



## CONSERVATION COMMISSION MEETING MINUTES – October 17, 2016

**Present:** Scott McIsaac- Chair, Bob Mosher, Paul Hall, Adrienne DuBois, Bob Hidell, Laurie Freeman, Loni Fournier- Conservation Officer

**Absent:** John Morrissey

The meeting was called to order at 7:04 PM.

### Approval of Minutes

**Motion:** Commissioner Mosher motioned to approve the minutes from the September 26, 2016 Commission meeting.

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

### Certificates of Compliance

#### 3 Sycamore Lane – DEP 034-1038 and DEP 034-1225

An Order of Conditions was issued in June 2010 for the construction of an addition. A partial Certificate of Compliance was issued in May 2014. Work was completed beyond the original scope and required filing a new Notice of Intent, per condition #29. The applicants filed a new NOI (see below). The applicants were also required to connect the roof drains on the addition to drywells, per condition #28. Staff visited the site on 10/5/16 and noticed that the roof drains on the addition were not connected to drywells. The Conservation Officer contacted the applicant regarding this issue and has yet to receive a response.

**Motion:** Commissioner Freeman motioned to continue the Certificate of Compliance hearing for 3 Sycamore Lane, DEP 034-1038, to November 7, 2016.

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

An Order of Conditions was issued in May 2015 for the construction of an addition and patio. Staff visited the site on 10/5/16. The as-built plan adheres to the final approved plan with one minor discrepancy; the area of the landing and stairs is about 8 ft<sup>2</sup> larger than what was approved. Staff does not feel that this discrepancy will negatively impact the resource area. In addition, staff did not see evidence of runoff flowing onto adjacent properties, satisfying condition #39 (“Any runoff resulting from the raised patio or addition shall not flow onto adjacent properties”).

**Motion:** Commissioner Freeman motioned to issue a Certificate of Compliance for 3 Sycamore Lane, DEP 034-1225.

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

#### 16 Constitution Road – DEP 034-1168

An Order of Conditions was issued in September 2013 for the construction of an addition. Staff visited site on 10/5/16. The as-built plan adheres to the final approved plan.

**Motion:** Commissioner Freeman motioned to issue a Certificate of Compliance for 16 Constitution Road, DEP 034-1168.

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

### Requests for Determination of Applicability

#### 11 New Bridge Street

Applicant: Julie Dempsey

Proposed: Installing a parking area

The existing two family house at 11 New Bridge Street only has one parking space available for one car. The applicant is proposing to construct a parking area for two cars, parallel to the street and within the 100 foot buffer zone. A retaining wall will be constructed to contain the fill required for the parking area. The space will be paved and surrounded on three sides by a guard rail to prevent a car from driving or rolling towards the resource area.

Staff visited the site on 10/5/16. The proposed parking area is located on a steep, vegetated slope on the eastern half of the property, closer to the commuter rail line. Approximately 40' of lawn separates the toe of slope from the wetland. An existing concrete retaining wall and chain link fence runs from the house to the proposed parking area. A wire guard rail separates the property, and the proposed parking area, from the sidewalk and the street. The location of the parking area is previously disturbed and staff does not believe the project will negatively impact the resource areas if proper erosion and sediment controls are used.

Commissioner DuBois asked the applicant how close the parking area would be to the sidewalk. Ms. Dempsey indicated that the parking area would be right next to sidewalk, but it would not overlap with it or the right of way.

**Motion:** Commissioner Hall motioned to issue a Negative Determination of Applicability for the proposed work at 11 New Bridge Street and adopt the findings of fact a and b, and conditions 1 through 5 of the staff report.

Findings:

- a. The 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.

Conditions:

1. Erosion controls shall be installed prior to the start of construction; straw wattles and/or hay bales will not be used as a form of erosion control.
2. All disturbed areas shall be loamed and seeded, and where necessary, stabilized with jute netting prior to removing erosion controls.
3. Any debris that falls into the resource areas shall be removed immediately by hand.
4. The Conservation Department shall be notified of any changes in plans prior to proceeding with said changed plans.
5. Prior to the start of construction, the applicant shall obtain a street opening permit from the Town's Department of Public Works.

**Second:** Commissioner Mosher

**In Favor:** All

**Opposed:** None

### **5 Smith Way**

Applicant: Joseph Gragg

Proposed: Constructing an addition

The applicant is proposing to remove the 10 existing concrete footers under a portion of the existing house and replace them with a wall foundation in order to construct a vertical addition to the house. A portion of the proposed foundation will fall within the 50 foot buffer zone.

Staff visited the site on 10/5/16. The existing enclosed structure and 10 concrete footers stand on compacted soil with very limited signs of vegetation. The surrounding area is maintained as lawn and slopes toward the resource areas. A mature oak tree is close to the existing structure; its root system provides some stability to the slope. The applicant has indicated that several contractors and the architect do not believe the oak tree will be compromised as a result of this project. Staff believes the area is already disturbed and does not promote water infiltration, or provide habitat to vernal pool species. Although the Town of Hingham Wetland Regulations prohibit new wall foundations within 50 feet of a resource area, staff believes the applicant is proposing a reasonable, vertical addition to their house on a lot that is almost entirely within the Commission's jurisdiction. Staff does not believe the wall foundation will have any negative impacts on the resource areas.

Commissioner Hall asked the applicant about the large oak tree close to the proposed project. Mr. Gragg responded that he had some background in forestry and felt that if the capillary roots extending up the slope are disturbed that it would not cause any detrimental effect to the tree at all.

Commissioner Dubois asked Mr. Gragg for clarification on the foundation wall. Mr. Gragg explained that engineers have said the current footings would not support the weight of a second story. Mr. Gragg further stated that the foundation wall would be concrete and extend 2.5 feet above ground level with siding the rest of the way up and it would not go beyond the current footprint.

**Motion:** Commissioner Hall moved to issue a Negative Determination of Applicability for the proposed work at 5 Smith Way, as shown on the submitted plans, and adopt the findings of fact a through c, and conditions 1 through 4 of the staff report.

Findings:

- a. The 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. The size and shape of the applicant's parcel, and the existing natural and constructed features that limit the ability to expand the existing structure, creates a unique set of circumstances under which this project is approved.

Conditions:

1. Erosion controls shall be installed prior to the start of construction; straw wattles and/or hay bales will not be used as a form of erosion control.
2. All disturbed areas shall be loamed and seeded, and where necessary, stabilized with jute netting prior to removing erosion controls.
3. Any debris that falls into the resource areas shall be removed immediately by hand.
4. The Conservation Department shall be notified of any changes in plans prior to proceeding with said changed plans.

**Second:** Commissioner Hidell

**In Favor:** All

**Opposed:** None

### **14 Hill Top Road**

Applicant: Edward DeGraan

Proposed: Installing a patio

The applicant is proposing to install a patio and sitting wall in their backyard. The patio will consist of granite slabs, placed on a crushed stone and stone dust foundation. The total area of the patio is approximately 750 ft<sup>2</sup>. A 20' long, 20" high and 18" wide sitting wall will be constructed out of field stone. Several stepping stones will also be added on either side of the patio. The applicant is proposing to plant several native species along the perimeter of the proposed sitting wall and along the existing deck. The location of the patio and sitting wall will be within the 100 foot buffer zone. A small portion of the sitting wall and a few plantings may fall within the 50 foot buffer zone.

Staff visited the site on 10/5/16. The backyard is fairly flat. A fence runs along the southeastern side of the property and beyond the fence, there is a steep slope that leads to the wetland. Staff believes the sitting wall and plantings may help stabilize the area, and the addition of the impervious surface should not impact the resource area. Staff also noticed that lawn clippings are being dumped into the wetland, closer to Hill Top Road. Section 23.6 (e) of the Town of Hingham Wetland Regulations states, "Dumping of lawn wastes, brush or leaves or other materials or debris is not permitted in any Resource Area." The lawn clippings should be removed from the wetland and the dumping should be discontinued.

Commissioner Hidell asked the applicant about the slope of the patio. Mr. DeGraan stated that the patio would slope towards the backyard, with a sitting wall and native plantings bordering on the side of the resource area. Commissioner

Hidell and Mr. DeGraan further discussed the slope and soil composition. Mr. DeGraan indicated that a riprap wall separates his lawn from the resource area.

Commissioner DuBois asked Mr. DeGraan about the patio's composition and permeability. Mr. DeGraan indicated that it would be granite slabs on top of a crushed stone foundation. The gaps between stone will be filled with stone dust and polymeric sand, which he thought was permeable.

The Conservation Officer asked Mr. DeGraan about the source of the lawn clippings and he indicated that his lawn service might be responsible. Mr. DeGraan asked about the regulations regarding the practice and the Conservation Officer stated that preferably, no clippings would be dumped in the resource area or the buffer zone.

**Motion:** Commissioner Hidell moved to issue a Negative Determination for the proposed work at 14 Hill Top Road, as shown on the submitted plans, and adopt the findings of fact a and b, and conditions 1 through 4 of the staff report.

Findings:

- a. The 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.

Conditions:

1. Erosion controls shall be installed prior to the start of construction; straw wattles and/or hay bales will not be used as a form of erosion control.
2. All disturbed areas shall be loamed and seeded, and where necessary, stabilized with jute netting prior to removing erosion controls.
3. Any debris that falls into the resource areas shall be removed immediately by hand.
4. The Conservation Department shall be notified of any changes in plans prior to proceeding with said changed plans.

**Second:** Commissioner Freeman

**In Favor:** All

**Opposed:** None

### **7 Grenadier Road**

Applicant: Adam Bosnian & Suzanne King

Representative: Amy Martin

Proposed: Installing a patio

The applicant is proposing to demolish the existing 260 ft<sup>2</sup> deck and stairs at the rear of the house, and reconstruct an enlarged 360 ft<sup>2</sup> deck and stairs. A new stone dust walkway will be created, leading from the new deck to the existing driveway. Nearly all of the proposed deck and stairs, and the stone dust walkway, lies outside of the 50 foot buffer zone. Next to the proposed deck, the applicant is also proposing to construct a 700 ft<sup>2</sup> granite paver patio with an 18" high stone retaining wall; 230 ft<sup>2</sup> of the patio will be within the 50 foot buffer zone and 470 ft<sup>2</sup> will be within the 100 foot buffer zone. The granite pavers will be spaced 1/4-3/8" apart.

At the front of the existing house, the applicant is proposing to replace the existing brick walkway with a stone dust walkway. The proposed walkway will be reconfigured, but remain within the 100 foot buffer zone. The applicant is also proposing to replace the existing timber retaining wall on the western side of the existing driveway in the front yard, with a stone wall. Finally, the applicant has proposed new landscaping all around the existing house, including a row of buttonbush, red sprite winterberry, and summersweet clethra in the backyard, along the wetland boundary line.

Staff visited the site on 10/5/16. The backyard is currently maintained as lawn, which slopes slightly towards the wetland. The existing deck and timber retaining wall are showing signs of wear. The proposed plantings along the wetland boundary line will further, and more permanently, define the resource area. Staff believes that with these additional plantings and the use of erosion and sediment controls, the proposed project will not have a negative impact on the resource area, and may ultimately benefit the wetland.

Amy Martin, the representative, presented revised plans to the Commission, including a smaller replacement deck, equal in size to the original deck and a new stairway configuration. The patio was also reduced in size based on these changes – only 177 square feet within the 50 foot buffer zone. A small retaining wall with granite curbing was also proposed to level the area for the patio. Four existing trees were identified for removal: a spruce, crabapple, apple and Norway maple.

Commissioner Hidell asked Ms. Martin how much the patio area would need to be raised. Ms. Martin indicated 12-18 inches. Commissioner Hidell asked if the fill would consist of crushed stone. Ms. Martin confirmed it would consist of stone dust (approx. 4 inches) and crusher run (approx. 6 inches).

The Conservation Officer asked for confirmation that the Norway maple was on the subject property. Adam Bosnian, the applicant responded that the property was surveyed and the tree was on their land. Commissioner McIsaac questioned if it might be a Town tree. Ms. Martin stated it was not within the 4 foot setback.

The Conservation Officer asked Ms. Martin if the wetland border plantings would be planted in a mulch bed. Ms. Martin stated that the individual plantings would be surrounded by a ring of compost/leaf litter.

**Motion:** Commissioner Hall moved to issue a Negative Determination of Applicability for the proposed work at 7 Grenadier Road, as shown on the submitted plans, and adopt the findings of fact a and b, and conditions 1 through 4 of the staff report.

Findings:

- a. The 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.

Conditions:

1. Erosion controls shall be installed prior to the start of construction; straw wattles and/or hay bales will not be used as a form of erosion control.
2. All disturbed areas shall be loamed and seeded, and where necessary, stabilized with jute netting prior to removing erosion controls.
3. Any debris that falls into the resource areas shall be removed immediately by hand.
4. The Conservation Department shall be notified of any changes in plans prior to proceeding with said changed plans.

**Second:** Commissioner Mosher

**In Favor:** All

**Opposed:** None

**Abbreviated Notice of Resource Area Delineation**

**100 Industrial Park Road** – DEP 034-1271

Applicant: Timothy Casey

Representative: Larry Beals

A previous ANRAD for this property was submitted to the Conservation Department in 2006 and an Order of Resource Area Delineation was issued the same year (DEP 034-0883); the Order expired in 2009. The current ANRAD (DEP 034-1271) was submitted on 9/29/16 and includes an additional wetland area, as well as changes to the previously delineated area. Staff reviewed the delineated lines on 10/7/16 and submitted comments to the representative the same day. Staff met the representative and wetlands scientist on site on 10/11/16 to review the comments. All parties agreed to a slight adjustment of two flags, the renumbering of three flags in the field and one flag on the submitted plan, and the addition of one flag on the submitted plan. The applicant submitted revised plans to the Conservation Department on 10/14/16 that reflect these changes.

Larry Beals presented a map of the site and explained some of the site's history as a brass foundry. Mr. Beals explained the process by which he flagged the wetlands and clarified that contaminated material was removed from the site, in the area of the replicated wetlands, and replaced with suitable soil for plant growth.

**Motion:** Commissioner Freeman moved to issue an Order of Resource Area Delineation for 100 Industrial Park Road and adopt the findings of fact a through c.

Findings:

- a. This project meets the requirements for issuance of an Order of Resource Area Delineation pursuant to the Wetlands Protection Act and the Town of Hingham Wetlands Bylaw.
- b. Resource areas shown on the Resource Area Delineation Plan dated 9/26/16 and evaluated in the field are confirmed, with slight modification.
- c. Modifications agreed upon by staff, the project representative and wetlands scientist are shown in the revised Resource Area Delineation Plan dated 10/12/16.

**Second:** Commissioner Mosher

**In Favor:** All

**Opposed:** None

**Commissioner Mclsaac read the Public Hearing Notice of Intent.**

### **Notices of Intent**

**7 New Bridge Street** – DEP 034-1269, continued from 8/29/16

Applicant: Nick Aalerud                      Representative: Robert Marini

Proposed: Demolishing and reconstructing a house

This hearing is continued from the 9/26/16 Commission meeting. The representative was asked to provide stormwater calculations for the existing and proposed homes, as well as a proposal for a stormwater infiltration system. In addition, staff asked the representative to clarify the size of the existing and proposed homes (i.e. footprint and living area), as well as the size of the existing and proposed roofs, and the number of trees that would be removed as part of project. Robert Marini presented the requested information to the Commission, including a revised set of plans with an infiltration system depicted behind the proposed house. The drainage calculations showed that the proposed conditions closely matched the existing conditions. The infiltration system was designed for a one inch rain event. Mr. Marini indicated that additional chambers could be added to accommodate a larger storm event (100 year storm or 7 inches of rain). Mr. Marini also stated that he felt some runoff would benefit the resource area.

Commissioner Hidell asked Mr. Marini about the velocity of the runoff and expressed concerns about erosion. Mr. Marini explained that the proposed drainage calculations were the same as the existing, so he felt the velocity would be the same too. He further explained the difference in the roofline of the existing and proposed houses, with the proposed roofline running parallel to New Bridge Street and splitting the runoff 50/50 between the back of the house and the street.

Commissioner Hidell acknowledged that it is a tough site, but wondered if a crushed stone trench could be used to intercept the runoff, preventing erosion and promoting infiltration. Mr. Marini concurred that it would slow the water and still allow soil to receive moisture. Discussion followed regarding deceleration, water, and preventing sediment from being washed into resource area.

Commissioner Mclsaac asked Mr. Marini how the proposed infiltration system would receive water. Mr. Marini explained that the downspouts would channel water in to system and that leaf debris could potentially get in, but there were cleanouts at the top of the chamber. The Commission further discussed a stone trench with agreement that raking leaf debris off of the trench could be less of an issue long-term than an infiltration system requiring maintenance.

Commissioner Hidell recommended the stone trench be the length of the house and two feet deep with filter fabric under a coarse crushed stone base. Commissioner Hidell also suggested that instead of returning before the Commission with a revised plan, as the exact dimensions of the trench are not critical, confirmation on the as-built plan would be sufficient, provided a cross section of the swale was submitted to the Conservation Department prior to construction. The Conservation Officer suggested that it be added as condition to the Order of Conditions.

Commissioner Mclsaac opened the hearing to public comment. Hearing none, Commissioner Mclsaac closed the hearing to public comment.

**Motion:** Commissioner Hidell moved to issue an Order of Conditions for the proposed work at 7 New Bridge Street, as shown on the submitted plans, and adopt the findings of fact a and b, and special conditions 1 through 21 of the staff report.

Findings:

- a. The project meets the requirements for issuance of an Order of Conditions under the Wetlands Protection Act (M.G.L. c. 131, § 40) and the Town of Hingham Wetland Regulations.
- 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.

Special Conditions:

1. The applicant shall notify the Hingham Conservation Commission in writing of the name, address, and telephone number(s) of the project supervisor or contractor who shall be responsible for ensuring compliance with this Order and shall notify the Commission, by telephone or writing, at least 48 hours prior to commencement of work on the site.
2. This document shall be included in all construction contracts and subcontracts dealing with the work and shall supersede all other contract requirements.
3. The project supervisor or contractor in charge of the work shall have a copy of this Order available on the site at all times.
4. Prior to the start of any excavation or construction, there shall be a pre-construction conference on the site between the project supervisor or contractor responsible for the work and an agent of the Commission to ensure that the requirements of this Order are understood.
5. Prior to the start of any excavation or construction, erosion and sediment controls shall be installed, as shown on the final approved plan, and inspected by an agent of the Commission; straw wattles and/or hay bales will not be used as a form of erosion or sediment control.
6. 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.
7. An invasive species management plan and narrative shall be submitted to the Conservation Commission for approval, prior to the start of work. The plan shall include, but not be limited to, a proposed work sequence and methods, targeted vegetation type and location, arrangements for monitoring, and replacement vegetation type and location, if applicable.
8. An invasive species management report shall be submitted to the Conservation Commission after each treatment of the area(s).
9. During all phases of construction, all disturbed or exposed areas shall be brought to a finished grade and either a) loamed and seeded for permanent stabilization, or b) stabilized in another way approved by the Commission.
10. Any debris, which falls into any resource area, shall be removed immediately by hand.
11. Any on site dumpsters shall not be located within 50 feet of any resource area.
12. There shall be no stockpiling of soil or other materials within 50 feet of any resource area.
13. Issuance of these conditions does not in any way imply or certify that the site or downstream areas will not be subject to flooding, storm damage, or any other form of damage due to wetness.
14. No vehicle, or other machinery, refueling, lubrication or maintenance shall take place within 50 feet of any resource area.
15. Before executing any change from the plan of record, the applicant must have the Commission's written approval. Any errors found in the plans or information submitted by the applicant shall be considered as changes. Approval from other Town Agents or Inspectors does not relieve the applicant from obtaining approval from the Commission.
16. The only areas within the 50 foot buffer zone to the Bordering Vegetated Wetland that may be converted to lawn are the location of the proposed septic system and the area north of the existing railroad tie retaining wall. The remaining portion of the 50 foot buffer zone shall be naturally vegetated. This condition shall apply in **perpetuity** and shall not expire with the issuance of a Certificate of Compliance.
17. The applicant shall apply for a Certificate of Compliance as soon as work has been completed and prior to the expiration of this Order. If work cannot be completed prior to the expiration of this Order, the applicant shall contact the Commission in writing to apply for an extension at least thirty days prior to the expiration date.

18. The applicant shall submit an “as built” plan to the Commission upon completion of this project. The plan shall be signed by the professional engineer of record, who shall certify that the work has been done in accordance with the approved plans and this Order. This plan must be submitted prior to the issuance of a Certificate of Compliance by the Commission.
19. Prior to the issuance of a Certificate of Compliance, a final invasive species management report detailing the condition of the area(s) shall be submitted to the Conservation Commission.
20. Prior to the issuance of a Certificate of Compliance, the five replacement trees (3 - 2” sugar maples and 2 - 8’ choke cherry) shall survive at least two full growing seasons.
21. The applicant shall submit a design plan of the rock swale, including a cross-section, to the Conservation Commission for approval. [Prior to the start of construction.]

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

**12 Studley Road** – DEP 034-1270

Applicant: Gerry Rankin                      Representative: Paul Shea

Proposed: Demolishing and reconstructing a house

**Commissioner Mclsaac stated that he was an indirect abutter to 12 Studley Road and would participate in the discussion, but abstain from any vote.**

The applicant is proposing to demolish an existing four bedroom single family house (1,012 ft<sup>2</sup>) and construct a new four bedroom single family house (3,600 ft<sup>2</sup>). The existing septic system, located behind the existing house, will be moved to the front of the lot, and outside of the Commission’s jurisdiction, in order to accommodate the larger proposed house. The existing impervious surface on the lot is 2,550 ft<sup>2</sup>, which will increase to 5,300 ft<sup>2</sup> with the construction of the proposed house. The applicant has proposed an infiltration system in the northwest corner of the lot, outside of the Commission’s jurisdiction, to mitigate the additional stormwater runoff. Of the 13,520 ft<sup>2</sup> of proposed disturbance on the lot, only 5,780 ft<sup>2</sup> falls within the Commission’s jurisdiction. The entire proposed house, as well as a 308 ft<sup>2</sup> brick patio and a 160 ft<sup>2</sup> deck, are outside of the 50 foot buffer zone, the Riverfront Area and the flood zone.

Staff visited the site on 10/5/16. The proposed house will be constructed on an area that is currently maintained as lawn; the area is fairly flat. The eastern half of the property slopes towards the Weir River, which serves as the eastern property boundary. Several invasive species were observed on the eastern side of the driveway, within the 100 foot buffer zone. The applicant has proposed to regrade the existing lawn behind and to the east of the proposed house, requiring a retaining wall on the eastern side of the proposed house. The applicant will also need to remove several mature trees on the eastern side of the property in order to construct the proposed house. Replacement trees have been proposed as mitigation, to be planted within the 50 foot buffer zone. The applicant has also proposed to remove the invasive knotweed as mitigation. With proper erosion and sediment controls, and the installation of the proposed infiltration system, staff does not believe that the proposed project will have a significant impact on the resource areas.

Paul Shea, the representative, clarified that the applicant’s mitigation of invasive species would only focus on area within the 100 foot buffer zone. Mr. Shea further stated that the wetland area is dense with invasive species and the applicant would not attempt to mitigate all the way to Weir River.

Commissioner DuBois asked about the removal of several mature trees. Mr. Shea responded that a number of large conifers were located within an area that will be graded and the roots would be badly damaged as a result. The applicant proposed removing 5-6 trees and replacing them at a 2:1 ratio within the 50 foot buffer zone, closer to the wetland edge. The Conservation Officer noted that proposed condition #21 indicates a 1:1 ratio and it would be corrected to state 2:1.

Commissioner Hidell asked Mr. Shea about the soils on the site. Mr. Shea stated that a septic system was in place, so the soils have previously passed the percolation test, and he thought they were fine sandy loams. A discussion of the infiltration system followed, including the elevation of the proposed house and system, the intent of the system, and existing stormwater regulations and best management practices.

Commissioner Hidell questioned whether it would be better to break the system up or allow all of the stormwater to be fed into the system as proposed. Mr. Shea suggested allowing the downspouts to drain at the surface and disperse stormwater all around the house, which would naturally drain towards the river. Commissioner Hidell expressed his concern that the system as proposed would create a second highly saturated area, the first being the septic system, and an unbalanced situation overall. Commissioner Hidell further stated that he would like to see the calculations that determined the need for the system as proposed.

Commissioner Mclsaac opened the hearing to public comment.

Abutters Jason Hamilton of 5 Riverview Road and Adam Hugh of 1 Riverview Road both sought confirmation that the trees bordering the property, which provide privacy and water absorption benefits, were not slated for removal. Mr. Shea responded that both lines of trees were outside of the limit of work, so he did not think they would be removed. He also noted that he thought there were trees on either side of the property lines.

Mr. Shea requested a continuance to get more information on the proposed infiltration system, the stormwater calculations, and the trees that will be removed as part of the project.

Commissioner Mclsaac closed the hearing to public comment.

**Motion:** Commissioner Hall motioned to continue the Notice of Intent hearing for 12 Studley Road, DEP 034-1270, to November 7, 2016.

**Second:** Commissioner Hidell

**In Favor:** All

**Opposed:** None

**0 Martins Lane (World's End)** – DEP 034-1272

Applicant: Robert Murray      Representative: Carmen Hudson

Proposed: Improving the parking area & constructing a visitor's center

**Commissioner Hidell recused himself from the hearing.**

The applicant is proposing to make a number of improvements to the existing parking area at World's End. The following improvements are within the Commission's jurisdiction:

1. The entrance to the property is proposed to be widened from 12' to 22', relocating an existing stone column and the existing gatehouse, and adding stormwater improvements, native plantings, signage and bike racks. The surface of the entrance road will be gravel.
2. Further east of the entrance, a visitors' center (1,886 ft<sup>2</sup>) with composting toilets and a wraparound porch is proposed, as well as additional gravel walking paths, stormwater improvements and gravel parking.

The change in surface (from natural to permeable or impervious) within the Commission's jurisdiction as a result of these proposed improvements is as follows: an additional 375 ft<sup>2</sup> of roof for the visitors' center, reducing the amount gravel surface by approximately 100 ft<sup>2</sup>, and adding approximately 250 ft<sup>2</sup> of pavement in place of an existing gravel parking area within the limits of Martins Lane.

It is not clear how many trees will be removed as a result of the proposed improvements. For the entire project, the current estimate is 20-30 trees and within the Commission's jurisdiction, the estimate drops to less than 10. Landscaping improvements are also proposed as part of the project, however the majority of the 100 plants selected for the site fall outside of the Commission's jurisdiction. It is also not clear if blasting will be required for the proposed improvements. The proposed improvements are being simultaneously reviewed by the Town's Planning and Zoning Boards. The Planning Board asked John Chessia to review the applicant's submitted stormwater report. Mr. Chessia's comments were provided to the Commission for review.

John Cavanaro, from Cavanaro Consulting, introduced Bob Murray and Fran Blanchard from the Trustees of Reservations, Sean Papich, landscape architect, and Vecvy Strekalovsky, building architect. Mr. Cavanaro explained that the purpose of the proposal was to alleviate traffic issues on Martins Lane.

Mr. Cavanaro stated, in response to Mr. Chessia's comments, that the project was not obligated to balance pre- and post-runoff rates, per the state stormwater regulations, because the site drains to a tidal resource area. Mr. Chessia's comments indicate that a formal waiver request was in order to meet the regulations. Mr. Cavanaro also indicated that siltation barriers will be placed on both sides of the limit of work.

Mr. Cavanaro acknowledged that he was still waiting on a DEP filing number as well as comments from the Natural Heritage and Endangered Species Program.

The Conservation Officer stated that more information was needed on the project, including a response to Mr. Chessia's comments, the exact number of trees being removed and whether or not blasting would be required. Mr. Cavanaro commented on the fact that the proposal included a 1:1 tree placement.

Commissioner Mclsaac commented on the fact that the project was not that complicated from the Commission's perspective, but he recognized that it affected many people. Commissioner Mclsaac encouraged the audience to relay their concerns to the Commission.

Commissioner Mclsaac opened the hearing to public comment.

Cindy Hidell, 63 Gilford Road, commented on the proposed footpaths – their location, the disturbance to the natural vegetation, and the disruption to the wild and private feel of the paths. Ms. Hidell also mentioned an area with longstanding drainage issues, but did not have many more details. Ms. Hidell also requested that the trees that were going to be removed be flagged on site. Mr. Cavanaro responded that the majority of the paths on the plan were existing, including the ones that go directly to the water's edge. A new proposed path would connect the parking lot to an existing path. He also stated that he was not aware of any drainage issues.

Peter Lincoln, 6 Surry Road, asked about the planned tree replacement and expressed concerns about his view of Hingham Harbor being blocked. Mr. Papich responded that the small trees at the entrance would be replaced with similar sand cherry or crab apple trees.

Judith MacKinnon, 18 Surry Road, asked about the natural buffer between her property and the parking area at World's End. She stated that dust and traffic have been an issue. She also stated that the current parking lot has always offered sufficient parking. Mr. Cavanaro responded that the entrance road at that point would not be changing much in width. Mr. Papich added that even though this buffer area is not in the Commission's jurisdiction, the intent was to leave the trees there and add plantings along the World's End side of fence.

Maggie Merrill, 147 Martins Lane, commented that the plans should consider climate change and questioned whether it was appropriate to have paths so close to the Damde Meadows. She also stated that the visitor center was highly visible and questioned whether there was a need for the building. Ms. Blanchard responded that the proposed work is intended to speed up visitor lines and transactions. Ms. Blanchard also noted that composting toilets have proven to be a nicer system and more cost effective; the Trustees would use the space as a base for school groups and camps; and it is in the 2002 management plan to improve the facilities.

An unidentified abutter asked the Commission if there were any guidelines for handling gasoline and oil drips from cars on a pervious surface near sensitive resource areas. Commissioner Mclsaac responded that they defer to MassDEP and thought that 10 gallons was considered a "release." He further stated that there typically is not much concern about parked cars, as they would not be there for extended periods of time creating a puddle.

Janice McPhillips, 17 Surry Road, asked if the proposed tree removal was within the Commission's purview. She further stated that she thought 56 trees were identified for removal. Mr. Papich stated that fewer trees fell within the buffer zone, approximately 10-12, however all of the trees were being discussed and identified for the Planning Board.

Commissioner McIsaac asked Mr. Cavanaro about the proposed infiltration trench near the entrance. Mr. Cavanaro explained that it was an existing low point and was intended to intercept any runoff flow before it enters harbor. He also stated that it will have vegetated strip between it and the resource area.

The question was raised if the proposed trees/shrubs for removal could be tagged so people could get a real sense of what the project was going to impact. Ms. Blanchard said it could certainly be done and a date/time for a walkthrough was set for Friday November 4, 2016, at 4pm.

The Chair closed the public comment portion of the hearing.

**Motion:** Commissioner Mosher motioned to continue the Notice of Intent hearing for 0 Martins Lane to November 7, 2016.

**Second:** Commissioner Freeman

**In Favor:** All

**Opposed:** None

### **Other Business**

The Conservation Officer updated the Commission on the hunting season:

A season opening meeting was held to distribute permits and tags to 50-55 hunters at one time. Two hunters spoke to the group on the topics of deer management and illegal stands.

State and local regulations require hunters to remove their stands at the end of the season, which has been difficult to enforce. Staff worked with the Hingham Police Department and the Environmental Police to formulate a plan for enforcement. If an illegal stand has a tag, it is reported to the Conservation Department, who contacts the hunter and gives them the opportunity to remove their stand. If an illegal stand does not have a tag, it is reported to the Hingham Police Department, who records the location of the stand and posts a notice on the stand, which states that it is illegal and the hunter has 30 days to remove it before it is removed by law enforcement. After the 30 days, the authorities will, with assistance from volunteer hunters, remove the illegal stands. The stands will be held for a period of time, for possible claiming by the owner, before disposal.

A resident visited the Conservation Department earlier in the day and was upset about an injured deer and four hunters trying to cross her property to track the deer. She was unaware that bow hunting was occurring on the conservation land next to her house, near Triphammer Pond. Hunting signage is not extensive and more signage is needed.

Two hunters who previously participated in the program missed the deadline for submitting their application this year. They have offered volunteer hours for conservation in order to get permits and tags. The Commissioners felt that they could be issued permits and tags, but no further applications would be accepted now that the season has opened.

Commissioner Hall asked about the success of the program. The Conservation Officer explained that the Conservation Department does not always get accurate numbers, but it was emphasized at this year's meeting how important it was for the hunters to report their success. The Conservation Officer also noted that, ideally, additional data would be available to help gauge the success of the program, such as the overall deer population in Hingham.

**The meeting adjourned at 10:16 PM.**

Submitted,

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Sylvia Schuler, Administrative Secretary

Approved on November 7, 2016.