IN ATTENDANCE:  
Justin Pimpare, Chair  
Eric Eisenhauer, Vice Chair  
Alex Koines, Member  
Chris MacFarlane, Member  
Maryanne Wetherald, Member  
Jeff Summers, Conservation Agent  
Angela Geso, Conservation Administrator

ABSENT:  
James Rosebach, Member  
Patricia Grady, Member

Meeting called to order at 6:45 PM

Motion made at 6:45 PM to enter into Executive Session by Member Koines, 2nd by Member Eisenhauer and passed 5-0 Unanimous by Roll Call Vote.

EXEMPTION #3. To discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the bargaining or litigating position of the public body and the Chair so declares. The Chair does declare. The Commission will discuss ongoing litigation with 70 Whitehead Road.

Motion made at 6:55 PM to close Executive Session made by Member Koines, 2nd by Member Eisenhauer and passed 5-0 Unanimous by Roll Call Vote.

Regular meeting reconvened at 7:05

Minutes for Approval: September 5, 2019
Motion:  Member Eisenhauer  Second:  Member Koines  Approved: 3-0-2 (ineligible: not at hearing)

September 9/19/19
Motion:  Member Eisenhauer  Second:  Member Koines  Approved: 4-0-1 (ineligible: not at hearing)

November 7, 2019
Motion:  Chair Pimpare  Second:  Member Koines  Approved: 4-0-1 (ineligible: not at hearing)
Conservation Commission  
Minutes of January 9, 2020  

December 19, 2019  
Motion: Chair Pimpire Second: Member Koines Approved: 4-0-1 (ineligible: not at hearing)

7:05 PM: Notice of Intent 20-01, 125 Sohier Street - Pool  
In attendance to represent agenda item: Jim Garfield/Morse Engineering  
Documents Presented to Support agenda item: NOI application and Site Plan  
The applicant would like to add an inground pool, patio and pavers to their existing backyard. No trees will be removed. Agent Summers said all work is outside the 50-ft. buffer zone and the existing yard is made up of pervious lawn surface.

MOTION: By Member Koines to close the public hearing and issue an Order of Conditions for proposed work at 125 Sohier Street with the conditions that no pool equipment be within the 50-ft. buffer zone and Stormwater Best Management Practices regarding pools be followed.  
SECOND: Member Eisenhauer  
VOTE: 5-0 Unanimous

7:20 PM: NOI 20-04, 22 Orchard Drive – Deck and Patio  
In attendance to represent agenda item: James Garfield/Morse Engineering  
Documents presented to support agenda item: NOI Application and Plans  
The home has a walk-out basement with an elevated deck over a ground-level patio. The existing deck will be taken down and replaced with larger deck and the patio area will be extended. There is minimal work within the 50-ft. buffer zone. A crushed stone trench around the patio will capture runoff. There will be minimal digging to install sonatubes for the deck construction. The patio will be made with impervious pavers. The applicant would like to add three shade trees that will be taken from the commission’s approved planting list.

MOTION: By Chair Pimpire to close the public hearing and issue a variance for work w/in 50-ft 20-04 for work proposed at 22 Orchard Drive  
SECOND: Member Koines  
VOTE: 5-0 Unanimous

MOTION: By Chair Pimpire to close the public hearing and issue and Order of Conditions for NOI 20-04 within the condition that proposed tree mentioned on site plan be of at least 3” caliper, 15 ft in height  
SECOND: Member Koines  
VOTE: 5-0 Unanimous

7:35 PM: SWP 20-03, 541 Beechwood Street – Redevelopment of Existing Property  
In attendance to represent agenda item: Steve Bjorklund/Diamond Development; Greg Tansey/Ross
Conservation Commission
Minutes of January 9, 2020

Engineering; Abutters John Tirell/64 Doane; Merle Brown, Historic Commission; Sandra Perry

Documents presents to support agenda item: SWP Application and Plans

The applicant wants to demo an existing home and rebuild a new single-family dwelling. Grading will maintain the same drainage pattern and a permeable pavement driveway will direct discharge to Beechwood Street. Runoff in the rear yard will be absorbed into the ground. An existing garage is coming down. There will be a crushed stone base to the rear of the lot to serve as a storage and staging area for heavy equipment and to provide stabilization as vehicles exit. The rear grading is higher due to the septic system placement and the majority of fill will be for the septic system. There will be a standard foundation 18-in. above the existing grade and a walk-out basement to the rear. A shallow lawn basin will capture runoff that previously ran to Beechwood Street; the runoff will now perc into the ground for sufficient infiltration. The abutters expressed concerned with flooding but Chair Pimpere said that where the yard is long most water will be absorbed before it reaches another property. The developer will put in a berm and a chamber to capture and contain water on the property.

MOTION: By Chair Pimpire to issue Stormwater Permit 20-03 for work proposed at 541 Beechwood Street with the following conditions: a stormwater easement be recorded between 541 and 543 Beechwood Street to ensure the stormwater plan stays in effect; a revised site plan be submitted to Agent Summers by close of business on 1/23/20 for a proposed stormwater chamber
SECOND: Member Koines
VOTE: 5-0 Unanimous

7:45 PM: SWP 20-04, 543 Beechwood Street – New Construction

In attendance to represent agenda item: Steve Bjorklund/Diamond Development; Greg Tansey/Ross Engineering; Abutters John Tirell, Merle Brown; Historic Commission;

Documents presents to support agenda item: SWP Application and Plans

This application is for construction of a single family home on previously undeveloped land. The housing plan is a mirror image of 541 Beechwood Street and features permeable pavement. Roof runoff will be captured in an infiltration system. There will be some flattening of the grade to promote infiltration and improved permeability of soil with fill around the septic tank.

MOTION: By Chair Pimpire to issue Stormwater Permit 20-04 for work proposed at 543 Beechwood Street with the following conditions: a stormwater easement be recorded between 541 and 543 Beechwood Street to ensure the stormwater plan stays in effect; a revised site plan be submitted to Agent Summers by close of business on 1/23/20 for a proposed stormwater chamber
SECOND: Member Koines
VOTE: 5-0 Unanimous

7:55 PM: (actual start 8:30 PM) SWP 19-31, 62 Black Rock Rd, New Construction, Greenip (con’t from 12/19/19)
Conservation Commission
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In attendance to represent agenda item: Paul Mirabito and Greg Tansey/Ross Engineering

Documents presented to support agenda item: Revised Planting Plan

The applicant’s representatives presented a revised planting plan as requested showing evergreens, deciduous trees and other native plantings.

MOTION: By Chair Pimpare to approve the revised planting plan and issue Stormwater Permit 19-31 for proposed new construction at 62 Black Rock Road.
SECOND: Vice Chair Eisenhauer
VOTE: 5-0 Unanimous

8:05 PM (actual start 8:45 PM) NOI 20-02 & SWP 20-02: 468 CJC Highway, Detached Garage - McNulty

In attendance to represent agenda item: John Cavanaro/Cavanaro Consulting; John McNulty/Applicant

Documents presented to support agenda item: NOI and SWP Applications and Site Plans

The applicant wants to put a 3-car garage on his property to house his vehicle collection. The existing driveway will be extended to provide single-lane access to the proposed garage. There is no work within the 50-ft. buffer zone. The area is level graded and Chair Pimpare said a silt fence will suffice for mitigation. Smart vents featuring louvers will channel water away from the building and avoid interior flooding. Agent Summers said the property is essentially lawn, there is no vegetation removal needed and any flooding would be confined to the applicant’s property.

MOTION: By Member Koinles to close the public hearing and issue Stormwater Permit 20-02 for work proposed at 22 Orchard Drive
SECOND: Member Eisenhauer
VOTE: 5-0 Unanimous

MOTION: By Member Koinles to close the public hearing and issue and Order of Conditions for NOI 20-02 for proposed garage construction at 468 CJC Highway by John McNulty.
SECOND: Member Koinles
VOTE: 5-0 Unanimous

8:20 PM: (actual start 8:55PM) NOI 17-12, Amended Order of Conditions – 73 Whitehead Rd, Wade

In attendance to represent agenda item: Lori Gibbons/Harbormaster; Carlos Pena/Foth Engineering

Documents presented to support agenda item: Stormwater Permit Application and Site Plan

The original Order of Conditions called for construction of a lengthy dock for access to a sufficient amount of water without intruding into the channel. The applicant had problems with the dock as constructed because the size was not as stable as desired. A new, heavier float will be installed to provide additional stability and will be removed and properly stored in the off-season. Harbormaster Lorrie Gibbons is in favor of a larger and heavier dock to avoid being washed away in a bad storm. Agent Summers said that while the additional width will be closer to the saltmarsh the height has been altered as well and should have no impact on the saltmarsh.
MOTION: By Chair Pimpare to close the public hearing for an Amended Order of Conditions for Notice of Intent 17-12 to upgrade an existing dock and float and to issue a revised Order of Conditions with specific conditions that the contractor submit a dewatering plan prior to any work being done and that no work can be done between 2/1/20 and 6/30/20 unless a coffer dam is installed.

SECOND: Member Koines
VOTE: 5-0 Unanimous

MOTION: By Chair Pimpare to issue a variance for work within the 50-ft. buffer zone for a proposed dock upgrade at 73 Whitehead Road.

SECOND: Member Koines
VOTE: 5-0 Unanimous

MOTION: By Member Koines to issue an amended Order of Conditions dated 12/11/19 and to adopt the revised site plan and the new plan of record for proposed work at 73 Whitehead Road.

SECOND: Member MacFarlane
VOTE: 5-0 Unanimous

8:30 PM: (heard at 9:05 PM) NOI 19-22, SWP 19-27, 449-453 Jerusalem Rd, John Starvish (con’t from 11/7/19)
(Member Wetherald recused herself as a former direct abutter to the property)
In attendance to represent agenda item: John Cavanaro/Cavanaro Consulting; Attorney Jeff DeLisi/Ohrenberger & DeLisi; John Starvish/Applicant
Documents presented to support agenda item: NOI & SWP Applications and Site Plans
The site consists of two lots, one with the primary dwelling (#453) and the other with a carriage house (#449). The applicant wants to raze the carriage house, replace it with a new garage, merge both properties effectively and maintain the primary dwelling. A catch basin discharges water onto the road through a town-owned pipe. It was suggested to have the town relocate the pipe as the discharge it fills the coastal bank area. Another possibility is to grant an easement allowing the homeowners legal right to full ownership of the pipe and the ability to remove the pipe at their discretion without involving the town. Chair Pimpare stated that if the sight was virgin land he wouldn’t approved the application but the area is already disturbed and an increase in lawn area would be an improvement to the current runoff. The owners are planning to install a pool on the site.

MOTION: By Member Koines to close the public hearing and issue a variance for work within the 50-ft. buffer zone for property at 449-453 Jerusalem Road.

SECOND: Member MacFarlane
VOTE: 3-1-1 (1 opposed, 1 recused)

MOTION: By Member Koines to close the public hearing and issue an Order of Conditions for proposed work at 449-453 Jerusalem Road with the condition that Stormwater Best Management Practices regarding pools be followed.
SECOND: Member MacFarlane
VOTE: 3-1-1 (1 opposed, 1 recused)

MOTION: By Member Koines to close the public hearing and issue Stormwater Permit 19-17 for proposed work at 449-458 Jerusalem Road.
SECOND: Member MacFarlane
VOTE: 3-1-1 (1 opposed, 1 recused)

With no further business to discuss motion was made by Member Koines, 2nd by Vice Chair Eisenhauer to adjourn the meeting. Motion approved unanimously 5-0.

Meeting adjourned at 9:45 pm.

DATE APPROVED BY CONSERVATION COMMISSION 3-12-20

SIGNATURE OF ACTING CHAIR: 

3-12-20