

# North River Commission - Minutes

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Meeting #613 – September 25, 2025 – Norwell Town Offices, 93 Longwater Circle, Norwell, MA

## **Present:**

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

## **Absent:**

Butler (Hanover – A), Lalone (Scituate – A), Kemmett (Hanson – A), Conway (Scituate – A)

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

Request: Construction of a 10’x12’ addition to an existing dwelling, and construction of an in-ground swimming pool with patio, retaining wall, and accessory cabana.

### **Presentation:**

Gregory Morse, P.E., of Morse Engineering, presented on behalf of property owners Russell and Alexis D’Argento. The project includes a small addition to the rear of the home and a pool located in the easterly side yard. The pool (18’x40’) would include a pervious patio and cabana measuring approximately 16’x17.5’. Two existing trees would be removed and replaced with two native plantings closer to the river.

### **Discussion:**

Commission members questioned the proposed pool’s proximity to the Natural Bank and consistency with the Protective Order’s 100-foot setback for accessory structures. Members reviewed the site plan, photographs, and history of prior approvals for the property, including an open 2020 Special Permit. The Commission discussed closing the earlier permit upon receipt of an updated as-built plan showing existing conditions only.

Questions were raised about relocating or reducing the size of the proposed pool to lessen nonconformity and the precedent of permitting pools within the 100-foot buffer. Members debated whether the pool should align with the back of the house (approximately 73 feet from the bank) or be further reduced in length. Discussion also covered the status of the existing retaining wall, potential vegetative mitigation,

and prior Conservation Commission review. The applicant expressed willingness to revise the plan to reduce the pool's size, shift its location, and provide enhanced mitigation. Members discussed closing the 2020 open special permit upon receipt of an as-built plan depicting existing conditions and excluding any new proposed construction.

**Public Comment:**

No abutters spoke in favor or opposition.

**Action:**

Voted to continue the current hearing to the next meeting to allow submission of a revised plan reducing or relocating the proposed pool and identifying additional mitigation plantings. (Leonard/ Gallagher) – Vote: 6-0, 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, Morse Engineering Co., Inc., Gregory J. Morse P.E."
- Special Permit (1/2020).
- The Scenic and Recreational River Protective Order for the North River, c.367, s.62 of the Acts of 1978.

**2. Request for Determination – 70 King's Landing, Norwell (Servant)**

Request: Determination for construction of a 30'x26' attached garage with covered connector to an existing dwelling.

**Presentation:**

Surveyor Richard Servant presented for the homeowner/applicant Earl Servant. The proposed garage would replace an older structure and is located approximately 250 feet from the Natural Bank. The existing dwelling sits 212 feet from the bank and is separated from the river by King's Landing Road. The garage height (22 feet) would match the existing house.

**Discussion:**

Members confirmed that the work is within the 300-foot scenic corridor but well outside the 100-foot setback. View corridor increase was estimated at approximately 7%. No open permits were identified for the property.

**Action:**

Motion to issue a Positive Determination – Allowed Use, subject to obtaining any other necessary municipal approvals (Jones/Gallagher). Vote: 6-0, Motion carried.

**Plans/Documents Referenced:**

- Engineering - “Location Plan Showing Proposed Garage, 70 Kings Landing, Norwell, MA, Parcels 22A-61-38 & 22A-61-39, Scale: 1’=10’, Dated: 9-23-2025, Richard Servant, P.L.S.”
- Architectural - “Garage Addition, Servant/Condon, 70 King’s Landing, Norwell, Scale: As Noted, Dated: 6-25-25, JE Fitzgerald, Housesmith, Inc.”

**3. Request for Determination – 98 Meadowbrook Road, Norwell (Souza)**

Request: Management of invasive Phragmites along the riverbank.

**Presentation:**

Environmental Scientist Margaret O’Brien presented on behalf of the applicant/homeowner Monique Souza and described a project involving seasonal herbicide application via amphibious vehicle (“Marsh Master”) in fall, followed by mechanical rolling of dead stalks in winter. The work would occur under Conservation Commission and state agency oversight.

**Discussion:**

Members discussed treatment timing, methods, and expected restoration of native vegetation. The Commission requested follow-up reporting or photographs to document progress.

**Action:**

Motion to issue a Positive Determination – Allowed Use for invasive species management as described (Leonard/Jones). Vote: 6-0, Motion carried.

**Plans/Documents Referenced:**

- “Habitat Management Plan for Proposed Phragmites Management – TRC Environmental Corporation, Dated: 9/3/25, Margaret O’Brien, Environmental Scientist”

**4. New Business**

Approved minutes of Meeting #612 – August 28, 2025, with minor typographical correction under “Plans/Documents Referenced.” (Gallagher/Heine) – Vote: 6-0, Motion carried.

- Dock and Float Regulation Review: Norwell Conservation Commission proposed adding language under Section 2 – “Seasonal floats and ramps are to be stored at a suitable upland location.” Members detailed their efforts to coordinate with their towns about the proposed bylaw.

- Commission discussed definitions of “suitable upland” for float storage and prior enforcement practices regarding winter dock placement. Members agreed to solicit additional town feedback before finalizing draft revisions.

**Annual Meeting:**

Chair Boulter noted that September is designated for annual officer review. No changes were proposed; existing officers to continue for the next term.

**5. Old Business / Discussion**

- None

Adjourned: 8:15 p.m.

Minutes prepared by: Gary Wolcott, Administrator

Video available: Norwell Spotlight TV –  
<https://www.norwellspotlighttv.com/schedule.html>