



## APPROVED MINUTES

### COHASSET CONSERVATION COMMISSION MEETING

DATE: 2/24/22 TIME: 6:30 PM

PRESENTED ON A ZOOM PLATFORM

#### IN ATTENDANCE:

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

#### ASSOCIATE MEMBER IN ATTENDANCE:

Christopher McIntyre (CMC), Associate Member

#### STAFF IN ATTENDANCE:

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

#### ABSENT:

Trish Grady (TG), Member

**6:30 PM:**

**Call to Order**

**Roll Call Attendance:** W. Ashton – Aye; T. Bell – Aye; K. Berigan- Aye; E. Eisenhauer – Aye;  
C. Macfarlane – Aye; J. Pimpare – Aye; C. McIntyre – Aye  
**6 Voting Members and 1 Associate (non-voting) Member Present**

**6:35 PM:**

**NOI 22-06: Route 3A Sanitary Sewer - Staszko**

**In attendance:** Mark Negrotti; Ed Hutchinson

**Documents Presented:** NOI Application and Plans

The applicants want to install an 8-in. PVC sewer main from Route 3A to Tupelo Road. Mr. Negrotti has gone to DEP for an access permit to a right-of-way. The work is within a paved roadway near 400 CJC Highway. Silt socks and compost filter tubes are in place. MA DOT wants the existing pavement restored with asphalt and boxed out at Tupelo Road. Ten (10) manhole covers will be installed. Mr. Negrotti said between 100 and 300 feet of piping will be installed daily and excavation materials will be hauled away daily. Staging will be off-site. There is a vernal pool over 100-ft. away from the site and the project has no impact on wetlands. The project will become town-owned when finished. There have been test pits done on the site. Red Fox Lane will remain accessible throughout the project.

**MOTION:**

**By Vice Chair Pimpare to close the public hearing for NOI 22-06 and issue an Order of Conditions for the sanitary sewer installation on Route 3A from Red Fox Lane to Tupelo Road.**

**SECOND:**

**Member Eisenhauer**

**ROLL CALL VOTE:**

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

**MOTION PASSES:**

**6-0 Unanimous**

- MOTION:** By Vice Chair Pimpare to close the public hearing for NOI 22-06 and issue a variance for work within the buffer zone on Route 3A from Red Fox Lane to Tupelo Road.
- SECOND:** Member Eisenhauer
- ROLL CALL VOTE:** W. Ashton – Aye; T. Bell – Aye; K. Berigan- Aye; E. Eisenhauer – Aye;  
C. Macfarlane – Aye; J. Pimpare – Aye
- MOTION PASSES:** 6-0 Unanimous

**7:00 PM:** **NOI 22-07 and SWP 22-03: 205 Atlantic Avenue – New Construction**

**In attendance:** Andrew Flynn/Applicant; Deb Keller/Merrill Engineering; Gregory

Lombardi/Design Landscape Architects; Ian Peach and Seth Wilkinson/Wilkinson Ecological

**Documents presented:** NOI Application, SWP Application, Plans & Calculations

The applicant proposes to construct a single-family dwelling with a driveway and pool area. Ms. Keller said there is an existing tennis court, wooded ledge area, coastal bank and vegetated wetlands on site. They want to minimize disturbance and keep the home out of the 50-ft. buffer zone but within the 100-ft. buffer zone. A roof infiltration system will capture all roof runoff, and an additional raingarden and spillway will handle the overflow. They have filed with the Planning Board for a Large Home Review. JP asked if the roof system will capture all the runoff and Ms. Keller said it would. JP said there is a 40-ft. elevation with a 20-ft. cut alone and questioned ledge and test pits. He requested test pits be performed and would prefer blasting or chipping to a 20-ft. cut. When questioned about runoff, Ms. Keller said they can tie it in with an additional drywall pit. Mr. Lombardi said there are 30+ dead or dying trees plus invasives and they will remove four (4) trees within the 50-ft. buffer zone and 19 between the 50-ft. and 100-ft. buffer zone. Mr. Peach said they have a robust plan that includes removal of invasives followed by a restoration plan to restore the ecological integrity of the site. He is replacing Japanese knotweed with 9,000 sq. ft. of shrubs, trees and native grasses and will use glyphosate for chemical removal of the knotweed. JP told him that the commission does not allow herbicides or pesticides unless the commission approves prior to commencement. TB asked about a plan for granite removal and Mr. Flynn said they are still working on an excavation plan and will mitigate if needed. CM said the land-altering bylaw limits removal of invasives from sites and will have to be addressed. He suggested a site visit and a possible third-party review before any work can begin. He also wants to set up visits to sites previously done by Wilkinson Ecological and asked for them to put together a list.

**HEARING CONTINUED TO 3/10/22**

**7:45 PM:** **NOI 22-05, SWP 22-02: 136 ATLANTIC AVE – POOL/POOL HOUSE (con't from 2/3/22)**

**In attendance:** Carolyn Rees/Cavanaro Consulting; Ethan Meyers/Owner; John Zimmer/South River Environmental

**Documents to support agenda item:** NOI & SWP Applications and Plans

The applicant wants to install a pool, patio and pool house in his yard. There is a Bordering Vegetated Wetland (BVW) and an Isolated Vegetated Wetland (IVM) on the site. A portion of the work extends into the 100-ft. buffer zone. The project increases the impervious area by 2,600 sq. ft. so the applicant is also doing a Stormwater Permit. There are two (2) marked trees that have been removed. Ms. Rees is investigating the vernal pools and said they could be an Isolated Vegetated Wetland (IVW). The landscape plan has native plants within the 100-ft. buffer zone with no herbicides or pesticides being used. TB walked the area and found standing water but no perennial stream that meets the criteria for a vernal pool. Mr. Zimmer said there may be water at times but he saw no connection between the two (2) wetlands when he did a delineation on the site. JP said if there are vernal pools, wetlands regulations state no fill, destruction or disturbance can take place within the 100-ft. buffer zone. Discussion followed between TB and Mr. Zimmer regarding the potential vernal pool. Mr. Meyers said that there is never water during the summer between the wetlands and walkway and that he has no other plan for building the pool other than what has been presented. CM said at this point we can vote to approve, deny or achieve agreement on the vernal pool. TB said if it is indeed a vernal pool we

can get it certified. JP said if they move forward with the application and the Bordering Vegetated Wetland (BVW) on site there will be no work in the 50-ft. buffer zone, and also that it is difficult to make a judgement on a vernal pool that hasn't been fully viewed. TB said IVW's are also vernal pools and fears setting bad precedents. CM said if the vernal pool is approved then the project will be shut down. He requested a third party review and asked Mr. Zimmer to provide information first and then get a third party if needed.

**HEARING CONTINUED TO 3/10/22**

**9:45 PM: RDA 22-05: 413 SOUTH MAIN STREET – SEPTIC REPAIR**

An RDA submitted for a proposed septic upgrade at 413 North Main St by Morse Engineering surpassed the 21-day review period per the Wetlands Protection Act and therefore could not be reviewed or voted on by the Conservation Commission.

**9:45 PM: SHOW CAUSE HEARING: 140 BEACH STREET – DOCK REMOVAL**

**In attendance:** Craigie Zildjian/Owner

Ms. Zildjian is being asked to move her dock off the marsh grass which has been done but the dock has not been stored for the winter. EE asked if the area bottoms out at low tide and Ms. Zildjian said it does. CM said the situation is remedied and if the dock does get swept away it's on the owner.

**8:55 PM: SHOW CAUSE HEARING: 572 JERUSALEM ROAD – WORKING WITHOUT PERMIT**

**In attendance:** Jeff Nelson/Northern Pines; Scott McCoy/Owner

CP was notified that work was being done without a permit at the above address. Upon inspection of the home, she felt they would need either an administrative or full Stormwater Permit (SWP). Mr. Nelson of Northern Pines said the owner is replacing the patio with pavers and a retaining wall, the asphalt driveway has been removed and a new smaller drive with less impervious surface was added. There is no increase in the footprint. JP determined the triggers for a SWP were not met and the application was dismissed.

**10:10 PM: SHOW CAUSE HEARING: 26 LAMBERTS LANE – PRELIMINARY HEARING**

**In attendance:** John Ormond/Owner; Alton Stone/Wetlands Science Engineer

Mr. Ormond did some tree clearing in the 200-ft. riverfront and 100-ft. buffer zone to a wetland. He has evidence of tree removal and he has the stumps to show they were dead. He said areas before 1996 have been grandfathered in and there is no need for a Notice of Intent (NOI) for work on the riverfront. JP said that alterations within 100-ft. could require an NOI but Mr. Ormond showed pictures of what he cut and said he was justified in removing the trees. He wants to divide the total lot into four (4) smaller lots, replace dead trees with new, and build houses on the lots. Mr. Stone said the restoration will be done without jeopardizing the river. CM wants to share the photos with Town Counsel before making any decisions.

**CONSERVATION AGENT PROJECT UPDATES:**

**Diab Lane:** Work is being done on #3; #9 and #15 are prepared to start work.

**With no further business to discuss, the commission entertained a motion to adjourn.**

**MOTION:** By Chair Macfarlane to adjourn the meeting of February 24, 2022.

**SECOND:** Member Eisenhauer

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

**MOTION PASSES:** 6-0

**Meeting adjourned at 11:00 pm.**