



APPROVED MINUTES
COHASSET CONSERVATION COMMISSION
MEETING OF JUNE 16, 2022

IN ATTENDANCE:

Chris Macfarlane (CM), Chair
Justin Pimpare (JP), Vice Chair
Kathy Berigan (KB), Secretary
Will Ashton (WA), Member
Tom Bell (TB), Member
Eric Eisenhauer (EE), Member

ABSENT:

Trish Grady, Member
Chris McIntyre, Associate Member

STAFF IN ATTENDANCE:

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

6:30 PM: Call to Order

**Roll Call Attendance: K. Berigan – Aye; W. Ashton – Aye; T. Bell – Aye;
E. Eisenhauer – Aye; J. Pimpare – Aye; C. Macfarlane – Aye**

The following public hearings originally scheduled for tonight have been continued to later dates:

- NOI 22-21. SWP 22-17 for 31 Dolan Lane has been continued to 6/30/22
- SWP 22-16 for 46 Black Rock Road has been continued to 7/14/22.

6:35 PM: NOI 21-26 - 12 Hobart Lane – Maraia – Driveway Upgrade (Con't from 6/2/22)

In attendance: Gary James (GJ)/James Engineering; Paul Shea (PS)/Environmental Consultant; Joe Maraia (JM)/Applicant

Documents Presented: NOI Application and Site Plan; Delineation Plan

A third party review was done by John Zimmer of South River Environmental who set up flags in and around the area, reset the setbacks and adjusted the activity area associated with the driveway. The applicant is adding 700+ sq. ft. of pavement but has reduced the overall disturbance area by 2,520 sq. ft. of which 2,150 sq. ft. is within the limits of the 100-ft. buffer zone. The modified wall arrangement eliminates one (1) wall and there was some ledge removal for expansion. Stormwater improvements include a berm along the back of the drive, a catch basin and a subsurface system that acts as a sand filter. There is no impact to the abutter and the effects near their property were substantially reduced. KB asked about the ledge and was told by GJ that the elevation has been lowered from 32 to 28 with a small amount of ledge. The area of the turnaround is being leveled. EE asked how disturbed the area is right now and was told by GJ that there is more of an angle off the wall that extends further out and allows for cars to now come straight into the garage. JP asked for a diagram on the plan of the tiered wall and also for a filter sack. GJ said they will be added to the drawing and also said there is a cape cod berm to collect runoff and a full-sized catch basin. JP said that the applicant has met his obligations. CP asked to add to the Order of Conditions for control of invasives and wetlands boundaries.

MOTION: By Vice Chair Pimpare to close the public hearing and issue an Order of Conditions for NOI 21-26 at 12 Hobart Lane with the following conditions: invasives must be kept under control, conservation markers should be set at the wetland boundary, and a revised plan be put together within seven (7) days of the hearing that outlines the geo fabric on the outside of the 3-tiered wall to be approved by the Conservation Agent.

SECOND: By Member Ashton

ROLL CALL VOTE: K. Berigan – Aye; W. Ashton – Aye; T. Bell – Aye;
E. Eisenhauer – Aye; J. Pimpare – Aye; C. Macfarlane – Aye

MOTION PASSES: 6-0-0

MOTION: By Vice Chair Pimpare to issue a variance for work within the 50-ft. buffer zone at 12 Hobart Lane.

SECOND: By Member Ashton

ROLL CALL VOTE: K. Berigan – Aye; W. Ashton – Aye; T. Bell – Aye;
E. Eisenhauer – Aye; J. Pimpare – Aye; C. Macfarlane – Aye

MOTION PASSES: 6-0-0

7:10 PM: **NOI 22-22: 15 Mill Lane – Septic Repair and Upgrade**

In attendance: Paul Gunn (PG)/Morse Engineering

Documents Presented: NOI Application, Site Plan

The owners would like to replace their existing failed septic system with a new system that will provide a higher rated treatment. CM stated the area of work is within the 100-ft. buffer zone to a Bordering Vegetated Wetland (BVW) that intersected with two (2) additional BVW's. JP asked if the system can be moved but PG said the primary reason for the location is to negate bends in the sewer pipe. The other reasons are for equipment and material staging and to keep as much material out of the 50-ft. buffer zone as possible. The applicant is hoping to use a concrete drive as a construction entrance and to get the abutter's permission to access the site. If not, the site can be accessed from the north with a more complicated system of equipment. PG believes the failed system is a cesspool with a decommissioned well but there are no records of the existing cesspool. PG also said there is a secondary treatment tank that is a highly rated micro-fast tank. The drip dispersal field is sandy, there is fractured bedrock at 58-in. and they hit refusal 4-ft. below the surface. There will be no removal of bedrock and no blasting done.

MOTION: By Vice Chair Pimpare to close the public hearing for NOI 22-22 and issue an Order of Conditions with no special conditions for work proposed at 15 Mill Lane.

SECOND: Member Ashton

ROLL CALL VOTE: K. Berigan – Aye; W. Ashton – Aye; T. Bell – Aye;
E. Eisenhauer – Aye; J. Pimpare – Aye; C. Macfarlane – Aye

MOTION PASSES: 6-0-0

MOTION: By Vice Chair Pimpare to issue a variance for work within the 50.ft. buffer zone at 15 Mill Lane.

SECOND: Member Eisenhauer

ROLL CALL VOTE: K. Berigan – Aye; W. Ashton – Aye; T. Bell – Aye;
E. Eisenhauer – Aye; J. Pimpare – Aye; C. Macfarlane – Aye

MOTION PASSES: 6-0-0

7:30 PM: NOI 22-23: 20 Nichols Road - Landscaping Improvements

In attendance: Kathleen Murphy (KM)/Applicant, Deborah Keller (DK) /Merrill Engineering

Documents Presented: NOI Application and Site Plans

Proposed work at the site includes landscaping and a walkway improvement. The current stone and gravel driveway will be cleaned up to create an accessible route into the house to accommodate a handicapped family member. Concrete steps down a side slope will be replaced with a gradual sloped walkway as a lawn path and an 18-inch landscape wall will be removed. A portion of the coastal bank will be secured and erosion control with a seed mix will provide stabilization. Landscaping in the front area involves removing junipers and replacing them with native flowering perennials and grass mix. They are reducing the impervious service in the 50-ft. buffer zone and increasing the impervious surface by a small amount in the 50 to 100-ft. buffer zone. A large tree on the abutter's property fell onto 20 Nichols Road and will be removed and replaced with a 20-ft. high tree to recreate the buffer. There are two (2) locations for stockpiling material and full erosion controls are in place. EE asked the applicant to make sure the plantings are specifically from Cohasset's native species list. TB asked if there is any evidence the coastal bank could be unstable and DK said there is subtle erosion and any vegetation would be to enhance and not disturb the area. JP said that removing vegetation would destroy a nice buffer zone that stabilizes the bank and asked if the applicant could do some planting rather than ripping and replacing what is there. DK agreed to trim or remove some junipers and enhance the area with plantings and vegetation. KM would like to model the new plants around the existing junipers. CM asked if the entire slope would get erosion control seed mix and DK said only a section would have it. JP is concerned with removing and adding vegetation within the coastal bank but DK said they are focused more on enhancement rather than removal and alteration. JP is more comfortable with the revised plan. CM said that what's growing on the coastal bank is purely invasives and, while the basic restoration of the pathway is supportive, he is concerned with the stability of the invasives. TB said it would be easier to separate the coastal bank issue from the walkway restoration and wants the applicant to close this plan and resubmit two (2) NOI's with separate projects but JP wants to stay with one plan for now. CM asked CP to set up a site visit.

PUBLIC HEARING CONTINUED TO 6/30/22

7:55 PM: SWP 22-18: 270 Jerusalem Road - Driveway and Addition

In attendance: Gabriel Padilla (GP)/Landscape Designer; Mike Hilsinger (MH)/Property Site Manager

Documents presented: Stormwater Application

The contractor is adding 8,000 sq. ft. of impervious surface including a driveway area with a garage underneath. Mitigation includes direct infiltration and additional runoff is mitigated by a crushed stone bed. The groundwater elevation is 4-ft. under the surface and there is a good amount of landscaping to be done. GP said all ledge on site is exposed and there is a terraced area. The additional 8,000 sq. ft. of impervious surface is due to the existing driveway being narrower than what is proposed. JP asked to see plans of pervious vs. impervious, walkways and landscaping. GP had landscaping plans but does not have proposed impervious area yet. He added that the downspouts go through a roof drain towards the deck area and out via one (1) pipe to crushed stone. CM asked if the addition triggers a large home review but MH said the footprint is almost the same. They are replacing an exterior drying garden with the garage so the house footprint plus the added garage is the new footprint. They are also extending the existing patio across the front of the building. TB said the design points all go to the current driveway and asked if there is a storm drain it might reach. GP said they are not adding any more water and MH said they see the substantial lawn area as a natural detention basin. There is not a lot of water leaving the property and what is being added meets today's design standards. TB said there is a substantial

increase in impervious area but CP said the pre and post-development figures meet stormwater standards.

MOTION: By Vice Chair Pimpare to issue Stormwater Permit 22-18 for work proposed at 270 Jerusalem Road.
SECOND: Member Bell
ROLL CALL VOTE: K. Berigan – Aye; W. Ashton – Aye; T. Bell – Aye; E. Eisenhauer – Abstains; J. Pimpare – Aye; C. Macfarlane – Aye
MOTION PASSES: 5-0-1 (*Member Eisenhauer abstained*)

8:20 PM: **NOI 22-12, SWP 22-8: 221 Hull St - New Construction (Con't from 6/2/22)**
In attendance: Patrick Magoon (PM) and Jim Burke (JB)/DeCelle-Burke-Sala
Documents Presented: NOI & SWP Applications and Site Plans, Test Pit Results, Management Plan

Three (3) test pits were done in the two (2) vacant lots at 221 Hull Street. The soils are largely sandy loam and the results were 60-in. for the first test pit, 70-in. for the second, 28-in. for the third and the management plan remains the same. A basement drain overflow from 10 Grace Drive was added but the building size remains the same. The proposed plan meets zoning dimensional regulations and is below the 3,500 sq. ft. for a large home. The site had a cape cod berm running down the driveway but that will be replaced by a stone infiltration trench. A full-size catch basin collects water from the berm. A total of five (5) trees will be removed. Previously the applicant was going to install an underground perforated PVC pipe for detention and slight infiltration of the driveway and building but they are now going to install a rain garden to take the place of the infiltration system. Roof flow will be directed to a 7,000-gallon concrete cistern. JP asked where anything over 7,000-gallon will go but PM said it will be filtered out and flow to Grace Drive or absorbed by land. There will be two (2) sub-area watersheds on Hull Street and Grace Drive where runoff will be collected by a catch basin to the rain garden to Hull Street with the infiltration trench goes to Grace Drive. TB has concerns with the rain garden as it is against a cliff and any infiltration will go through rock fractures and into the neighbor's lot and any water that enters bedrock below the rain garden goes into the neighbor's parking lot. JB said they can change the configuration away from the wall. TB said a series of trenches from the past fill up with water and JB said there is ledge out there but where we're working has a decent charge. TB said that technically you can run Hydrocad and increase infiltration but with this site it could be a problem. JB said it appears that there is groundwater flowing through the site now and it's contained. If the recharge volume is minimized and direct larger storm events is kept away from the wall it could solve the issue. A dye test is a good idea but could give false readings on a wall that size. TB said while infiltration is a good thing, in this case where you're making a larger area into a smaller area against the vertical wall it's a risky strategy. The runoff from the house might be better due west instead of north and it will keep the raingarden from leaking into the abutters' property. JB said recharge is difficult but that's what is said in the regulations. He can get rid of volume by recharge and design a detention system that will work. He will work with PM to figure out a way to protect the wall from any additional groundwater breakout. Regarding the driveway, JB said there is over 1,000 sq. ft. of disturbance to remove and replace the existing driveway but he can construct a driveway outside the 200-ft. buffer zone.

PUBLIC HEARING CONTINUED TO 7/14/22

8:55 PM: **SWP 22-16: 46 Black Rock Rd - Addition/Deck/Accessory Building**
In attendance: Joe Webby (JW)/Webby Engineering; Paul and Tiffany Harrison/Applicants; Paul Mirabito (PM)/Engineer
Documents Presented: SWP Application and Plans

The applicants are proposing to add an addition and deck, replace the existing garage and pave a portion of the driveway. The garage will have roof drains that will direct stormwater to a trench drain and then to an infiltration system. They are adding approximately 3,000 sq. ft. of impervious surface to the home. There was 4-ft. of natural landscaping before hitting ledge. CM asked if they are altering grades and JW said the grade is coming up to no more than one (1) ft. and will blend into the existing yard. JP asked if the garage will be on a slab and JW said it would be. CM said the final elevation of the garage is 83.3 ft. which is a foot higher than before, and JW said it's a reasonable concern to be addressed. TB said there is a large infiltration chamber but the test pit is not where the infiltration is and the soils are scarce and thin. He also said one (1) test pit is not representative of where you want your infiltration and more testing should be done. JW said they weren't sure of the type of system to be used when investigating the site and will do more test pits. JW said they will have Cultech chambers with manholes to handle the infiltration under the asphalt driveway.

Abutter Kevin Wren of 44 Black Rock Road is concerned with water on his property. He said the structures at 46 Black Rock Road are close to the property line. There is an easement on the property, is a significant amount of ledge and an increase in the impervious area. JW is also concerned with ledge but did say there will be no more over-burdening of the easement going in and out to the home. There will be more traffic during construction but not when the work is completed. The crushed shell driveway will remain that way and infiltrate stormwater. The Cultech chambers should have some overflow directed southwest and installing a swale was mentioned. PM said there will be no water flowing onto the Wren's property and the ledge is relatively shallow. Three (3) shade trees are being removed but they are not near the area of work. There is a swale on the right side of the property. The chamber system could fill up and it was questioned as to where the water would run.

PUBLIC HEARING CONTINUED TO 7/14/22

CERTIFICATES OF COMPLIANCE:

NOI 21-05 and SWP 21-05: 138 Atlantic Avenue: The owners still have to plant grass and provide photos to the commission. There is no plan to do granite stones along the path in the back. Pool maintenance can be a part of the Certificate of Compliance.

MOTION: By Vice Chair Pimpare to issue a Certification of Compliance for NOI 21-05 and SWP 21-05 for 138 Atlantic Avenue with the condition that pool maintenance be a part of the certificate.

SECOND: Member Ashton

ROLL CALL VOTE: K. Berigan – Aye; W. Ashton – Aye; T. Bell – Aye;
E. Eisenhauer – Aye; J. Pimpare – Aye; C. Macfarlane – Aye

MOTION PASSES: 6-0-0 Unanimous

NOI 18-21 & SWP 18-31: 75 Border Street: The arbor vitae in the buffer zone have been removed and there is nothing more to be done. The dock is on a separate permit.

MOTION: By Vice Chair Pimpare to issue a Certification of Compliance for NOI 18-21 and SWP 18-31 for 75 Border Street.

SECOND: Member Eisenhauer

ROLL CALL VOTE: K. Berigan – Aye; W. Ashton – Aye; T. Bell – Aye;
E. Eisenhauer – Aye; J. Pimpare – Aye; C. Macfarlane – Aye

MOTION PASSES: 6-0-0 Unanimous

NOI 21-15, 51 Gammons Road: There were minor deviations but no changes from the Chapter 91 license. The distance from the back ramp to the salt marsh is 30.1-ft. and not 28-ft., the ramp and pier converge slightly further from the salt marsh, the 12-ft. x 16-ft. float is angled slightly further away from 26-ft. to 28.1-ft. Nine (9) sets of plugs were approved but only eight (8) were used. No changes have occurred no changes from Chp 91 license, minor deviations: distance from back

MOTION: By Vice Chair Pimpare to issue a Certification of Compliance for 55 Gammons Road.
SECOND: Member Bell
ROLL CALL VOTE: K. Berigan – Aye; W. Ashton – Aye; T. Bell – Aye; E. Eisenhauer – Aye; J. Pimpare – Aye; C. Macfarlane – Aye
MOTION PASSES: 6-0-0 Unanimous

MINUTES FOR APPROVAL: 5/5/22, 5/19/22, 6/2/22

MOTION: By Vice Chair Pimpare to approve the sets of minutes for 5/5/22, 5/19/22 and 6/2/22 as presented.
SECOND: Member Eisenhauer
ROLL CALL VOTE: K. Berigan – Aye; W. Ashton – Aye; T. Bell – Aye; E. Eisenhauer – Aye; J. Pimpare – Aye; C. Macfarlane – Aye
MOTION PASSES: 6-0-0 Unanimous

CONSERVATION AGENT REPORT:

- **3A Sewer Project:** Erosion controls need to be installed next week. They are anticipating the job should be finished by late August
- **55 Gammons Rd:** The owner received a Chapter 91 license from DEP and wants to start the job. The Conservation Agent will arrange for a pre-construction visit.
- **147 South Main St:** Herbicides have been approved for the site. JP said when the excavation starts the agent should look for holes, underground storage and any examples of volatile compounds. CM said the project changed since we issued permits and that the Planning Board made changes but didn't get back to us with those changes.
- **Sohier St. Sidewalk Project:** Tree and shrub roots have been covered with wood chips. The arborist is not optimistic about the hemlock trees. The width of the sidewalk had to be changed.
- **10 Ocean Ledge:** They will need a stormwater permit for the new dwelling. The agent anticipates issues with the site.

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

MOTION TO ADJOURN: By Vice Chair Pimpare.
SECOND: By Member Eisenhauer
ROLL CALL VOTE: K. Berigan – Aye; W. Ashton – Aye; T. Bell – Aye; E. Eisenhauer – Aye; J. Pimpare – Aye; C. Macfarlane – Aye
MOTION PASSES: 6-0-0 Unanimous

Meeting adjourned at 9:45 PM