



**APPROVED MINUTES**  
**COHASSET CONSERVATION COMMISSION MEETING**  
**DATE: 4/7/22 TIME: 6:30 PM**  
**PRESENTED ON A ZOOM PLATFORM**

**IN ATTENDANCE:**

Chris Macfarlane (CM), Chair  
Justin Pimpare (JP), Vice Chair  
Kathy Berigan (KB), Secretary  
Tom Bell (TB), Member  
Trish Grady (TG), Member  
Eric Eisenhauer (EE), Member

**ABSENT**

Will Ashton, Member  
Chris McIntyre, Associate Member

**STAFF IN ATTENDANCE:**

Charlotte Pechtl (CP), Conservation Agent  
Angela Geso, Recording Secretary/Administrative Assistant

**6:30**

**CALL TO ORDER**

**ROLL CALL ATTENDANCE: T. Bell – Aye; K. Beringer – Aye; J. Pimpare – Aye; C. Macfarlane – Aye; E. Eisenhauer – Aye @ 7 pm; T. Grady – Aye**

**6:35 PM:**

**RDA 22-08: 10 Parker Avenue – Remove Debris Whitney**

**In attendance:** John Zimmer/South River Environmental ; Ann and Andy Whitney/Applicants; Amory Hunnewell and Chris Julian/Abutters

**Documents Received:** RDA Application, Site Plans

In January 2022 CP received a report about activities on the property and issued a Cease & Desist order. She asked the owners to provide wetlands delineation which JZ did. He reported minor clean-up work within the 50-ft. to 100-ft. buffer zone and said the applicants needed to remove stumps, repair the porch and not go beyond an area of disturbance. They are looking to remove one (1) tree partially within the 50-ft. buffer zone. JP asked what the trees were before stumps and is there a mitigation for their removal. Mr. Whitney said most of the trees were enveloping his house and he was told to remove them. JZ said the stumps were black cherry or red cedar trees and there had been talk of mitigation. However, a healthy cedar tree and a large tree close to Parker Avenue were also removed. Mr. Whitney wants to level off his land and grow grass. JP said mitigation could be done but through proper permitting. Abutter Julian said the cedar tree removed was on his property, but Mr. Whitney said he spoke to Mr. Julian about removal and he agreed, which Mr. Julian said never happened. JP said the Whitney's should work with JZ and come up with significant mitigation plantings that are out of the 50-ft. buffer zone. He also said it's alright to repair the porch but the RDA is not going to be approved this evening. Mr. Julian said the cedar tree was on his property. Abutter Hunnewell said a landscaping plan from 2001 showed all trees on the property including the cedar and said the cedar stump is on her property. CM said it's critical that there is some understanding of whose property the stump is on before taking a vote. He asked the applicants to have a mitigation plan done, to determine what property the cedar tree is on, and to come back and re-present.

**CONTINUED TO 4/21/22**

**7:05 PM: SWP 22-09, Lot 5, Forest Ave – Martini New Home**

**In attendance:** Caroline Rees/Cavanaro Consulting; Can Tiryaki/Architect

**Documents presented:** Stormwater Permit, Site Plan

Ms. Rees said the lot is 27,000 sq. ft., there is no evidence of a vernal pool or resource area on the lot and they are proposing to create a 2,800 sq. ft. dwelling with a pervious driveway to Forest Avenue and a paved lot to access the 3-car garage. An infiltration system will collect all runoff from the dwelling and a gravel trench will collect runoff. Peak flow and runoff have been reduced or matched for events. Four (4) trees are being removed and shrubbery will be cleared. The lot is primarily a slab. Mr. Tiryaki said most of the dwelling will be on slab with a small basement area for utilities only. TB said the test pits over the infiltration chamber needs to be seen, there needs to be a soil test and asked what advantage this has over a more engineered system. Ms. Rees said test pits were done but is willing to do another test pit. She said in a house positioned like this they would work with existing topography but the house shifted back. The issue is that the groundwater was very high in both test pits and they need to build a bigger system that would spread water in a wider direction. TB wants test pits done. CM said if the water table is high there will be pumping and no one wants that. JP asked how much fill is being brought onto the site and Ms. Rees estimated 600 cu. yds. will be brought in. She stated they are adding 5,000 sq. ft. of impervious surface and plan to keep the peak flow from going anywhere but infiltration. She also added there is only one (1) subcatchment and it's going to the abutting property. CM asked about permeable paving and Ms. Rees said they are planning to add gravel but CM said gravel has been used on other projects as impervious to they may want to use something else. CM asked Ms. Rees to confirm the calculations count for materials. TB said he didn't see a cross section or sub-basement but JZ said the only walkable part of the foundation will be a small portion in the front of the house.

**CONTINUED TO 4/21/22**

**7:40 PM: NOI 22-13, SWP 22-10 ADDITION AND POOL, 44 LITTLE HARBOR RD**

**In attendance:** Jed Hannon (JH)/Atlantic Coast Engineering; Sean Papich (SP), Sally Weston (SW)/Architect

**Documents Presented:** NOI & SWP Applications, Site Plans

The majority of the dwelling is upland. Brad Holmes of ECR flagged the wetlands and showed a saltmarsh to the very rear of the property. The proposed plan shows the pool, the deck to be replaced, a paved area between the deck and pool and an addition in front at the end of the driveway. They are reorienting the driveway to comply with zoning setbacks. There is no work proposed inside the 100-ft. buffer zone. Of concern is the coastal bank on the right of the property. Test pits have been done and a Cultech system reduced the peak rates. The pool is a plunge pool that will be dropped into place. Plantings around the property will be substantial. The entire property is within the 100-ft. buffer zone and a great deal is in the 50-ft. buffer zone as well. There will be a reduction in the 50-ft. buffer and an increase in the 50 to 100-ft. buffer with the house addition. JP asked how to stabilize the bank with a fairly steep drop-off and suggested moving the cultech chamber closer to the front yard. The landscaping plan has significant plantings over the chamber area and he feels there is a lot going on that could be minimized. JH is concerned with the area on the east side where the contours flatten then widen out. He suggested three (3) alternatives: keep them where they are; tuck closer to the right face of the existing foundation; shift more towards front between paver terrace and corner of house. JP said to go with the third option. TB said the cultech chamber should be in the front yard and to do a test pit on the area. JH will relocate four (4) cultech chambers to a better area than the coastal bank. CM requested a plan and would like better delineation in some areas. He asked if there is a sub catchment diagram. JH will show on the site plan.

**CONTINUED TO 4/21/22**

**8:20 PM: NOI 22-11, SWP 22-06 46 Border Street Cohlobster LLC Sullivan**

**In attendance:** Attorney Adam Brodsky (AB), Darren Grady (DG)/Grady Consulting; Susan Hoadley (SH) and Corinna Martinez (CO)/Architects

**Documents presented:** NOI and SWP Applications, Site Plans

An overview was presented by AB where plans for the Atlantica were discussed. The owner wants to accommodate fine dining, a small café, an ice cream store, a lobster pound, and an improved parking area. Erosion controls are in place. A drainage system includes catch basins on the lot and along the street, a resource area consists of a coastal bank the runs along and under the building to riprap. There will be a silt sock and fence, removal of impervious areas, electric charging stations, roof drains and landscaping. The stormwater plan has existing sub catchments that go to catch basins and drain through the silt sacks. DG said the riprap doesn't extend under the building. CM asked what levels, if any, will be removed and are they going to beams or floor. DG said walls will be taken down to promote access to the area. AB said that large areas of the existing building will remain and he imagines utility work being done but nothing with the building. CO said all work is within the central area of the building and not near coastal banks. SH said they will ensure the building is structurally sound but will use the existing foundation. DG said there is no change to the walkway. JP asked how the demolition is going to be stockpiled and removed. DG said at this time they don't have a final contractor but once they do, the commission should have them submit a plan prior to construction to understand their approach. AB said prior to the preconstruction meeting plans will be sent to the commission. DG said the number of parking spaces has decreased and AB said the parking issue is presently with the ZBA. He added that ZBA, Planning and Building are responding to a peer review. CP said there is no proposed grading for the parking lot so information has been added. She said there will be no work on the bottom of the building according to DG and there is no work within the water as requested by the harbormaster. Planning is currently doing a peer review with Weston & Sampson and also wants to do a stormwater management review. JP wants to make sure the applicant is clear on what the commission is looking for regarding demolition and roof lines and is also concerned as he sees this as a complete renovation and not just a cosmetic touch-up. He would like something in writing from the applicant or DEP for Chapter 91.

**MOTION:** By Chair Macfarlane for a third party review of the stormwater plan, calculations and basic parameters they are based on.

**SECOND:** Vice Chair Pimpare

**ROLL CALL VOTE:** T. Bell – Aye; K. Beringer – Aye; J. Pimpare – Aye; C. Macfarlane – Aye; E. Eisenhauer – Aye; T. Grady – Aye

**MOTION PASSES:** 6-0-0 Unanimous

**CONTINUED TO 4/21/22**

**9:25 PM: NOI 22-07, SWP 22-03 205 Atlantic Avenue – New Construction**

**In attendance:** Andrew Flynn (AF)/Applicant; Deb Keller (DK)/Merrill Engineering; Troy Sober (TS)/Merrill Engineering

**Documents presented:** NOI & SWP Applications, Site Plans, Planting Plan

AF said the project was modified based on feedback from the last meeting. The knotweed within the 50-ft. buffer zone will remain undisturbed. The tennis court is being converted from asphalt to a pervious lawn court and a foundation drain system has been fully integrated. Peak rate and volume for stormwater is being met and supplemental silt barriers have been installed. CM asked for a new plan for the proposed raingarden and a mitigation planting plan. DK conducted three (3) test pits, two (2) within the infiltration area and one (1) in the infiltration under the driveway. The groundwater was higher than appropriate to install the raingarden as planned so it was transitioned to the infiltration area. The rear foundation was tied in to drain in back and running a stone trench with perforated pipe allows flow into the infiltration area and helps control runoff to the raingarden. A trench drain was added across the low point of the driveway to better trap infiltration and runoff. Stormwater

calculations have been revised and submitted and additional erosion control follows the 50-ft. buffer zone. The owner is adding a larger staging area near the pool and wants to use the tennis court as a staging area during construction and then restore the tennis courts. When JP asked for a description of staging, he was told by the owner that it's a general lay-down area and there will be no stockpiling. The only work done in the 50-ft. buffer zone is to remove six (6) trees that are dead or declining and the work was done by Bartlett Tree. JP asked about a fence on the edge of the court and AF said there will be a lower-rise wood fence as opposed to a chain-link fence. JP had a structural issue with excavation in back being 16-ft. above first floor elevation. AF said in order to keep the home out of the 50-ft. buffer zone they had to position the house and upgrade to stay as far out of the 50-ft. buffer zone as allowed. JP said he is more concerned about water and infiltration any time it rains but AF said waterproofing will be extensive. AF said he wants to leave the knotweed as is and will not use chemicals, so he is looking for an option for removal and remediation. TS said the goal is to support the ecology of the site and full refinement needs to be developed. TS also said the tennis court will be a full grass court. EE suggested they find an alternative to a grass court because it will be high maintenance. CM explained how the landscape plan is critical to understanding how the buffer zone is operating and now he sees very little benefit to the 100-ft. buffer zone. He asked if the tennis court is going to be a catchment and if yes, then the commission needs a clear plan developed for the planting area in the 100-ft. buffer zone. TS said as the lawn has the ability to naturally cross over the bank, proposals would help to further safeguard the site. AF said he wants the area to be natural conditions and not be overly manicured. TG asked if this could be built into the Order of Conditions (OOC) as they've met all the other feedback asked of them. TS asked if they develop a fully detailed plan and submit it to CP as part of the public record can we manipulate the plan without a full commission review, but CM said it is part of the permitting process and if we issue an OOC that becomes part of the record, major modifications would go back to the board but minor modifications would go to the Conservation Agent. It was decided that the applicant should have a plan for treating the invasives. TB said he couldn't see how anything in the north corner would make it to the outlet at the curb cut but DK said the design point is the Atlantic Ocean so anything that flows will go there. CP asked for a full landscaping plan to be submitted and AF said they can do one within 21 days.

**MOTION:** By Vice Chair Pimpare to close the public hearing and issue an Order of Conditions for 205 Atlantic Avenue with the following conditions: a landscaping plan be submitted by May 15, 2022 and approved by the Conservation Chair and Conservation Agent; any tree removal as a result of an arborist's report be witnessed by the Conservation Agent at the time of removal with a 72-hour advanced notice so the agent can insure the proper trees are removed.

**SECOND :** By Member Bell

**ROLL CALL VOTE:** T. Bell – Aye; K. Beringer – Aye; J. Pimpare – Aye; C. Macfarlane – Aye; E. Eisenhauer – Aye; T. Grady – Aye

**MOTION PASSES:** 6-0-0 Unanimous

**MOTION:** By Vice Chair Pimpare to issue a variance for work within the 50-ft. buffer zone at 205 Atlantic Avenue.

**SECOND:** By Member Bell

**ROLL CALL VOTE:** T. Bell – Aye; K. Beringer – Aye; J. Pimpare – Aye; C. Macfarlane – Aye; E. Eisenhauer – Aye; T. Grady – Aye

**MOTION PASSES:** 6-0-0 Unanimous

**MOTION:** By Vice Chair Pimpare to issue Stormwater Permit 22-03 for 205 Atlantic Avenue.

**SECOND:** By Member Grady

**ROLL CALL VOTE:** T. Bell – Aye; K. Beringer – Aye; J. Pimpare – Aye; C. Macfarlane – Aye; E. Eisenhauer – Aye; T. Grady – Aye  
**MOTION PASSES:** 6-0-0 Unanimous

**10:30 PM:** **NOI 22-09, SWP 22-05 171 South Main Street Garage Addition**  
**In attendance:** Michael Milanowski (MM), Applicant; David Newhall (DN)/  
**Documents presented:** NOI and SWP Applications, Revisions, Site Plans

MM has done all that was asked at the last meeting. There is no impervious area for parking; runoffs have been put in an infiltration trench; plantings have been pulled forward. Test pits show the groundwater is most shallow in the rear at 16, deepest at 32, and 17 in the middle of the site. He has included two (2) temporary stockpile areas in the front and back. The addition itself is 952 sq. ft. with 773-sq. ft. within the 50-ft. buffer zone but taking out 190-ft. of paved driveway and adding new filtration and a trench is about 550-sq. ft. to allow for driveway runoff. JP said that his initial thought for the project was not something the commission would approve but as it went along it fits. He further stated that Town Counsel Murray has stated that every project is site-specific and we are not obligated to do for one site what we do for another. There are significant mitigation plantings, the boats stored in back have been removed and JP sees some improvements. CP said the stockpile use was established and we can add conditions to the OOC. JP asked how long the stockpiling in the back of the home would stay there and MM said once the foundation and slab are poured the stone stockpile will be gone.

**MOTION:** By Vice Chair Pimpare to close the public hearing for NOI 22-09 and SWP 22-05 and issue an Order of Conditions for proposed work at 171 South Main Street with the following conditions: the proposed stockpile in back be eliminated after the foundation is poured; no heavy machinery is to be behind the home after foundation is poured.  
**SECOND:** Member Eisenhauer  
**ROLL CALL VOTE:** T. Bell–Aye; K. Beringer –Aye; J. Pimpare –Aye; C. Macfarlane– Aye; E. Eisenhauer – Aye  
**MOTION PASSES:** 5-0-1 (Member Grady abstains)

**MOTION:** By Vice Chair Pimpare to issue a variance for work within the 50-ft. buffer zone at 171 South Main Street.  
**SECOND:** Member Eisenhauer  
**ROLL CALL VOTE:** T. Bell–Aye; K. Beringer –Aye; J. Pimpare –Aye; C. Macfarlane– Aye; E. Eisenhauer – Aye  
**MOTION PASSES:** 5-0-1 (Member Grady abstains)

**MOTION:** By Vice Chair Pimpare to issue Stormwater Permit 22-05 for work proposed at 171 South Main Street.  
**SECOND:** Member Eisenhauer  
**ROLL CALL VOTE:** T. Bell–Aye; K. Beringer –Aye; J. Pimpare –Aye; C. Macfarlane– Aye; E. Eisenhauer – Aye  
**MOTION PASSES:** 5-0-1 (Member Grady abstains)

**DISCUSSION: 62 Cedar Street – Carolyn Cooney: Brush Removal**

CP received a letter from Ms. Cooney asking permission to selectively cut rotted trees, clear passage for wildlife and clean up her yard from damage done during the recent storm. The work is under a Conservation covenant. The land runs across the Cedar Ledge condos to the golf course. JP said that no work can be done within the resource area and must be outside the 100-ft. buffer zone. The work will not impair conservation.

**MOTION:** By Vice Chair Pimpare to allow removal of debris in an area under the Conservation Commission's jurisdiction.  
**SECOND:** By Member Eisenhauer.  
**ROLL CALL VOTE:** T. Bell – Aye; K. Beringer – Aye; J. Pimpare – Aye; C. Macfarlane – Aye; E. Eisenhauer – Aye; T. Grady – Aye  
**MOTION PASSES:** 6-0-0 Unanimous

**MINUTES FOR APPROVAL: March 24, 2022**

**MOTION:** By Chair Chris Macfarlane to approve the minutes of March 24, 2022 as written.  
**SECOND:** By Member Bell  
**ROLL CALL VOTE:** T. Bell–Aye; K. Beringer –Aye; J. Pimpare –Aye; C. Macfarlane– Aye; E. Eisenhauer – Aye  
**MOTION PASSES:** 5-0-1 (Member Grady abstains)

**CONSERVATION AGENT REPORT:**

**Vernal Pool Certifications:** CP reports mapping out pools in town and evaluating potential sites.

**172 South Main Street and 330 North Main Street–** CP says construction has started on both properties and both septic systems are being upgraded.

**137 Nichols Road:** They have received their Chapter 91 license and construction will commence.

**322 Forest Avenue:** An IVW (Isolated Vegetated Wetland) incurred tree damage during a storm. A letter of regulations for removing trees will be sent by CP.

**SANDY BEACH ASSOCIATION:**

Vice Chair Pimpare said the association has a permit that expired in 2020 and that no Order of Conditions was ever issued from the commission. There is a vernal pool on the site. CP can shut them down until the association gets the necessary permitting.

**With no further business to discuss, a motion was made to adjourn.**

**MOTION:** By Vice Chair Pimpare to adjourn the Conservation Commission meeting of 4/7/22.  
**SECOND:** By Member Grady.  
**ROLL CALL VOTE:** T. Bell – Aye; K. Beringer – Aye; J. Pimpare – Aye; C. Macfarlane – Aye; E. Eisenhauer – Aye; T. Grady – Aye  
**MOTION PASSES:** 6-0-0 Unanimous

**Meeting adjourned at 11:10 PM**