



NORWELL CONSERVATION COMMISSION
Room 112 / 345 Main Street / Norwell, MA and Remote
781-659-8022

TOWN OF NORWELL
TOWN CLERK

2021 FEB 25 AM 8:28

December 1, 2020 @ 6:30PM
Minutes

RECEIVED

Present: Chair Marynel Wahl, Vice Chair Bob Woodill, Bob McMackin, Ron Mott, Justin Ivas, Ellen Markham, and Recording Clerk C. Sullivan. Mr. Bjorlin was absent. The meeting was held in Room 112 and remotely, as allowed under the Executive Order dated March 12, 2020 suspending certain provisions of the Open Meeting Law, Gen. L. c. 30A §20 et seq. and 940 CMR 29.01 et seq.

CALL TO ORDER

The meeting was called to order at 6:30 pm by Chair Marynel Wahl. The meeting was recorded.

AGENDA ACCEPTANCE

The Commission reviewed the proposed agenda and discussed changes and additions. Chair Wahl added a vote regarding a tree removal at 241 Main Street.

Motion by Mr. Mott to approve the agenda as amended. Seconded by Mr. Woodill and unanimously approved by roll call vote: Markham, aye; Mott, aye; Ivas, aye; McMackin, aye; Woodill, aye.

COMMISSION BUSINESS

New Business

Citizen Comments

None

End of Year/First 2021 Meeting

Chair Wahl and Administrative Assistant will be out of the office the last two weeks in December. Chair Wahl suggested that the first Commission meeting in 2021 be moved to January 12, with a December 16 filing deadline.

Motion by Mr. Ivas to change the first Commission meeting of 2021 from January 5 to January 12, and cancel the January 19 meeting. Seconded by Mr. Woodill and unanimously approved by roll call vote: Markham, aye; Mott, aye; Ivas, aye; McMackin, aye; Woodill, aye.

Pre-Construction Check Sheet

Commissioner Mott has drafted a checklist to use during preconstruction meetings which he will e-mail to the Commissioners for comment.

Old Business

Guided Youth Nature Walk @ Stetson Meadows on 12/21/20 (Brian Taylor)

The Commission approved a request by Brian Taylor to host a guided youth nature walk at Stetson Meadows; he has provided an insurance certificate to the Conservation Office.

Motion by Mr. Mott to approve the nature walk as proposed by Mr. Taylor. Seconded by Mr. Woodill and unanimously approved by roll call vote: Markham, aye; Mott, aye; Ivas, aye; McMackin, aye; Woodill, aye.

Fogg Trail Logs

Motorcycles/dirtbikes are accessing a section of the trail from the Whiting Field side, and the riders appear to have placed logs in the trail for an obstacle course. Commissioner Mott observed a new access trail from a residence to the Fogg trails, and stones appear to have been removed from a stone wall. He has set two trail cameras in the area, and will monitor the area.

Farm Plan Reviews/Update Maps

Ms. Schmid is sending out Land Use Proposal forms to the current farmers. Reviews with the Commission are targeted for December 16.

Recreation – Site plans/concepts for East Field and Gaffield Park

No submission

Eagle Scout Projects

Peden

QR codes are up on the trails at Jacobs.

Long

Commissioner Ivas will complete the NOI application for Adam Long's Eagle Scout project to construct a crossing at Trout Brook, in Fogg Forest, and will suggest that BSA reach out to Gatehouse Media about waiving the fee for the legal ad.

Hemingway Flower Field

All parties discussed how Norwell Farms' farming proposal would fit in with the overall concept for the flower field, and which organizations expressed interest in the project first. Chair Wahl noted that the Commission will decide on the best use of the field after all presentations have been heard.

SUB-COMMITTEE UPDATES

Open Space & Recreation

The Open Space plan is awaiting comments from the state; the consultant will continue to assist through early January. Chair Wahl would like to find a quicker way to verify ownership of individual parcels that have come under Conservation ownership through donations or tax seizures.

Community Preservation Committee

CPC will be reviewing Commission grant applications on December 17. The request for an updated GIS computer and software, to be presented by Chair Wahl and Town Planner Ken Kirkland, is approvable but the trail hazard removal application in its current form is considered maintenance activity not fundable by the CPA. Mr. McMackin suggested that this application be edited to reference one or two specific projects that would improve recreational access. Mr. Mott will obtain project cost estimates from the trail crew.

RECEIVED
2021 FEB 25 PM 8:28
TOWN OF NORWELL
TOWN CLERK

Farming

Commissioner Mott advised that all stone walls along Commission fields have been cleared. Norwell Farms is storing equipment in the barn at Jacobs Field currently being leased by Hornstra. The outside small foundation at Donovan Field has been filled in with dirt.

Grants

Chair Wahl sent Commissioner McMackin information regarding a new trails grant with applications due in February.

Trail Work Update

The trail crew has finished all work for the season. Mr. Mott has asked Steve McViney for suggestions regarding specific projects that could be funded with a CPC grant. The Commission Gator will be stored at the Fire Department over the winter and, in exchange, an inflatable boat belonging to the Department is being stored in the Donovan barn.

Bills

The following bills were presented for payment:

Chris Sullivan	Meeting Minutes	\$200
PARE Corp	Jacobs Pond EAP	\$1575
Trail Crew Salaries		\$877.77

RECEIVED
FEB 25 AM 8:28
TOWN OF NORWELL
TOWN CLERK

The PARE invoice approved at the previous meeting referenced the incorrect account number and therefore had to be re-approved.

Motion by Mr. Mott to pay the bills as listed. Seconded by Mr. Woodill and unanimously approved by roll call vote: Markham, aye; Mott, aye; Ivas, aye; McMackin, aye; Woodill, aye.

Minutes

Tabled.

EXECUTIVE SESSION Discussion of issues and/or land offers/land of interest, disclosure of which will impact negotiating position of the Commission and/or Town. Return to regular meeting.

None.

8:00 PM

PUBLIC HEARINGS LEGAL DOCUMENTS/VOTES

*Legal Documents/Votes *Minor Amendments, Reviews,*CoC's*Requests for Determination
*Notices of Intent *Enforcements/ Violations

Prior to the start of the public hearings, Vice Chair Woodill read the Notice of Public meeting for all hearings opening at this meeting.

22 Forest Street / SE52-1134 & NCC# 2(18) / Driveway Improvements

Request for CoC Applicant: Joe Fernald / **Representative:** Darren Grady, Grady Consulting, LLC

Applicant/representative not present.

Motion by Mr. Ivas to continue the matter to December 15, 2020 at 8 PM. Seconded by Ms. Markham and unanimously approved by roll call vote: Markham, aye; Mott, aye; Ivas, aye; McMackin, aye; Woodill, aye.

44 Upper Ferry Lane / NCC# 18(20) / Cut & Trim overgrown brush to open river views
RDA / DoA (cont.) Applicant: Alex Hernan / Representative: N/A

Applicant not present; Chair Wahl requested that the matter be continued to the first meeting in February.

Motion by Mr. Woodill to continue the matter to February 2, 2021 at 8 PM. Seconded by Mr. Ivas and unanimously approved by roll call vote: Markham, aye; Mott, aye; Ivas, aye; McMackin, aye; Woodill, aye.

54 Bowker Street / NCC# 27(20) / Fence in Backyard
RDA / DoA Applicant: Michelle Zelen / Representative: N/A

Commissioners Wahl and Ivas visited the site on Saturday. The lawn is set back from the vernal pool, and the proposed fence location is in existing lawn. Commissioner Ivas feels there is unlikely to be migration into the lawn area that the fence would disrupt. The project was approved with the following findings:

- Work area is within existing lawn
- Project will protect vernal pool from residents' dogs

The project was approved with the following special conditions:

- Remove phragmites encroaching on vernal pool
- No cutting of lawn/vegetation beyond limits of fence

Motion by Mr. Woodill to issue a Determination of Applicability, pos 2b, pos 5, neg 3, with conditions as noted. Seconded by Mr. Ivas and unanimously approved by roll call vote: Markham, aye; Mott, aye; Ivas, aye; McMackin, aye; Woodill, aye.

4 Schooner Way / NCC# 28(20) / Single-Family Home Construction

RDA / DoA Applicant: Stetson Road, LLC / Representative: Al Loomis, McKenzie Engineering

Mr. Loomis indicated that the proposed activity is the construction of a rain garden in the backyard of a SFH, inside the 100 ft buffer. The subdivision roadway was recently constructed, and will be paved next week. Stormwater basins and fixtures are already installed. A rain garden is necessary for this lot to capture and infiltrate roof runoff; it has been sited to avoid any disturbance inside the 50 ft buffer at Agent Hemingway's suggestion; the rain garden is the only structure on the lot inside the 100 ft buffer.

The matter was continued to confirm with Town Planner Ken Kirkland that work on individual lots can start, as well as review Chessia stormwater reports.

2021 FEB 25 PM 3:21
RECEIVED
TOWN OF NORWELL
TOWN CLERK

Motion by Mr. Mott to continue the matter to January 12, 2021 at 8 PM. Seconded by Mr. Woodill and unanimously approved by roll call vote: Markham, aye; Mott, aye; Ivas, aye; McMackin, aye; Woodill, aye.

100 Norwell Avenue / NCC# 29(20) / Septic System Upgrade

RDA / DoA Applicant: Carol Altshuler / **Representative:** Greg Morse, Morse Engineering Co.

Paul Gunn, Morse Engineering, present for applicant; the RDA filing is for a septic upgrade. The lot includes a 3-bedroom SFH with paved drive. Resource areas include BVW, Riverfront, FEMA flood zone X. The site was delineated by John Zimmer, South River Environmental. Proposed activities include installing a septic tank with pump chamber to a leaching field 140 ft from the BVW. Erosion control will be installed along the downgradient limit of work.

As the new system is primarily in riverfront, its installation is exempt from WPA restrictions and presumed to be an improvement over existing conditions. Commissioners Mott and Woodill visited the property, and feel the system is placed in the only viable site in the yard.

Motion by Mr. Woodill to issue a Determination of Applicability, pos 2b, pos 5, neg 3. Seconded by Mr. Mott and unanimously approved by roll call vote: Markham, aye; Mott, aye; Ivas, aye; McMackin, aye; Woodill, aye.

Stetson Road (Bl. 78, Lots 123, 126, 164 & 168) / NCC# 31(20) / Confirmation of Jurisdiction

RDA / DoA Applicant: Weathervane at Stetson, LLC / **Rep:** John Zimmer, S. Shore Environmental

Applicant/representative not present.

Motion by Mr. Woodill to continue the matter to December 15, 2020 at 8 PM. Seconded by Mr. Ivas and unanimously approved by roll call vote: Markham, aye; Mott, aye; Ivas, aye; McMackin, aye; Woodill, aye.

15 George Road (aka: Lot 4C) / SE52-997 & NCC# 10(12) / Pool, Patio & Proposed Mitigation Request for Amend. OoC (cont.) Applicant: K & E Construction / Rep: Austin Chartier, McKenzie Eng.

A continuation request was received at the Conservation Office.

Motion by Mr. Woodill to continue the matter to December 15, 2020 at 8 PM. Seconded by Ms. Markham and unanimously approved by roll call vote: Markham, aye; Mott, aye; Ivas, aye; McMackin, aye; Woodill, aye.

155 Summer Street / SE52-1170 & NCC# 17(19) / Pool

Request to Amend. OoC (cont.) Applicant: Michael Morse / Rep: Josh Green, Merrill Engineering

A continuation request was received at the Conservation Office. If a Notice of Intent is not received for the proposed swimming pool, the Commission will vote to deny this request to amend and issue an enforcement order for issues observed at the property.

Motion by Mr. Mott to continue the matter to December 15, 2020 at 8 PM. Seconded by Mr. Woodill and unanimously approved by roll call vote: Markham, aye; Mott, aye; Ivas, aye; McMackin, aye; Woodill, aye.

136 Longwater Dr / SE52-1200 & NCC# 21(20) / Comm. Bldg. Addition, Parking Lot Improvements

NoI / OoC (cont.) Applicant: James Rader, Longwater Norwell, LLC / Rep: Brian Madden, LEC

A continuation request was received at the Conservation Office.

Motion by Mr. Mott to continue the matter to January 12, 2021 at 8 PM. Seconded by Mr. Ivas and unanimously approved by roll call vote: Markham, aye; Mott, aye; Ivas, aye; McMackin, aye; Woodill, aye.

169 Mount Blue Street / SE52-1201 & NCC# 23(20) / Garage, Access Driveway & Restoration

NoI / OoC (cont.) Applicant: Thomas & Nicole Sullivan / Representative: Brad Holmes, ECR

Mr. Holmes noted that the Commissioners had visited the site since the previous hearing, and he believes all issues were addressed. In response to a query from Ms. Wahl, he indicated that no fill was proposed to be brought on site. The project was approved with the following findings:

- Delineation not confirmed.
- Project will not adversely affect wetlands or buffers. Area will be improved from restoration.
- Area is already disturbed.

The project was approved with the following special conditions:

- Silt sock to be deployed on top of driveway, not on slope.
- No Straw or hay bales for silt fencing.
- BVW Restoration: Plant native shrubs and hand seed with wetland seed mix.

Motion by Mr. Mott to approve the Notice of Intent with a long-form Order of Conditions and special conditions as noted. Seconded by Mr. Ivas and unanimously approved by roll call vote: Markham, aye; Mott, aye; Ivas, aye; McMackin, aye; Woodill, aye.

26 Blockhouse Lane / SE52-1202 & NCC# 24(20) / Mudroom, Attached Garage & Gravel Driveway **NoI / OoC (cont.)** Applicant: Daniel Cimorelli / Rep: Brendan Sullivan, Cavanaro Cons.

Mr. Sullivan submitted a new site plan that shows the existing stream channels and swales by the stone wall, and the location of a debris/burn pile. He also shifted the garage so as to reduce the amount of fill required, and added two conservation markers by wetland flags 7 and 10. Construction stockpile will be inside the erosion control barrier.

The project was approved with the following findings:

- Delineation is not confirmed.
- Project will not adversely affect wetlands.
- Area is already disturbed.

RECEIVED
2021 FEB 25 PM 3:25
TOWN OF NORWELL
TOWN CLERK

The project was approved with the following special conditions:

- Posting of two conservation markers as noted on site plan

Motion by Mr. Mott to approve the Notice of Intent with a long-form Order of Conditions and special conditions as noted. Seconded by Mr. Woodill and unanimously approved by roll call vote: Markham, aye; Mott, aye; Ivas, aye; McMackin, aye; Woodill, aye.

34 Island View Circle / SE52-1203 & NCC# 26(20) / Private Residential Dock Installation

NoI / OoC (cont.) Appl: Brian Nihill & Kristin Keefe / Rep: Carmen Hudson, Cavanaro Consulting

Mr. Sullivan submitted an updated site plan and added narrative addressing DMF comments. Regarding their suggestion to increase the height of the pier to allow additional light underneath, he responded that this would create safety issues and likely require the addition of railings, and noted that the existing design still meets the required width/height ratio. Regarding a request to reorient the pier over an existing channel, he noted this would require an additional 20 feet of structure, and the location would cause icing issues that may compromise the structural integrity of the pier. He also added notations that the 8' by 8' structure at the end of the pier had been relocated so as to minimize impacts, and that no heavy machinery would be used on the marsh.

The project was approved with the following findings:

- Project will have no impact to salt marsh as long as Chapter 91 standards are followed

The project was approved with the following special conditions:

- No use of heavy machinery on salt marsh

Motion by Mr. Mott to approve the Notice of Intent with a short-form Order of Conditions and conditions as noted. Seconded by Mr. Woodill and unanimously approved by roll call vote: Markham, aye; Mott, aye; Ivas, aye; McMackin, aye; Woodill, aye.

110 Prospect Street / SE52-xxxx & NCC# 30(20) / Garage with Mitigation, Driveway & Landscaping

NoI / OoC Applicant: Mark & Marybeth McGillicuddy / Rep: Brad Holmes, ECR

Mr. Holmes advised that he had received a DEP number today and will forward to the Conservation Office. The proposed activity is the construction of garage within buffer zone but existing lawn area: approximately 50 sq ft of the garage is within the 50 ft buffer to inland bank/intermittent stream. As mitigation, they are proposing to remove an existing chicken coop inside the 50 ft buffer and replace with 155 sq ft of mitigation plantings.

Chair Wahl noted that written comments regarding the project had been received from neighbors. The matter was continued to allow for commissioner site visits.

Motion by Mr. Mott to continue the matter to December 15, 2020 at 8 PM. Seconded by Mr. Woodill and unanimously approved by roll call vote: Markham, aye; Mott, aye; Ivas, aye; McMackin, aye; Woodill, aye.

RECEIVED
2021 FEB 25 PM 6:28
TOWN OF NORWELL
TOWN CLERK

ADMINISTRATIVE PERMITS & REQUESTS:

40 Farrar Farm Rd

Ms. Schmid notified applicant of the need to file an RDA, and hasn't heard back.

241 River Street

The Commission voted to authorize the removal of one tree whose removal had been approved by the North River Commission. Applicant must send another request if they wish to remove any other trees.

Motion by Mr. Mott to issue an administrative permit for removal of tree whose removal was authorized by the North River Commission. Seconded by Mr. Woodill and unanimously approved by roll call vote: Markham, aye; Mott, aye; Ivas, aye; McMackin, aye; Woodill, aye.

PENDING SUBDIVISION / COMMERCIAL DEVELOPMENT UPDATES:

None

VIOLATION DISCUSSIONS:

16 Circuit St

Mr. Mott observed a contractor digging up a driveway and turning around machinery within a wetland; he advised homeowner that correspondence would be forthcoming from the Conservation Office.

LEGAL ISSUES

Historic Barrel Lane (Block 59, Lot 56 & Block 69, Lot 18) – update on the legal process
Mount Blue St. (Bl. 5, Lot 17) – update on Forest Cutting Plan & Intent

None

ENFORCEMENT UPDATES, MEETINGS OR HEARINGS:

AGENT'S REPORT

SCIENCE AND REGULATION IN THE NEWS

EDUCATION AND TRAINING OPPORTUNITIES

None.

Next Meeting	December 15, 2020
NEW filing applications due date/deadline	December 1, 2020 @ noon
Legal Notice publication date-Patriot Ledger	December 7, 2020
Revised Information submittal deadline	December 8, 2020 @ noon
Peer Review Supplemental Info Deadline. CoC Requests. Minor Modification & LP Requests	December 8, 2020 @ noon
Public Information Written Comments	No deadline

2021 FEB 25 11:00 AM
TOWN OF NORWELL
CLERK

ADJOURNMENT

There being no further business, a motion was made by Mr. McMackin to adjourn at 9:27 PM. Seconded by Mr. Mott and unanimously approved by roll call vote: Markham, aye; Mott, aye; McMackin, aye; Woodill, aye.

I hereby certify that the above minutes were presented and approved by a majority vote by the Norwell Conservation Commission on Feb 23, 2021.

Marynel Wahl
Marynel Wahl, Chair

RECEIVED
2021 FEB 25 PM 8:28
TOWN OF NORWELL
TOWN CLERK