



## CONSERVATION COMMISSION MEETING MINUTES - March 9, 2020

**Present:** Laurie Freeman-Chair, Jacqueline Zane-Vice Chair, Bob Hidell, Bob Mosher, John Mooney, Thomas Roby and Crystal Kelly - Commissioners, Loni Fournier-Conservation Officer

**Absent:** None

**The meeting was called to order at 7:00 PM.**

### Approval of Minutes

**Motion:** Commissioner Zane moved to approve the draft minutes from the February 24, 2020 meeting.

**Second:** Commissioner Kelly      **In Favor:** All      **Opposed:** None

### Certificates of Compliance

**24 Harvest Lane** - DEP 034-0043, continued from 2/10/20

Applicant: Jean Roberts

Representative: Brendan Sullivan, Cavanaro Consulting, Inc.

Excerpts from the staff memo: *No additional information has been received.*

Meeting Documents & Exhibits: *Wetlands summary memo*

With no applicant present, the Commission postponed discussion to after 9 Pinecrest Road in case someone turned up for 24 Harvest Lane.

After 9 Pinecrest Road was completed, and with no person present with information, the Commission and C.O. briefly discussed 24 Harvest Lane. They noted the number of continuances of the Request for Certificate of Compliance and the lack of information or contact from the applicant, representative, and attorneys regarding any progress removing the debris in the buffer zone.

**Motion:** Commissioner Mosher moved to deny the Request for Certificate of Compliance.

**Second:** Commissioner Mooney      **In Favor:** All      **Opposed:** None

**52 Union Street** - DEP 034-1339

Applicant: Falconeiri Construction, Inc.

Representative: Brad Holmes, ECR, LLC

Excerpts from the staff memo: *n/a*

Meeting Documents & Exhibits: *n/a*

After the agenda was already posted, the applicant's representative requested to continue to March 23, 2020.

### Request for Determination of Applicability

#### 9 Pinecrest Road

Applicant: David Lovely

Proposed: Covered patio with gas firepit

Excerpts from the staff memo: *Staff visited the site on 2/27/20. A large Bordering Vegetated Wetland wraps around the property to the west, north, and east. The wetland was flagged in the past and is shown on a 2013 as-built plan for the septic system. Staff observed that, closest to the proposed work area, the wetland is situated at the toe of slope and separated from the developed portion of the lot by a fence and maintained lawn. Staff does not expect the wetland line to have changed significantly since it was originally flagged and given the scope of work, does not recommend requiring the wetland to be reflagged. However, staff does recommend that the Commission make no finding regarding the delineation.*

The location proposed for the patio and fire pit is within an area that is maintained as lawn or existing patio and is relatively flat. An existing play structure in the area will be removed. The uncovered portion of the patio will extend further than the covered portion, to an existing hot tub and pool. One small ornamental tree will be removed. Rooftop runoff will be directed to the lawn or patio surface. Given the scope of work, staff does not recommend any specific mitigation.

Staff does not believe the proposed work will have a negative impact on the resource area, provided that erosion controls are installed and maintained throughout construction, and the applicant complies with the other conditions below.

Meeting Documents & Exhibits: Staff memo

Applicant David Lovely was present and gave a brief description of the proposal. The Commission discussed the proposal, agreed that it was straightforward, and deemed that a negative determination was appropriate.

**Motion:** Commissioner Roby moved to issue a Negative Determination of Applicability for the work proposed at 9 Pinecrest Road, as shown on the submitted plans, and adopt the findings of fact a through c, and conditions 1 through 8 of the staff report.

**Findings:**

- a. This project meets the requirements of Part 1, Section 7.1 of the Town of Hingham Wetland Regulations governing procedures for a Request for Determination of Applicability.
- b. The work described is within an area subject to protection under the Wetlands Protection Act (M.G.L. c. 131, § 40) and the Town of Hingham Wetland Regulations, and will not alter or adversely affect the area subject to protection under the Act or the Regulations.
- c. For the purpose of this filing, the Commission makes no finding as to the exact boundaries of the pertinent resource areas.

**Conditions:**

1. Prior to the start of work, erosion and sediment controls shall be installed at the limit of work and inspected by an agent of the Commission; straw wattles and/or hay bales shall not be used as a form of erosion or sediment control.
2. Erosion and sediment controls shall remain in place until all disturbed or exposed areas have been stabilized with a final vegetative cover or the Commission has authorized their removal.
3. Any debris, which falls into any resource area, shall be removed immediately by hand.
4. There shall be no stockpiling of soil or other materials within 50 feet any resource area.
5. No vehicle or other machinery, refueling, lubrication or maintenance, including concrete washout, shall take place within 50 feet of any resource area.
6. All excavated material shall be properly disposed of at an off-site location.
7. The patio shall be constructed with a permeable material, such as permeable pavers or unmortared bricks, and an appropriate permeable subbase.
8. The Conservation Department shall be notified to any changes in plans prior to proceeding with said changed plans.

**Second:** Commissioner Mosher

**In Favor:** All

**Opposed:** None

**0 Southeast Expressway** – DEP 034-1350, continued to 3/23/20

**1 Old Derby Street** – DEP 034-1354, continued from 2/24/20, **WITHDRAWN**

**12 Boulder Glen Road** – DEP 034-XXXX, continued to 3/23/20

**8 Old County Road** – DEP 034-1360 **WITHDRAWN**

Commissioner Freeman adjourned the meeting at 7:14 pm.

Submitted, \_\_\_\_\_  
Sylvia Schuler, Administrative Secretary

Approved on March 26, 2020

*Meetings are recorded. To obtain a copy of the recording, please contact the Conservation Office.*