

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 November 21, 2019 - Meeting #541

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)
Not Attending: Pembroke, Andrew Sullivan (A), Scituate, Adria Gallagher (A)

7:00 - Call to Order

1. Minutes approved for October 24, 2019 meeting.
2. Administrators Report - Administrator Gary Wolcott(GW) reported on recent correspondence, recent filings of Corridor properties with municipal authorities, real estate transactions in the Corridor and the status of the NRC budget request. Revisions were made to the budget request letter and approved for submission.

7:15 - Informal Discussion - 49 Canoe Club Lane, Pembroke - Don Moberg, Homeowner - Mr. Jones described the nature of observed vegetative cutting at the subject location. Mr. Moberg answered questions about cutting around the pier/dock at his property. Mr. Moberg explained that the cutting was related to the construction of the dock. A site visit was deemed appropriate. Mr. Boulter will arrange with the homeowner and Mr. Jones for a mutually convenient appointment.

7:30 - Request for Determination - 3 Cove Creek Lane, Marshfield - Representative - Terry McGovern, Stenbeck & Taylor for homeowners Richard & Joan Curtis - Mr. McGovern presented a project for a replacement of an existing, deteriorating dock walkway. Approval is pending at Marshfield Conservation Commission. Mr. McGovern presented evidence of the dock's existence since 1970ish. Mr. Norton asked whether the footprint of the walkway is being altered. Mr. McGovern described elevating the dock to meet a 1' to 1' height-width ratio, indicating the walkway would have an outside width of 54" and an inside width of 48". No proposed changes to floats. Ms. Leonard asked about the size of the u-shaped float. Mr. McGovern indicated that going back in time the floats were actually bigger than currently existing and that the homeowner has no plans to increase the size of the float. Mr. Simpson asked for the dimensions of the existing float. Mr. McGovern described two 14' wings connected by an 8 x 24' span. Mr. Molla and Mr. Simpson asked about other docks on Cove Creek. Mr. McGovern described nearby docks. Mr. Jones asked whether an amnesty filing had been made when the opportunity existed in the 1990's. Mr. McGovern explained that previous owners had not permitted the dock system but that the current owners were interested in proper permitting and that a Chapter 91 license had been applied for. Mr. Simpson asked about the walkway configuration. Mr. McGovern described a straightening of the walkway from its current angular existence to take it away from areas suffering from erosion. Mr. O'Leary asked whether the unpermitted wings could be removed. Mr. McGovern noted the Harbormaster had no objection. Mr. Jones suggested that had the project been presented before its construction, the u-shaped wings would not have been permitted. Mr. Head asked for the location of the piles, on the marsh or in the river? Mr. McGovern noted the piles for the platform were existing and no work on them was proposed. The Commission expressed that the wings should be removed and asked whether the homeowner was willing. Mr. McGovern intends to confer with the homeowner for a response. Ms. Leonard indicated that, in addition to the wings being something usually not permitted, the float itself was larger than those usually permitted. Mr. McGovern asked to continue the hearing to the next meeting so that the wings and float size issues could be considered by the homeowner who would appear at the next meeting.

Plan referenced: "Proposed Dock System & Amenities, 922 Summer Street, Marshfield, MA, 02051, Scale: 1"=20', Dated September 5, 2019, last revision dated 10/3/19, Atlantic Coast Engineering, Jed Hannon, P.E."

7:45 - Special Permit - 88 Stony Brook Lane, Norwell - Representatives - Darren Grady, P.E., Grady Consulting, LLC, Bill Lee, Architect, AIA for the homeowner Mark MacDonald. This meeting was continued from the last hearing in order that the applicant could provide revised information regarding a visual impact percentage overlay and information comparing the proposed project to similar and nearby properties and projects. Separately, Mr. Grady presented Chapter 91 Amnesty permit information regarding the pre-existing dock, hoping to get repair of the dock included in the Special Permit. The repair would consist of replacing 12 existing piles. The Commission determined that since the walkway, pier and float had the appropriate permit with the State's Amnesty program, the requested repair/replace of piles was an allowed use and could be included on the plan for the Special Permit application. Mr. Lee presented drawings of examples of similar projects in nearby locations. Mr. Norton noted that the examples provided were of houses being rebuilt or added to that were considerably bigger initially than the subject proposal. Mr. Head wants to limit comparison to existing, non-conforming dwelling examples, rather than additions to conforming structures. Mr. Norton recognized the very small nature of the existing structure and that its increase, though a significant percentage, was still a small square footage increase. Mr. Head asked about the setback to the Natural Bank. Mr. Grady explained the new structure is 4' further away from the bank. Ms. Leonard asked for details about construction materials and visual details. Mr. Lee proposed cedar shingles, white cedar siding, and muted trim. Ms. Leonard asked for a height of the structure and Mr. Grady answered 32'-7 1/4". A motion was made and seconded to approve the plan as presented and issue a Special Permit. The motion was unanimously approved.

Plans referenced: "Site Plan, Assessors Map 15D Block 62 Lot 60, #88 Stony Brook Lane, Dated: October 3, 2019, last revision dated 10/23/19, Scale: As Noted, Grady Consulting, LLC, Darren Grady, P.E."; "New Residence for Mark MacDonald, 88 Stony Brook Lane, Norwell, MA, Dated: 10-22-19 & 11-05-19, Scale: 1/4"=1'-0", William F. Lee, II, AIA, Architect and Associates."

8:00, 8:15 Informal Discussion - North River Commission Budget - Massachusetts Representative David Decoste, Plymouth County Commission Chairman Dan Pallotta, Plymouth County Commission Administrator Frank Basler - Representative DeCoste reported his discussions with the Plymouth County Caucus and his intention to prioritizing and adding our request to a supplemental budget. Mr. Pallotta suggested that seeking grants from the Federal Government is an area to look into and that Plymouth County could be helpful in that area. He also suggested that we needed to firm up Legislators support and that an administrative relationship with the County would be beneficial. Representative DeCoste reiterated his support. Mr. Basler reviewed a Memorandum of Understanding for an administrative relationship between the Plymouth County Commission and the North River Commission and the effectiveness that a grant writer could bring to the subject. Mr. Pallotta and Representative DeCoste outlined areas where information about available grants is available.

8:30 - Informal Discussion - 1327 Union Street, Marshfield - Brad Holmes, ECR for the homeowners Thomas & Mary Ann Digan- Mr. Holmes updated the Commission on the status of the property as it relates to the Commissions questions regarding damaged marker posts and outlet pipes discharging in the 100' setback to the Natural Bank. The outlet pipes have been cut back, capped and loamed over and the marker posts have been re-raised and new placards applied. He described the restoration plan that Marshfield Conservation Commission and NRC had required. No additional matters are outstanding.

Meeting adjourned 9:30 pm

Gary Wolcott, Administrator

Action Items: 11/21/19:

Draft Special Permit for 88 Stony Brook Lane, Norwell

Revise and mail Budget Increase Letter to DCR

Letter to DCR Legal Counsel for review of Plymouth County Commission Memorandum of Understanding

Letter to Norwell Conservation Commission re: Stony Brook 62/69

Letter to Hanson Selectmen re: Alternate Commissioner position