



## APPROVED MINUTES

### Conservation Commission Meeting

Date: Thursday, May 25, 2023 – Time: 6:30 PM

Presented on a ZOOM Platform

#### MEMBERS IN ATTENDANCE:

Chris Macfarlane (CM), Chair  
Tom Bell (TB), Vice Chair  
Kathy Berigan (KB), Secretary  
Chris McIntyre (CI), Member

#### ABSENT:

Eric Eisenhauer  
Will Ashton

#### STAFF IN ATTENDANCE:

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

#### Meeting called to order at 6:30 PM

#### Chair Macfarlane opened the meeting and took Roll Call Attendance.

T. Bell – Aye; K. Berigan – Aye; C. McIntyre – Aye; C. Macfarlane – Aye **4 Voting Members in Attendance**

**Approval of Minutes from 4/27/23:** Passed Unanimously 4-0-0

#### NOI 23-14:

#### 754 C.J Cushing Highway: Septic Upgrade - Whatley

**In attendance:** Edward Whatley (EW)/ Professional Engineer; Pam Fahey (PF) / Board of Health Director (BOH), Town of Cohasset

**Documents presented:** Site Plan, Erosion Control Plans

The site that is now going to be a butcher shop was originally Dwyer's Cleaners. The septic system needs to be replaced. Title V Field Inspector Phil Spath worked on the existing system to see the status of the existing tanks and found the laterals were blocked to the distribution box. The BOH tested two (2) areas in front and found issues they couldn't solve. There was standing water in a drywell that would've had the potential to cancel the project. The system has to be located in the same site as before. PF said there is no other place to put the system and it's the best they can do. CM asked if parking adjacent to the wetlands will be utilized and EW said it would be. CP said the wetlands and intermittent stream are on abutting property. TB is concerned with the groundwater table and test pits. EW said they have good depth which the system will need to support traffic. They have an asphalt and gravel base that is over 5-ft. on one end and 4-ft. on another end. TB said the contours are higher than estimated and that water at a specific elevation in one pipe has to be the same in other pipes. He asked if there are any test pits or separation available. EW did an evaluation with Phil Spath, who performs test pits for the town, and found the elevations were different. TB asked if they showed an existing infiltration system. EW said they had Morse Engineering do a survey and found groundwater in the drywell at 66.1 which is 2-ft. higher than the separation. All the material they found is essentially sand until you get to the parking area. TB is skeptical with the water difference and is concerned with the 4-ft. of separation. PF said the Title V testing is more responsible, the system was built pre-1960 and we now have three (3) buildings on a non-functioning system. TB is looking for a better alternative than what is being proposed. He has no faith in the modeling as shown and wants an alternative investigation. CM asked if the water table can be located in that area and EW said they had tried to place the system with bad results. CI asked if they could have a separate piece in a northern area and EW said it could be done. He needs 7-ft. drain and TB asked him to file an alternative proposal for the next meeting.

**PUBLIC HEARING CONTINUED TO 6/8/23**

**SWP 23-09:**                    **164 North Main Street – Addition and Landscaping – Mone**  
**In attendance:** Xander Oram (XO); Merrill Engineering; Brian Greenburg (BG) / Contractor; Sean Papich (SP) / Landscape Architect  
**Documents presented:** Site Plans, Landscaping Plans

The owners propose to add an addition to the home and upgrade the hardscaping and landscaping on the property. The attached garage will have a basement and second floor. There will be a raised deck to the back of the garage, stone walkways, and a staircase for the existing deck. A planting bed area will be created and there are retaining walls shown in the landscaping plan. XO said he found good soils in the groundwater system. TB asked when the sports court when in but XO said they were already installed by 2019 when the owners moved in. There has been a good amount of grading done on the property, but the steepness of the area will not be increased. SP said there is grading near the infiltration and the area itself is already low. They proposed to remove some trees, including pine, to accommodate the landscaping update. CP said the pre and post conditions meet requirements.

**MOTION:**                    **By Chair Macfarlane to issue Stormwater Permit 23-09 for work proposed at 164 North Main Street.**  
**SECOND:**                    **By Secretary Berigan**  
**ROLL CALL VOTE:**        **T. Bell – Aye; K. Berigan – Aye; C. McIntyre – Aye; C. Macfarlane – Aye**  
**MOTION PASSES:**        **4-0-0 Unanimous**

**NOI 23-15:**                    **Town of Cohasset – Government Island Wharf Improvement**  
**In attendance:** Jimmy Hill (JH)/ Foth Engineering  
**Documents presented:** Site Plan

The wharf was built in 1856 consisting of stone with an asphalt payment. There were two (2) fixed gangways to a float system. The wharf is now in fair condition. Three (3) alternatives were presented but JH feels a timber pier extension of the wharf raised about 3-ft. with a concrete retaining wall would be the best choice. A Chapter 91 license is required to do the work. TB said the structure is large, there is bedrock in the area and if there is an outcrop you don't want to chip it out, but JH said there is no benefit to blasting and there are other proposals. Rocks in the water currently obstruct navigability to and from Cohasset Harbor. TB said the gradient will change if the wharf is raised. CM asked about 27-ft. on the right side of the project and JH said there will be an extension with quick-release in case of a storm. TB said fishermen post there at high tide. JH said they are adding a few mooring piles, but fisherman can still maneuver through the area. TB said the fishermen need to come straight in for annual maintenance and shouldn't be cut off from disposal. They may not notice three (3) new pilings in the way. CP said the original design was discussed with fishermen and town officials but if the fishermen have concerns, there should be further talks. JH said the plan came from utilizing space and does not encroach further out. He proposed a granite top curve extended to the top of the concrete. CM said putting a concrete wall on top of a granite wharf is not the way to go and a small granite curve would allow circulation between the parking lot and the existing site. CP said they will need a Stormwater Permit before going any further and the saltmarsh delineation has expired and needs to be reflagged and surveyed. CM said coffer dams would be worth considering and asked what would happen if the piles hit refusal. JH said a test boring was done and found some broken pieces of granite. The town of Cohasset increased the grade of the existing wharf through the addition of fill. JH said it will be compacted for a structural fit of concrete with rock. It was determined to continue the project discussion.

**PUBLIC HEARING CONTINUED TO 6/22/23**

**NOI 23-13. SWP 23-07:**        **83 Spring St – Raze and Rebuild – Won (con't from 4/27/23)**  
**In attendance:** Jeff Hassett (JH)/ Morse Engineering; David Won (DW)/ Owner  
**Documents presented:** Revised Site Plan, Mitigation Plan

The inner buffer zone consists of not less than a 50-ft. protective buffer zone. JH formerly submitted plans showing the structure out of the buffer zone. JH formerly submitted plans with all structures being out of the 50-ft. zone. The ledge appears not to be an issue. The owner is removing structures and installing pine trees and feels this revision is fine. CP intends to close out any previous work before the job can continue. CM recommends a different tree than white pine which is not good in water. He asked if an area of disturbance should receive some mitigation plantings and also if all contours on the left side should just run into the foundation and was told by JH that both are good ideas. If any more plantings are needed, CI said to have CP pick some out from the native species list.

**MOTION:** By Chair Macfarlane to close the public hearing for 83 Spring Street and issue an Order of Conditions with the following conditions:

- No work can commence before a Certificate of Occupancy for the original permit is issued;
- A mitigation planting plan be submitted for disturbed areas;
- Future plantings and other work must be considered and approved by Conservation Agent Pechtl.

**SECOND:** By Secretary Berigan  
**ROLL CALL VOTE:** T. Bell – Aye; K. Berigan – Aye; C. McIntyre – Aye; C. Macfarlane – Aye  
**MOTION PASSES:** 4-0-0 Unanimous

**MOTION:** By Chair Macfarlane to issue a variance for work shown on the plan within the 50-ft. buffer zone.  
**SECOND:** By Vice Chair Bell  
**ROLL CALL VOTE:** T. Bell – Aye; K. Berigan – Aye; C. McIntyre – Aye; C. Macfarlane – Aye  
**MOTION PASSES:** 4-0-0 Unanimous

**MOTION:** By Chair Macfarlane to issue Stormwater Permit 23-07 for 83 Spring Street.  
**SECOND:** Member McIntyre  
**ROLL CALL VOTE:** T. Bell – Aye; K. Berigan – Aye; C. McIntyre – Aye; C. Macfarlane – Aye  
**MOTION PASSES:** 4-0-0 Unanimous

**Certificate of Compliance: 187 Atlantic Avenue**

A drainage pipe going into the wetlands can be relocated. All hydrangeas have been removed from the site. An Operations & Maintenance (O&M) plan will be taken care of prior to issuance. CM asked about the status of sump pump discharge and CP said the pipes are discharging groundwater. Builder Rob Curatola (RC) said former Conservation Agent Jeff Summers (JS) was aware of the pipe being put in for the sump pump in the basement.

**MOTION:** By Chair Macfarlane to issue a Certificate of Compliance for NOI 21-11 at 187 Atlantic Avenue for Robert Schwandt with #40 and #41 as special ongoing conditions and that a long-term O&M plan be updated to include sump pump maintenance, and to keep lid containment system closed to prevent pollution  
**SECOND:** Vice Chair Bell  
**ROLL CALL VOTE:** T. Bell – Aye; K. Berigan – Aye; C. McIntyre – Aye; C. Macfarlane – Aye  
**MOTION PASSES:** 4-0-0 Unanimous

**Agent Updates:**

**Construction updates:**

- USCG (Coast Guard) was starting construction on a channel light but an osprey nest on the light halted work until August.
- Garage construction was started at 34 Reservoir Road
- Golf Club maintenance required buildings be connected to electric utilities and to work with CP to avoid the 25-ft. Isolated Vegetated Wetland (IVW) buffer.
- The 3A sewer project is completed, the road was repaved and repainted and the contractor will file for a Certificate of Compliance

**Other updates:**

- OOC Special Conditions Boilerplate was updated and is pending counsel review
- Agent Pechtl is looking into potential internship for FY24

**With no further business to discuss, a motion to adjourn was made by CM, seconded by TB and approved by a vote of 4-0-0**

**Meeting adjourned at 9:30 pm.**