



COHASSET CONSERVATION COMMISSION
DATE: THURSDAY, JULY 1, 2021 TIME: 6:30 PM
Meeting Held Via Zoom Platform

In Attendance:

Chris MacFarlane, Chair
Eric Eisenhauer, Member
Kathy Berigan, Secretary
Justin Pimpare, Member
Trish Grady, Member
Tom Bell, Associate Member

Town Staff Present:

Steven Ivas, Interim Conservation Agent
Angela Geso, Administrative Assistant/Recording Sec't
Meghan Damiano, ZOOM Master

6:30 PM: Call to Order
Roll Call Attendance: C. Macfarlane-Aye; E. Eisenhauer-Aye; K. Berigan-Aye; J. Pimpare-Aye; T. Grady-Aye; T. Bell-Aye (Quorum of 5 commissioners)

Minutes for Approval:

2/4/21: Motion to approve made by Member Pimpare, 2nd by Member Eisenhauer and approved 5-0 unanimous

Roll Call Vote: C. Macfarlane-Aye; E. Eisenhauer-Aye; K. Berigan-Aye; J. Pimpare-Aye; T. Grady-Aye

4/15/21 Motion to approve made by Member Pimpare, 2nd by Member Eisenhauer and approved 5-0 unanimous

Roll Call Vote: C. Macfarlane-Aye; E. Eisenhauer-Aye; K. Berigan-Aye; J. Pimpare-Aye; T. Grady-Aye

6:35 PM: Show Cause/Enforcement: 83 Spring Street –Driveway (con't from 6/17/21)
Continued to 7/15/21 – Owner David Won not present

6:35 PM: Topic not Reasonably Anticipated within 48 Hours (taken out of agenda order):
Associate Member Tom Bell wants to know who in town is in charge of keeping storm drains clear and functioning with regards to stormwater. The DPW oversees the storm drains. The intent of the stormwater bylaw is to create groundwater recharge without dumping water into the street. Mr. Ivas said it depends on the capacity of local stormwater utilities and that most runoff does stay on site. In an exceptional situation, other methods could be used to capture overages.

6:45 PM: NOI 20-08: Lot 1, Black Horse Ln/Amended Order of Conditions (from 6/17/21)
In Attendance to Represent Agenda Item: Greg Morse/Morse Engineering; Sean Papich/Landscape Designer
Documents Presents to Support Agenda Item: Revised Site Plans;
Correspondence

Mr. Morse is representing new owners Tom and Julia Powers who are assuming the Order of Conditions from previous owner Art Avila. They are proposing to tweak the footprint of the existing

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home by pulling the home back and rotating it slightly. The pool will also be relocated. The overall limits of work remain but setbacks will be adjusted. The house will be 56-ft. from the wetlands and the pool setback will be 53-ft. There will be no driveway inside the 100-ft. buffer zone. Some test pits and foundation ledge removal will be done. Mr. Ivas wants to see dimensions on plans and see how the separate lots relate to each other before issuing a Certificate of Compliance as he is trying to determine if the owners need to file a new Notice of Intent (NOI) based on the scope of the project. The original NOI had two lots on one plan with a shared swale between them. The project doesn't require a Stormwater Permit because the driveway and footprint are smaller than the original and there is no increase in runoff. Chair Macfarlane asked the applicants to provide detailing on the retaining wall, trench and wall interface. Mr. Papich said there will be a guard rail for the retaining wall and an automatic pool cover which are required by code. There will be fencing, erosion control and a silt sock in place to protect the 50-ft. buffer zone during construction. Mr. Papich will provide a construction sequence of events prior to any work being done.

CONTINUED TO 7/15/21; REVISED PLANS TO BE SUBMITTED TO STAFF BY 7/8/21.

6:50 PM (7.25): **NOI 21-06, SWP 21-07: 1 Pleasant St – Mixed Use** (con't from 3/25/21)
In Attendance to Represent Agenda Item: Greg Morse/Morse Engineering
Documents Presents to Support Agenda Item: Site Plan

(Member Grady recused herself, 4 votes needed for approval)

The applicant is proposing to take down an existing building and construct a mixed-use property with a new parking lot that has access off Pleasant Street and Smith Place. Mr. Morse said there are no wetlands on the property but there is a man-made intermittent stream that required a peer review by Weston & Sampson. There will be no work within the 50-ft. buffer zone. A portion of the proposed new parking lot will be inside the 100-ft. buffer zone. Runoff in that area will be captured in two subsurface drywell systems. One is a gutter system that will handle roof run-off. The other system captures runoff from the parking area and feeds it into two basins. Both systems connect to the James Brook culvert. When asked if the Planning Board required quarterly inspections of porous pavement, Mr. Morse said the board's decision hasn't been written but he expects it will be included in their final decision. Cultech infiltrators go directly into a town drainage system and any overflow goes into the culvert. Stormsepter 900 treats contaminants into the infiltration system but overflow from the roof drainage system is clean so there is no need for a particle separator. If oil or contaminants goes near James Brook they are plugged up and stopped. Grates prevent a syphoning effect for the underground portion of the culvert. Existing grates are going to be replaced with solid manhole covers. Member Pimpare wants to see the peer review and delineation from Weston & Sampson before making a decision on this project. Mr. Ivas requested that anything on the planting plan with an "X" or a single quotation mark be removed as they are not native species. Mr. Morse agreed to the change and will have a revised plan at the next hearing.

CONTINUED TO 7/15/21.

7:10 PM (7:50) **SWP 21-06: 32 Windy Hill – New Construction** (con't from 6/17/21)
In Attendance to Represent Agenda Item: Greg Morse/Morse Engineering
Documents Presents to Support Agenda Item: Site Plan

(Secretary Berigan recused herself. Chair Macfarlane would chair but not vote; Member Pimpare offered to take over the chair. 3 votes needed for approval)

Mr. Morse said there will be no tree removal. Two drywell systems service the home and connect to roof drainage to promote infiltration. The two existing driveways will be reconfigured into a shared driveway with an additional impervious surface at the top half of the driveway. Along the entire driveway is a crushed stone trench running to the road. Mr. Ivas explained that the trench is not crushed stone but double washed stone that is not as small as crushed stone. It is very transmissive of runoff and stormwater. Member Pimpare asked for a trench along the bordering properties with a 6-inch PVC overflow pipe. Mr. Morse said the roof handles the 2-year overflow to a level spreader that allows the overflow to return to a sheet flow from discharge point to Jerusalem Road. Member Pimpare asked if the trench could be enlarged to increase capacity. Mr. Morse said post-development is less than pre-development and it is already less than 15% capacity but retaining all

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stormwater could negatively affect the downgradient areas that rely on the stormwater. He also stated that the large home review from the Planning Board scaled back clearing associated with the pool area so no trees can be removed. Member Pimpare requested an updated plan. Associate Member Bell asked if the trench is meant to disperse runoff under what conditions would the overflow pipe be activated. Mr. Morse said the trench is up to the finished ground so the overflow pipe would intercept any surface runoff. Abutter Virginia Jensen is concerned with flooding but Mr. Morse explained that 15% less capacity will not have an adverse impact and existing conditions will not be worse than what is currently there. The residents have been assured that no harmful chemicals, pesticides or fertilizer will flow into Straits Pond and have a negative effect on wildlife. Member Eisenhower expressed concerns over water infiltration that isn't directed into chambers and will be shunted down to Straits Pond. Mr. Morse said they are only adding minimal driveway area at the top with a crushed stone trench along the entire existing driveway and fixing what currently has no stormwater control. All drainage on the lot goes towards Jerusalem Road and Windy Hill Road. He does not expect a large increase in the impervious surface. The commission would like to review the proposed limit of work on the current plan and asked for a revised plan showing the possible redesigning of the pool and trench to address earlier comments regarding runoff.

CONTINUED TO 7/15/21; REVISED PLANS TO BE SUBMITTED TO STAFF BY 7/8/21.

7:25 PM (8:30): **SWP 21-19: 808 CJC Hwy – Commercial Development (con't from 6/17/21)**

In Attendance to Represent Agenda Item: Greg Morse/Morse Engineering; Jeff Hassett/Morse Engineering; Todd Amelang and Dan Amelang/Applicants

Documents Presents to Support Agenda Item: SWP Application and Plan

The applicant wants to raze and rebuild this commercial property with office and commercial space, improved access to and from the parking lot, a stabilized construction entrance, a new concrete front entry and a gravel wraparound to the back. There is a second means of access to a parking area off Brewster Road. Erosion controls will be installed around the entire lot. The 2, 10 and 100-yr. storm events will all be reduced from pre-construction to post-construction. The stabilized construction area consists of a 50-ft. x 20-ft. crushed stone entrance with a 1 to 2-inch stone but Mr. Ivas wants a 4-inch stone which is standard. He said it's a flat sight and early construction work may see problems. The construction sequence will be as follows: construct a retaining wall, bring in fill, update the septic system, upgrade the front driveway. Mr. Morse said there is a denitrification system and that the site will be inspected regularly during construction.

CONTINUE TO 7/29/21

7:40 PM (8:30): **SWP 21-22: 306-312 Forest Ave – Raze (306), Redevelop (312)**

In Attendance to Represent Agenda Item John Cavanaro/Cavanaro Consultants; Dan and Kelly Bliss/Applicants; Sean Papich/Landscape Architect

The owners of 306 and 312 Forest Avenue want to raze the existing house at 306 and expand the existing house at 312. The lots have been merged into one lot and use 312 as the address. The owners want to add a 3-car garage, inground pool and sports court. The increase in impervious area will be mitigated with an infiltration system beneath the proposed driveway that will capture runoff and direct it to catch basins at the driveway and lawn. Mr. Cavanaro spoke with Town Engineer Brian Joyce regarding availability of space or volume in Forest Avenue drainage. Mr. Joyce wants to see infiltration measures that will tie into the existing hookup. Mr. Papich said there are no large trees being taken down and there is not a lot of vegetation in the lot on 306 Forest Avenue.

MOTION: **By Member Pimpare to issue Stormwater Permit 21-22 for proposed development at 306 and 312 Forest Avenue.**

SECOND: **Member Grady**

ROLL CALL VOTE: **C. Macfarlane-Aye; E. Eisenhower-Aye; K. Berigan-Aye; J. Pimpare-Aye; T. Grady-Aye**

MOTION PASSES: **5-0 Unanimous**

8:00 (8:45)PM: **NOI 21-21: 33 Stanton Road – Residential Dock**
 In Attendance to Represent Agenda Item John Cavanaro/Cavanaro
 Consultants

Documents presented to support agenda item: Site Plan, Application
The applicant has no direct access to the water but has frontage along the Gulf River and proposes to add a dock with ramps and floats. The project consists of a 5-ft. dock, a 237-ft. long pier with a 30-ft. ramp and a 12-ft. x 16-ft. float. The ramp is fixed with hinges on both ends of the float and eliminates the need for anchors and moorings as this type of ramp is more stable. A portion of the structure will be elevated and cross the wetlands in the area of a salt marsh. Mr. Ivas stated there is a freshwater fringe Bordering Vegetated Wetland (BVW) and a swampy area with freshwater and wetland plants not often seen in a salt marsh. The overall design attempts to minimize the impact of the salt marsh. Mr. Bell feels the least disruption to the salt marsh is on the south side of the area and not the north side but Mr. Ivas said the plan shows the north side as being preferable. Mr. Cavanaro sited the dock on the north side to allow quicker access to the deepest water. The commission requested that redelineation of the site be done and discussed at the next meeting.

CONTINUED TO 7/29/21

8:15(9:15) PM: **SWP 21-11: 10 Ocean Ledge Dr – New Construction (con't from 6/17/21)**
 In attendance to represent agenda item: Jed Hanson/Atlantic Coast
 Engineering; Ryan Connelly/Applicant

Documents presented to support agenda item: Revised Plans, Updates
Since the last hearing, Mr. Hanson has provided some mitigation for tree removal, added a 60-ft. x 12-ft. construction apron and addressed the issue of stormwater runoff potentially freezing along the rip rap which will be mitigated by heat tapes to allow for better flow. Associate Member Bell asked about the heat tape being either thermostatically or manually controlled. Mr. Hanson said it's run by a switch with the onus being on the homeowner to make sure it's turned on, but Mr. Bell wants it thermostatically controlled in case the owner forgets to put it on. This will be included in the conditions. The mulch sock was adjusted to cover the entire entranceway but will be moved each day to allow for equipment to enter and leave the area and be reinstalled at the end of the day in case of a stormwater event. Perc tests will be done after site clearing and during the foundation installation to consider ledge croppings and recharge back into the groundwater. Sequencing to avoid the trench filling up with soil during construction will be included in the Order of Conditions.

MOTION: **By Member Pimpare to issue Stormwater Permit 21-11 for
proposed development at 10 Ocean Ledge Drive with the
following conditions:**

- **Add cleanouts to pipes on Cultech system;**
- **Schedule a pre-construction meeting between the applicant and the Interim Conservation agent;**
- **Add a thermostat to monitor the trench heat tape system;**
- **Conduct perc tests in the area of the Cultech system after the site is cleared.**

SECOND: **Member Eisenhauer**
ROLL CALL VOTE: **C. Macfarlane-Aye; E. Eisenhauer-Aye; K. Berigan-Aye; J.
Pimpare-Aye; T. Grady-Aye**
MOTION PASSES: **5-0 Unanimous**

8:30(9:45) PM: **SWP 21-20: 125 North Main Street – Addition (con't from 6/17/21)**
 In attendance to represent agenda item: Greg Tansey/Ross Engineering
 Documents presented to support agenda item: SWP Application & Plans

The applicant proposes to tear down a portion of the existing garage to build a larger garage with a family room and second floor and also add a bump-out to the kitchen. The stormwater recharge area has sand and gravel that perc'd well and there is separation from groundwater.

Runoff in impervious areas will be clean roof-top runoff. Erosion control and sedimentation barriers will be installed along the perimeter. The applicant will remove a temporary gate to allow access for heavy equipment and replace the gate when the work is completed. There will be a temporary parking area with crushed stone during construction. The entrance and parking area will be stabilized. A recharge system will be installed and backfilled.

MOTION: By Member Pimpare to issue Stormwater Permit 21-20 for work proposed at 125 North Main Street with the following special conditions:

- Regular reviews shall be conducted on the construction entrance
- If there are tracking issues onto North Main then an alternate approach will be created

SECOND: Member Grady
ROLL CALL VOTE: C. Macfarlane-Aye; E. Eisenhauer-Aye; K. Berigan-Aye; J. Pimpare-Aye; T. Grady-Aye
MOTION PASSES: 5-0 Unanimous

Conservation Commission Business

Conservation Chair Update:

Member Berigan reported that she saw chain saws being used at 554 Jerusalem Road with cutting and grinding being done. Mr. Ivasek will do a site visit. Mr. Ivasek and Member Pimpare are working with Human Resources and the town manager to interview candidates for the Conservation Agent position.

Term Limitation Revision: Chair Macfarlane proposed changes as outlined below to the Conservation bylaw that requires a member with two (2) consecutive terms to step down from the commission.

MOTION: By Chair Macfarlane to amend the existing Conservation Commission Policies and Procedures with the following: "In the event that a sitting commissioner reaches two (2) consecutive terms and with that if no other possibilities exist for replacement, the sitting commissioner may remain for one (1) additional 3-year term."

SECOND: Member Grady
ROLL CALL VOTE: C. Macfarlane-Aye; E. Eisenhauer-Aye; K. Berigan-Aye; J. Pimpare-Aye; T. Grady-Aye
MOTION PASSES: 5-0 Unanimous

With the resignation of Vice Chair Maryanne Wetherald the Commission held nominations for the position of Vice President.

MOTION: Member Berigan nominates Member Pimpare for Vice President.
SECOND: Member Eisenhauer
ROLL CALL VOTE: C. Macfarlane-Aye; E. Eisenhauer-Aye; K. Berigan-Aye; T. Grady-Aye
MOTION PASSES: 4-0-1 (*Member Pimpare abstains*)

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Reviewing Orders of Conditions: Chair Macfarlane would like to have the commissioners review the Orders of Condition for approved Notices of Intent before the OOC's are signed and issued. During the pandemic Agent Jeff Summers was given the power to sign all OOC's but Chair Macfarlane wants to change that procedure. A motion was made by Chair Macfarlane to have the commissioners responsible to read the OOC's or appoint a commission member to read them, but the power of approval would rest with the commission. Member Eisenhauer asked how the commissioners would be able to access the OOC's. Vice Chair Pimpare said the agent should provide a draft OOC within 7 days of the hearing and post it on One Drive for all to review. Since the commission has 21 days from the hearing date to issue an OOC the commission could vote on it at the next scheduled meeting. The issue will be brought up at a subsequent meeting.

Interim Agent Update: Mr. Ivas expressed concern over work being done by the DOT at the intersection of Pond Street and CJC Highway. The work is very close to a brook that feeds into Lily Pone which is a source of drinking water and Mr. Ivas cited "poor housekeeping" on the project regarding precautions that should be taken.

With no further business to discuss, a motion to adjourn was made by Vice Chair Pimpare, 2nd by Member Eisenhauer and unanimously approved by roll call vote 5-0.

C. Macfarlane-Aye; E. Eisenhauer-Aye; K. Berigan-Aye; J. Pimpare-Aye; T. Grady-Aye

Meeting adjourned at 11 p.m.