



**APPROVED MINUTES**  
**COHASSET CONSERVATION COMMISSION MEETING**  
**DATE: 4/21/22 TIME: 6:30 PM**  
**PRESENTED ON A ZOOM PLATFORM**

**IN ATTENDANCE:**

Chris Macfarlane (CM), Chair  
Kathy Berigan (KB), Secretary  
Eric Eisenhauer (EE), Member  
Will Ashton (WA), Member  
Tom Bell (TB), Member  
Trish Grady (TG), Member (at 7 pm)  
Chris McIntyre (CI), Associate Member

**ABSENT**

Justin Pimpare (JP), Vice Chair

**STAFF IN ATTENDANCE:**

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

**6:30**

**Call to Order**

**Roll Call Attendance: C. Macfarlane – Aye; K. Berigan – Aye; W. Ashton – Aye; E. Eisenhauer – Aye; T. Bell – Aye; T. Grady (at 7 pm)**

**6:35 PM:**

**RDA 22-08: 10 Parker Ave – Tree and Brush Removal – (con't from 4/7/22)**

**In attendance:** John Zimmer/South River Environmental; Ann Whitney/Applicant

**Documents:** RDA 22-08 Application and Site Plans, Mitigation Plan

JZ talked about a mitigation/restoration plan to get the site back to where it was when the Whitney's bought it. The plan is to put 55 plants into an area behind the property, restore some of the historic lawn, remove stumps by the house, and restore the porch. There will be a two-year monitoring plan. The ground will be raked out and no soil amendments will be needed. CP will work with the applicant to achieve a minimal approach to the project.

**MOTION:**

**By Chair Macfarlane to issue a Negative 3 Determination for RDA 22-08 at 10 Parker Avenue with the following conditions: no major stump removal equipment to be used unless approved by Conservation Agent Pechtl; regulations require using low nitrogen fertilizer.**

**SECOND:**

**Member Eisenhauer**

**ROLL CALL VOTE:**

**C. Macfarlane – Aye; K. Berigan – Aye; W. Ashton – Aye; E. Eisenhauer – Aye; T. Bell – Aye**

**MOTION PASSES:**

**5-0-0 Unanimous**

**MOTION:**

**By Chair Macfarlane to issue a variance for work within the 50-ft. buffer zone for RDA 22-08 at 10 Parker Avenue.**

**SECOND:**

**Member Eisenhauer**

**ROLL CALL VOTE:**

**C. Macfarlane – Aye; K. Berigan – Aye; W. Ashton – Aye; E. Eisenhauer – Aye; T. Bell – Aye**

**MOTION PASSES:**

**5-0-0 Unanimous**

**6:45 PM:** **RDA 22-09: 92A Beach St – Tree Removal**  
No one was present to represent the agenda item.  
**HEARING CONTINUED TO 5/5/22**

**6:50 pm:** **NOI 22-12, SWP 22-08: 221 Hull St – New Construction (con't from 4/7/22)**  
**In attendance:** Patrick Magoon (PM)/Decelle/Burke-Sala  
**Documents presented:** NOI & SWP Applications, Site Plan, Construction Management Plan

An abundance of ledge helps to make this a challenging project. Water is shedding towards Hull Street on one side and to Grace Drive on the other side. There is an existing bituminous concrete drive to the southerly side which is used by the abutter at 10 Grace Drive. There are erosion controls around the perimeter of the property and a tree survey shows what is remaining and what is being removed. Six (6) trees are being removed within the 200-ft. riverfront property. Access to the site is off Grace Drive because the slope is steep in other places and drainage would be affected. The drainage patterns haven't changed. CM said that 10 Grace Drive is higher than the new property at 211 Hull Street but PM said the drainage is down and across the driveway. Some drainage will be captured to detain flow and for lower peak runoff rates. There are two (2) systems on the site: one captures all roof runoff to the greatest extent possible and if it backs up the overflow goes to Hull Street; the second system captures the high point of the driveway and a portion of the back yard to a catch basin. WA questioned the existing grades that have everything running towards the street but PM said the hydric calculations show the peak rate of runoff decreasing. CM asked about test pits but was told none have been done at this time so he instructed the applicant to have one done. He also mentioned the shared driveway meeting certain widths and felt that, where Planning and Zoning may object, the applicant may have to change the plan and come back to us. When asked by CM if a cast iron grate could freeze over and prevent flow, PM said the site is maintained by the owner to prevent such things. CM said 2 Grace Drive would suffer from an overflow and PM suggested a berm running along the driveway to capture flow. CM asked about putting in small raingardens as a precaution but PM said he doesn't want to disturb the riverfront area. CP stated the proposed work is mostly out of the 200-ft. riverfront area with just a small portion within. TB feels the applicant has failed to note that, within 500-ft. of a critical environmental concern, any water on Hull Street or Grace Drive will end up in Turkey Hill and an Area of Critical Environmental Concern (ACEC). He feels the soil on site is compacted and not draining and that the two (2) large infiltration chambers are draining into granite with the runoff ended up in the parking area and he requested a third party review. CI asked what trees are being planted and does it provide adequate mitigation. PM said they are proposing six (6) new trees but the commission considered that there is no landscape architect, no test pits or a substantial plan. CM said we need perc tests and a new mitigation plan acceptable to remediation before going forward. Abutter Michelle Gouthro (10 Grace Drive) is concerned with drainage and water causing problems to her house. She also said they have a French drain system in their yard that was originally built on a total of three (3) lots but prior to purchasing the home it was divided into three (3) separate lots and parts of utilities are buried under 6 Grade Drive. She feels the shared driveway is going to disturb the drainage pipes which could cause road erosion and create safety concerns. PM said his client is not proposing to shed any water in her direction. CM said the commission needs more information, perc test results, a new mitigation plan acceptable to mitigation, a 2-to-1 ratio for tree replacement and indication of where the water is exiting.

**CON'T TO MAY 5, 2022**

**7:45 PM:** **NOI 22-13, SWP 22-10: 44 Little Harbor Rd – Addition and Pool**  
**(con't from 4/7/2)**  
**In attendance:** Sean Papich (SP)/Landscape Architect; Jed Hannon (JH)/Atlantic Coast Engineering; Sally Weston (SW)/Architect  
**Documents presented:** NOI & SWP Applications and Site Plans

JH said the proposed site plan addressed the location of a Cultech chamber on the right side of the property that was too close to the coastal bank so it was moved closer to the front. He provided a test pit location, added in sub-catchments and flow arrows so stormwater flow is clear, filled in the variance request form to comply with the revised Cultech location and adjusted the landscaping according to the site plan. TB questioned the feasibility of the presentation as being hard to interpret and asked where the chambers are on the plan. CM said TB is trying to get at a Cultech chamber that accepts water from a particular part of the site. JH said water is coming from the roof and each corner has a downspout and gutter coming down into the chamber and that accepts the flow. CM said water was collected from a trench drain next to the driveway and JH said the limit of water for that is essentially down the driveway. CM feels the plans are inadequate and asked where the ridge is located. TB said the drawing should have just sub-catchments and the house plan so it would be easier to follow than what is presented. SP said what's on the plan is existing vegetation and that drainage and sub-catchments on their own plan would be easier to read. EE is concerned with work within the 50-ft. buffer zone and asked for a separate buffer zone plan. SP said at the last meeting that looking at existing vs. proposed plans was a major part of the discussion. WA said it sounds like the applicant hasn't done the sub-catchments and asked what is feeding into the drain. JH said it's the driveway and area of plans. CM said the catchment area includes the entire home and, when comparing existing vs. proposed, he had a hard time understanding it from the plans. He asked if the trench will be heading towards the bank and daylighting down there. JH said the trench will exit the chamber and head to the top of the coastal bank. WA asked where the overflow pipe comes out and JH said the system wasn't designed to go to the coastal bank. TB asked for the clearance from the bottom of the Cultech chamber to bedrock and the water table and JH said 7-ft. for the test pits and 7.5-ft. for the groundwater at bottom. JH said the existing groundwater was good but TB said Cultech needs to work under high and low water conditions. JH said that where the seasonal high water is during a part of the year, July and August would be deeper and in compliance with DEP and Stormwater Bylaws. TB asked for another soil evaluation. SP said he is still doing plantings as discussed, is reducing impervious areas and supplying all native planting materials. He changed the parking area from asphalt to gravel, is increasing plantings in other areas and is removing the lawn area to the right of the house and leaving a path of crushed stone.

**CONTINUE TO MAY 5, 2022**

**8:40 PM:** **SWP 22-09: Lot 5, Forest Avenue – New Construction (con't from 4/7/22)**

**In attendance:** Caroline Rees (CR)/Merrill Engineering

**Documents presented:** Stormwater Permit and Site Plans, Foundation Plan

There were two (2) test pits performed since the last meeting which are similar to the first test pits. The gravel driveway is being installed separately using the average of compacted modeled vs. lawn modeled. Increased fill volume was done and the foundation plan was provided. CM asked where the finished floors are on the foundation plan and CR said they are 68.5 slab on grade and 71 on first floor. The area is all crawl space except for a utility room in the basement. There is a silt sock at the bottom of the site. When TB asked why the silt sock is sub-gradient CP said more erosion control is better. TB wants the developer to build a construction entrance, but CR said they are just driving onto the equipment area. TB then asked for a well-drawn construction equipment site and that mud should be a major consideration. CR said she can shift over the equipment site to a large stockpiling area and will have a construction entrance with crushed stone to alleviate the amount of mud on site. TB thinks the site is better accessed from Spindrift Lane and CR said she will move the construction entrance and include a washout area. CM said larger construction vehicles could use Spindrift Lane and smaller vehicles (pickup trucks) could use Forest Avenue.

**MOTION:** **By Chair Macfarlane to issue Stormwater 22-09 for work proposed at Lot 5, Forest Avenue with the following conditions: construction entrances will be on Spindrift Lane and Forest Avenue with 4-inch+ stone for at least 50-ft. and a designated washout area will be installed for concrete trucks.**

**SECOND:** Member Eisenhauer  
**ROLL CALL VOTE:** C. Macfarlane – Aye; K. Berigan – Aye; W. Ashton – Aye; E. Eisenhauer – Aye; T. Bell – Aye; T. Grady  
**MOTION PASSES:** 6-0-0 Unanimous

**9:15 PM:** **NOI 22-14, SWP 22-11: 90 Howard Gleason Rd – Raze and Reconstruct**  
**In attendance:** Brendan Sullivan (BS)/Merrill Engineering; Sean Papich (SP) /Landscape Designer; Jamie Bourbeau/Applicant  
**Documents Presented:** NOI & SWP Applications, Site Plans

The applicant wants to raze and rebuild the home and add a carriage house, a pool and a cabana. There is some work in the 50-ft. buffer zone in the salt marsh from across the street. The impervious area is being reduced in most areas. Stormwater runoff is controlled from the carriage house and main building into an infiltration system. A test pit was done that found soil and water. BS is making the setbacks conform in the front and side yard. A portion of the house is connecting the infiltration system, and peak rates of runoff and flow are being provided. Catch basins in the street will collect runoff and discharge from the harbor. TB said there is a serious flooding problem in this area and that storm drains work in reverse on these events. He wants the commission to have greater control on some impervious surfaces. BS said the net loss of material coming out will be a basement with a sump pump or drainage that will discharge. He would like to get the basement above groundwater and add infiltration. SP said there is no work within the 50-ft. buffer zone but there will be beech trees in the 100-ft. buffer zone and 24-in. spruce shrubs at the edge of the house. The driveway apron will be impervious granite slab. The commission was told that the project does not yet have a DEP number so the meeting was continued.

**CONTINUE TO MAY 5, 2022**

**9:40 PM:** **NOI 22-15, SWP 22-12: 46 Hobart Lane – Raze and Reconstruct**  
**In attendance:** Tom Reardon (TR)/Applicant; Brendan Sullivan (BS)/Merrill Engineering; Sean Papich (SP)/Landscape Architect; Sally Weston/Architect  
**Documents Presented;** NOI & SWP Application, Site Plans

The property to be razed is an existing dwelling with one garage under and a turning garage. A coastal dune runs from the rear yard to the beach. Water rushes the land and eventually goes down to the end of the property. The applicant is proposing to get rid of the circular driveway and another driveway and use the garage. They are reducing pavement from 4,000 sq. ft. to 2,200 sq. ft. including a net impervious increase of 100 sq. ft. The backyard has a patio, screened porch, deck and small inground pool and does go into the 50-ft. buffer zone where smaller retaining walls support terrace work. The plan is to get rid of planting beds and a play set, take up the gravel area and replace it with 3,100 sq. ft. of mitigation plants. BS said with this they are capturing the rear portion to go into infiltration. They did two (2) test pits that were down approximately 6-ft. and there was no water or modeling in most of the site. Mitigation will take care of the pool and patio area in the 50-ft. buffer zone. BS is still waiting for a DEP number so the meeting will be continued. CM asked if it's typical to have a hearing before a DEP number is issued and CP said she is not sure but is starting to see delays. BS said the house will be set back; 1-ft. of garage will be removed and the garage will be pushed back 2.5-ft. CM said typically the 50-ft. buffer zone is 'no disturb' but this project is all over the 50-ft. buffer zone. Some mitigation has been proposed and it was suggested to push everything outside the 50-ft. buffer zone if possible. EE said the area could use some sandy loam or sand and that there is a great deal of natural flow with a lower area going into a berm protected by heavy growth. SP said it's possible to change the stone terrace to a permeable terrace. CM cited the "rare and unusual" consideration for granting a permit but sees nothing rare or unusual with this project. He said the applicant has to prove that the area of the 50-ft. buffer zone is truly an improvement and needs to go along with our bylaws.

**CONTINUE TO MAY 5, 2022**

**MINUTES FOR APPROVAL: April 7, 2022**

**MOTION:** By Chair Macfarlane to approved the minutes of April 7, 2022  
**SECOND:** Member Eisenhauer  
**ROLL CALL VOTE:** C. Macfarlane – Aye; K. Berigan – Aye; W. Ashton – Aye; E. Eisenhauer – Aye; T. Bell – Aye; T. Grady  
**MOTION PASSES:** 6-0-0 Unanimous

**CONSERVATION BUSINESS:**

**AGENT'S REPORT:**

- **Vernal Pool Certifications:** CP went to some town-owned parcel locations that may meet certification standards. She walked the Isolated Vegetated Wetlands (IVW) and Bordering Vegetated Wetlands (BVW) on 136 Atlantic Avenue and found nothing but will check back in May. The Conservation Trust purchased 60 Forest Avenue and found 30 egg masses in deep water and two (2) other egg masses behind Milliken Field. CM said they are rebuilding Milliken Field.
- **31 Doane Street** – Construction is ongoing. The erosion control barrier was inspected and a MA DEP sign will be posted.
- **Sohier Street** – Trees are being removed in the area near CJC Highway. A modified site plan added a few trees to the list. The job is mostly complete with just stump grinding at this time.

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

**MOTION:** By Chair Macfarlane to close the meeting of April 21, 2022.  
**SECOND:** By Member Eisenhauer  
**ROLL CALL VOTE:** C. Macfarlane – Aye; K. Berigan – Aye; W. Ashton – Aye; E. Eisenhauer – Aye; T. Bell – Aye; T. Grady  
**MOTION PASSES:** 6-0-0 Unanimous

**Meeting adjourned at 10:30 PM.**