

North River Commission – Minutes

Meeting #614 – October 23, 2025 – Norwell Town Offices, 93 Longwater Circle, Norwell, MA

Present:

Jones (Hanover), Heine (Hanson), Cyrus (Marshfield – A), Lynch (Norwell), Simpson (Norwell-A), Gallagher (Scituate), Lalone (Scituate – A),

Absent:

Boulter (Pembroke), Leonard (Marshfield), Butler (Hanover – A), Kemmett (Hanson – A), Conway (Scituate – A)

1. Informal Discussion – 938 Summer Street, Marshfield (Dickinson)

Request:

Preliminary discussion regarding possible dock extension.

Presentation:

Mr. Dickinson met informally with the Commission to discuss extending an existing dock, originally installed about ten years ago. The applicant explained that the existing float rests on rocks at low tide, preventing boat use. He proposed extending the dock approximately 100–150 feet to reach three feet of water depth at low tide.

Discussion:

Members reviewed site photographs and aerial images showing the dock's position within a small cove. The Commission noted that the proposed extension must comply with Section 8(A)(3)(a) of the Scenic and Recreational River Protective Order, which restricts structures from protruding more than 10 feet into the open-water channel. Members emphasized that while some nearby docks are closer to deeper water, the Protective Order aims to preserve visual character and minimize intrusion into the river channel. Commissioners suggested the applicant obtain engineering and survey data illustrating high- and low-tide elevations and the location of the open-water channel before proceeding with a formal filing.

Plans/Documents referenced:

Site Photographs, Aerial Imagery

2. Application for Special Permit – 22 Barry’s Landing, Scituate (D’Argento)

Request:

Construction of a 10’×12’ addition to an existing dwelling and an in-ground swimming pool with patio, retaining wall, and accessory cabana. Continued from September 25, 2025.

Presentation:

James Garfield, P.E., of Morse Engineering, presented revised plans on behalf of Russell and Alexis D’Argento. Changes included reducing the pool length from 40 to 38 feet, shifting it eight feet farther from the natural bank and two feet farther from the dwelling. The cabana was reduced to 12’×16’ and relocated outside the 100-foot buffer. Four mitigation trees are proposed between the retaining wall and the bank.

Discussion:

Commission members reiterated that new structures within 100 feet of the natural bank are inconsistent with the North River Protective Order. Although the revisions improved setbacks, the proposed pool remains within the 100-foot buffer. Members discussed possible alternative designs, including reduced or kidney-shaped pools, and relocation of the cabana. The Commission confirmed that the proposed 10×12 addition would be located over an existing slab, but requested that this element be depicted on an updated plan along with elevations and material details.

Public Comment:

Two abutters commented: one expressed support for the project, citing the applicants’ good stewardship of the property; another voiced concern about stormwater runoff, easement encroachment, and preservation of an existing oak tree near the 50-foot buffer.

Action:

Motion to continue the hearing to November 20, 2025, at 7:00 p.m. for submission of a revised plan relocating the pool outside the 100-foot buffer and incorporating a plan of the addition.(Lynch/Gallagher) – Vote: 5–0, motion carried.

Plans/Documents referenced:

- “Conservation and NRC Plan, 22 Barry’s Landing, Assessor’s Parcel: 57-2-3, Scituate, Massachusetts, Scale: 1’=20’, Dated: 8/12/2025, Last Revision Dated: 10/16/25, Morse Engineering Co., Inc., Gregory J. Morse P.E.”

3. Request for Determination – 160 Schoosett Street, Pembroke (North and South Rivers Watershed Association)

Request:

Construction of a dock, gangway, and float system.

Presentation:

James Garfield, P.E., Morse Engineering, represented the applicant, the North and South

Rivers Watershed Association. The proposal includes a 5' x 65.5' ramp, a 5' x 141.6' wooden pier with an 8' x 8' intermediate ADA landing, a 12' x 12' terminus platform, a 4' x 40' aluminum gangway, and a 10' x 20' seasonal float. The design maintains 30 inches of water under the float at low tide and meets Chapter 91 and Army Corps clearance requirements.

Discussion:

Members confirmed that the design aligns with the Protective Order and will provide safe public access to the river for educational and conservation programming. The Pembroke Conservation Commission had issued local approval. Commissioners verified that the structure remains landward of the navigable channel and that the float and ramp will be removed seasonally for upland storage.

Action:

Motion to issue a Positive Determination that the presented plan/project is an Allowed Use, (Gallagher/Jones) – Vote: 5–0, motion carried.

Plans/Documents referenced:

- "Proposed Dock Plan, 160 Schoosett Street, Pembroke, Massachusetts, Assessor's Parcel: E14-133, Prepared For: North & South Rivers Watershed Association, Scale: As Noted, Dated: 9-29-25, James D. Garfield, P.E."

4. Request for Determination – 25 Damon's Point Circle, Marshfield (White)

Request:

Reconstruction of a single-family dwelling.

Presentation:

Owner Marilyn White, accompanied by consultant Steve Bjorklund, presented a proposal to reconstruct the dwelling on the existing footprint while raising the structure vertically. The revised roofline will remain below the 35-foot height limit, with the maximum elevation set at 34'6". The lot lies approximately 120 feet from the natural bank; no new accessory structures, pools, or docks are proposed.

Discussion:

Commissioners confirmed the project is located beyond the 100-foot buffer to the riverbank. The revised height complies with the Protective Order, and the project does not increase width or massing visible from the river. No additional scenic or environmental impacts were identified.

Action:

Motion to issue a Positive Determination – Allowed Use, (Cyrus/Lynch) – Vote: 5–0, motion carried.

Plans/Documents referenced:

-Engineering: "Site Plan Showing Replacement House, 25 Damon's Point Circle, Marshfield, MA, Parcel F20-02-03, Scale: 1"=10', Dated: 10-19-23, Last Revision Dated: 4-23-24, Richard Servant, P.L.S."

-Architectural: "New Residence of Marilyn White, 25 Damon's Point Circle, Marshfield, MA, Scale: 1/4"=1'-0", Dated: 3-17-25 (Floor Plans, Foundation, et al), Dated: 10-23-25 (Elevations), Roger O. Hoit, AIA, Architect"

5. Request for Determination – 110 Damon's Point Road, Marshfield (Young)

Request:

Septic system repair/leaching field replacement.

Presentation:

Rob Carlezon of Grady Consulting presented plans for replacement of a failed leaching field. The work involves retaining the existing 1,500-gallon septic tank, removing the old field, and installing a new leaching facility composed of six concrete chambers in approximately the same location. The proposed work area is upland, beyond the 100-foot wetland buffer, and will be protected by silt fencing. The property is a 4.5-acre lot; the project also requires Board of Health and Conservation Commission review.

Discussion:

Commissioners confirmed that the septic work is outside the 100-foot buffer and within a previously disturbed area. Members noted appropriate erosion controls and agreed that the project constitutes an in-kind repair consistent with existing residential use.

Action:

Motion to issue a Positive Determination – Allowed Use for the septic repair as proposed, (Lynch/Jones) – Vote: 5–0, motion carried.

Plans/Documents referenced:

-"Septic Repair Plan, 110 Damon's Point Road, Marshfield, Massachusetts, Prepared for Stephen G. Young, Scale: As Noted, Dated: 10-16-25, Kevin S. Grady, P.E."

6. Request for Certificate of Compliance – 14 Damon's Point Road, Marshfield (McCarthy)

Request:

Certificate of Compliance for completed Special Permit project.

Presentation:

Administrator reported that a site inspection by Commission members confirmed the work was completed substantially in compliance with approved plans. A minor 2–3-foot jog in the fence alignment was added during construction to avoid existing vegetation. The deviation was recorded on the as-built plan submitted by the engineer.

Discussion:

Members agreed the minor modification did not alter compliance with the Protective Order. The as-built plan adequately documents the change.

Action:

Motion to issue a Certificate of Compliance for 14 Damon's Point Road. (Jones/Lynch) – Vote: 5–0, motion carried.

Plans/Documents referenced:

- "Site As-Built Plan, 14 Damon's Point Road (Assessor's Parcel: F18-3-17), Marshfield, Massachusetts, Scale: 1"=20', Dated: 9/29/25, Morse Engineering Co., Inc., Paul G. Gunn, P.E."

7. Administrative / Other Business

- Approval of Minutes:

Action:

Motion to accept the minutes of Meeting #613 (September 25, 2025) with one correction (Lynch/Jones) – Vote: 5–0.

- Float By-Law:

Mr. Lynch reviewed the current iteration of a proposed float by-law.

Action:

Motion to accept the current proposed by-law as the first official version of the proposed by-law to be presented at a future public hearing. (Lynch/Heine) – Vote: 5-0, motion carried.

-Representative David DeCoste addressed the Commission. He anticipates that legislative funding next year will not be an issue and expressed his expectation that any legislation that is detrimental to the Commission's operation would not garner the support necessary for passage. He reiterated his availability to the Commission on their behalf.

Administrator's Report

-Approval letters for projects approved at the September meeting were forwarded to the applicants/representatives.

-Update on potential appeal of 67 Collier Road Special Permit. The applicants have requested an additional continuance with Department of Conservation and Recreation to consider the filing of an appeal.

-DCR/NSRWA/NRC meeting. Chairman Boulter and the Administrator met with DCR and NSRWA to discuss a Memorandum of Understanding. Issues discussed included a multi-year agreement, structuring of funds so that there is no lapse at the beginning of each fiscal

year, DCR's supporting role, reporting to DCR, GIS and NCR Website. A follow-up meeting was scheduled.

-First Quarter Fiscal Year 2026 expenses submitted to NSRWA.

-H4110 has moved out of Committee. Representative Sweezey reported to Ms. Leonard that the 60-day deadline for action or update on the bill had elapsed and the bill would default to study order, effectively ending the bill in this legislature's session.

-Real Estate transactions in corridor – 10 Arrowhead Drive, Norwell, 38 Old Shipyard Lane, Hanover, 172 Carolyn Circle, Marshfield.

-Mr. Simpson and Mr. Lynch switched positions, with Mr. Lynch moving to Norwell Member and Mr. Simpson moving to Norwell Alternate Member.

Adjourned: 9:12 p.m.

Minutes prepared by: Gary Wolcott, Administrator

Video available: Norwell Spotlight TV –

<https://www.norwellspotlighttv.com/schedule.html>