at

<http://72.93.231.20/CablecastPublicSite/search?query=north%20river%20commission&site=2>