



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

June 1, 2021 @ 6:30PM
Minutes

TOWN OF NORWELL
TOWN CLERK

2021 AUG -4 AM 11:21

RECEIVED

Present: Vice Chair Bob Woodill, Bob McMackin, Ron Mott, Roy Bjorlin, Justin Ivas, Conservation Agent Will Saunders, and Recording Clerk C. Sullivan. Marynel Wahl and Tricia DeGiulio were absent. The meeting was held in the Conservation Office 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 6:34 pm by Vice Chair Bob Woodill. The meeting was recorded. This may be the last hybrid in-person and remote meeting unless legislation goes through extending suspension of certain provisions of the Open Meeting Law.

AGENDA ACCEPTANCE

The Commission reviewed the proposed agenda and discussed changes and additions. Vice Chair Woodill added discussions regarding the Friends of Wompatuck work on a perimeter trail and paving of the Donovan Parking lot.

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

COMMISSION BUSINESS

Citizen Comments

None

New Business

Friends of Wompatuck

The Friends of Wompatuck contacted Agent Saunders. They are working to improve the perimeter trail just inside the park in preparation for the upcoming train connection, and DCR is requiring that they obtain Commission approval for the work. All agreed that the activity could be permitted by letter as no earth disturbance is involved.

Motion by Mr. Mott to issue a letter permit authorizing the Friends of Wompatuck to rehabilitate the perimeter trail inside the State Park boundary. Seconded by Mr. McMackin and unanimously approved by roll call vote: Mott, aye; Ivas, abstain; Bjorlin, aye; McMackin, aye; Woodill, aye.

Donovan Parking Lot

All parties discussed the possibility of paving the Donovan parking lot. Mr. Mott noted that the existing dirt/gravel lot is full of potholes and parking spaces are not clearly marked. Mr. Ivas felt, given the high groundwater in that area, any paved lot would end up potholed due to the freeze/thaw cycles in colder weather. Mr. Mott pointed out funds would be needed for maintenance if the lot were kept unpaved. Mr. Saunders suggested continuing the discussion at the next meeting so all could hear from the two absent Commissioners.

Motion by Mr. Ivas to continue the matter to June 15 at 6:30 pm. Seconded by Mr. McMackin and unanimously approved by roll call vote: Mott, aye; Ivas, aye; Bjorlin, aye; McMackin, aye.

98 Accord Park Paving

Applicant/representatives requested a discussion in advance of their June 15 public hearing but did not appear. Mr. Saunders suggests the following as conditions of approval:

- Asphalt berm along stream side
- Planting plan along whole parking side
- Clean up of debris along stream edge
- Information as to direction of water flow/stormwater

Mr. Woodill recommended that Commissioners visit the site prior to the hearing.

555 Cordwainer Drive - Amendment to OoC SE52-1191

Sue Spratt, McKenzie Engineering, present to discuss a change in an infiltration system approved in the Order of Conditions, whereby System P1 has been installed in a smaller footprint to avoid incursions into the 50 ft buffer. This slightly increases the peak rate of volume, which they have offset with other modifications.

Mr. Saunders advised that Consulting Engineer John Chessia has reviewed the modified system and has no issues. Applicant is requesting that the Commission provide a letter to ZBA stating they approve of the modified system.

Motion by Mr. Mott to approve the minor modification to the OoC for SE52-1191. Seconded by Mr. Ivas and unanimously approved by roll call vote: Mott, aye; Ivas, aye; Bjorlin, aye; McMackin, aye.

23 Green Street Stormwater Basins

Darren Grady present. Mr. Saunders noted that Condition 89 of applicant's Order of Conditions requires them to reappear before the Commission if they hit groundwater when the basins were constructed. Consulting engineer John Chessia observed groundwater in the basins and ordered work stopped. Mr. Mott added the basins were starting to overflow when he visited the site on Sunday.

Mr. Grady noted they were using the basins for retention only, not infiltration; they are proposing to install a barrier at the bottom of the system, and will modify the basins to further slow runoff. Mr. Saunders suggested that the Commissioners could allow the modification to see if it addresses the issue, or could order a redesign of the system now. All agreed to allow the modification; Mr. Woodill asked Mr. Grady to notify the Conservation Office once the work is complete.

Motion by Mr. Mott to allow resumption of work on the basins at 23 Green Street for further evaluation of functionality. Seconded by Mr. Bjorlin and unanimously approved by roll call vote: Mott, aye; Ivas, aye; Bjorlin, aye; McMackin, aye.

Old Business

None

Pre-Start of Work Meetings

89 Stetson Road

Agent Saunders visited the site along with Chair Wahl and Commissioner Mott.

Building Permit Sign-Offs

None

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SUB-COMMITTEE UPDATES

Trail/Signage

Vice Chair Woodill would like to step back from this area of responsibility so he can focus on invasives control. Commissioner Mott has almost completed installing 911 trail markers on all Conservation properties; Agent Saunders will walk the trails with a GPS unit to check accuracy. Commissioner Ivas may be able to obtain assistance with respect to graphics for signage.

Norwell Community Gardens

Subcommittee meetings are continuing with some diversity of opinion. They are considering utilizing a consultant to assist on soil health. Mr. McMackin thinks design and layout of the field will be finished this year; soil rejuvenation and field management may take longer.

Bills

The following bills were presented for payment:

Christopher Sullivan	Meeting Minutes	\$200
Will Saunders		\$69.20

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

Minutes

The minutes for the May 4 and 18 meetings were distributed. Approval of the May 18 minutes was tabled to the next meeting to allow all Commissioners to review.

Motion by Mr. Ivas to approve the minutes of the May 4, 2021 meeting as written. Seconded by Mr. Mott and unanimously approved by roll call vote: Mott, aye; Ivas, aye; Bjorlin, aye; McMackin, aye.

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.

None.

7:30 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, Commissioner Mott read the Notice of Public meeting for all hearings opening at this meeting.

Adoption & Implementation of Stormwater Regulations under Stormwater Bylaw (Chap. 65 / Stormwater Management & Erosion Control Bylaw)

Melissa Recos present from BETA Engineering. Ms. Recos noted that she began working with the Town to develop a MS4 permitting process several years ago, as part of a working group that included late Agent Hemingway, Highway Commissioner Glenn Ferguson, Town Planner Ken Kirkland, and developer Steve Bjorklund. The purpose of the rewrite was to address stormwater pollution issues, as the existing regulations did not meet current EPA requirements, as well as discharges into town roads and drainage systems.

The new bylaw creates two levels of land disturbance review: projects on lots sloping downward towards town right of ways, roads, or stormwater systems with 1,500 to 25,000 sq ft land disturbance or 1,500 to 5000 sq ft

increase in impervious surface would be subject to an administrative review with the goal of a one week turnaround. Commercial/industrial development projects, projects with higher potential pollutant loads (LUHPPL), or those with greater than 25,000 sq ft land disturbance or 5000 sq ft increase in impervious surface would require more formal permitting.

The Conservation Commission has been designated as the review and permitting authority; the fee will be \$500 for an administrative land disturbance review and \$1000 for a land disturbance permit. Projects with less than 500 sq ft land disturbance and impervious surface increase would be exempted from all review, as would any project requiring permits (i.e., NoI, site plan review) in which stormwater management would be addressed.

All parties reviewed changes made to the bylaw since its approval last year, most of which having been made for specificity or corrections. It was suggested that references to hay bale erosion control be removed, as this is not permitted in town. Consulting engineer John Chessia suggested that a Commissioner or designated representative be present to review any soil testing to avoid disputes.

Vice Chair Woodill asked that Ms. Recos incorporate the latest changes and forward them to the Commission for approval on June 15; any changes suggested by the Commissioners or Mr. Chessia should be sent to Agent Saunders within the next few days. Ms. Recos will attend the 6/15 meeting to answer questions; the new regulations must be approved then and must take effect on July 1.

17 George Road / NCC# 18(21) / Install Bridge, Create Lawn & Landscaping RDA / DoA (cont.)
Applicant: Thomas Mattera / Representative: Carin & Jared Gosselin, CMG Design/Landscape

Updated site plans have been received reducing the size of the fire pit and moving it outside the 50 ft buffer, and moving the proposed trees off the berm and out of the swale.

The project was approved with the following special conditions:
Posting of six conservation markers along the 50 ft buffer

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

25 Beers Avenue / SE52-1219 & NCC# 22(21) / Addition NoI / OoC (cont.)
Applicant: Erica Vercollone / Representative: Darryl Wehmeyer, Copia R/E Design & Build

Updated plans were submitted, showing the location of conservation markers and erosion controls.

The project was approved with the following special conditions:
Pre-start-of-work meeting with agent
Conservation bounds as set forth on the approved site plan

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

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31 Island View Circle / NCC# 27(21) / Two (2) Additions RDA / DoA (cont.)

Applicant: Gregory & Kathryn Lally / Representative: John Cavanaro, Cavanaro Consulting

Updated site plans were received in the Conservation Office today; these added the 200 ft riparian zone, specified the planting of seven trees and 12 salt-tolerant shrubs along the marsh edge, and placement of seven conservation markers along the edge of lawn. Mr. Cavanaro noted that the restoration area was created out of a significant portion of existing lawn. Commissioner Ivas asked about a special condition allowing the buffer strips to be mowed once per year; Agent Saunders stated this practice allows the strips to regenerate.

The project was approved with the following special conditions:

Restoration plan including planting of 7 native trees and 12 salt tolerant shrubs

Posting of seven Conservation markers along edge of lawn

Buffer strips allowed to be mowed once a year at end of Sept

Maximum use notation

All future work needs to come before Conservation for approval

Motion by Mr. Mott 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: Mott, aye; Ivas, aye; Bjorlin, aye; McMackin, aye.

After the vote, Vice Chair Woodill suggested a discussion to clarify requirements for restoration plans, including whether shrubs are an acceptable replacement for trees. Mr. Saunders will add the discussion to the July 20 agenda.

303 River Street / SE52-1214 & NCC# 20(21) / Invasive Plant Management NoI / OoC (cont.) Applicant: David DeGhetto / Representative: Joan Deeley, Land Stewardship, Inc.

A second site visit was conducted in which the location where debris will be stored was identified. All parties discussed requiring the placement of conservation markers; Commissioner Ivas believes a wetland delineation would be required in order to mandate their placement; all agreed to ask, but not require, applicant to post markers along the edge of existing lawn.

The project was approved with the following finding:

Approved without delineation because project expressly for invasive species removal.

The project was approved with the following special conditions:

Pre Start of work meeting

No spraying/herbiciding over open/standing water

48 hour notification to Conservation before herbicide application

Piles of cut material kept outside of buffers

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

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481 Prospect Street / SE52-1212 & NCC# 17(21) / Leaching field, Driveway, Garage addition with drywells, (2) additions, porch & mitigation NOI / OoC (cont.)

Appl: Sara & Robert Montanari / Rep: Jeff Hassett, Morse Eng.

A revised site plan was submitted with a cross-section for the garage, details regarding two 2x2x6 concrete block retaining walls and additional plantings to stabilize the slope behind the garage, and construction sequencing.

The project was approved with the following special conditions:

Pre-start-of-work meeting with agent

Maximum use notation

Conservation markers as set forth on the approved 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. Bjorlin and unanimously approved by roll call vote: Mott, aye; Ivas, aye; Bjorlin, aye; McMackin, aye.

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40 Mt. Blue Street / SE52-xxxx & NCC# 30(21) / Const. & Maint. Of Switching Stations NOI / OoC

Applicant: Laura Ernst, Mass. Electric (dba: Nat'l Grid) / Representative: Andrew Johnson, LEC Env.

Commissioner Ivas recuses from the discussion and voting.

The proposed activity involves the construction of two new switching structures to replace an inoperable three-way structure. One of the new structures will be built within an IVW, resulting in approximately 25 sq ft of permanent disturbance. Inoperable structures and hardware will be removed. Temporary disturbance associated with construction totals 2,670 sq ft of IVW and 2,300 sq ft of buffer; this will include an underground conduit requiring a 2' deep and wide trench. National Grid views the work to be an emergency project, as these structures are a critical component of the power grid. The area was delineated by LEC Environmental in 2020.

Cynthia Walker, 73 Black Pond, asked about impacts on plant growth and whether voltage levels passing through the site would be changing. Mr. Johnson indicated there would be no increase on the current in the lines; he was unaware of any correlation between induction underneath the lines and plant growth.

The project was approved with the following special conditions:

Pre-start-of-work meeting with agent

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

(Off) Circuit Street (Bl. 69, Lots 25, 26 & 30) aka: Hitchin' Post Lane / SE52-1149 & NCC# 29(18) / Road Construction & Stormwater Improvements NOI / OoC (cont.) Applicant: Mark Raimondi (Circuit St. R/T) / Representative: Gary James, James Engineering

Mr. Saunders advised that the proposed open-space residential development (OSRD) had been approved by the Planning Board. Consulting engineer John Chessia is reviewing the latest site plans; issues regarding the wetland crossing have been addressed.

Mr. James stated the site plan had been updated to show 4600 sq ft of replication area on both sides of the entrance to the OSRD, which will provide for additional stormwater storage. The OSRD will include five

house lots and the plans include a donation of 10.7 acres to the Commission and assistance in creating a trail loop and connections to adjoining town properties. Individual filings will be made for construction of the houses as needed.

The matter was continued pending receipt of comments from Mr. Chessia.

Motion by Mr. Woodill to continue the matter to June 15, 2021 at 8 PM. Seconded by Mr. Ivas and unanimously approved by roll call vote: Mott, aye; Ivas, aye; Bjorlin, aye; McMackin, aye.

ADMINISTRATIVE PERMITS & REQUESTS:

None

PENDING SUBDIVISION / COMMERCIAL DEVELOPMENT UPDATES:

Old Oaken Bucket Estates

A purchase and sale agreement is in place for the former upland bog section of the property. Attorney Walter Sullivan will be meeting with Agent Saunders and Town Planner Ken Kirkland. A major modification to the order of conditions may be pending.

VIOLATION DISCUSSIONS:

8 Bridge

New owners performed grading and cutting right up to the edge of a vernal pool. They are meeting with Brad Holmes to develop a restoration plan.

20 Common

Agent Saunders visited the site with Chair Wahl and Commissioner Mott. Property owners stated that an access road was pre-existing but had been improved by adding gravel. They are looking to develop the back portion of the lot and the machinery witnessed by complainants was for perc testing, which was observed by the Board of Health. A notice of intent is pending. Extensive green waste dumping was observed in the back of the lot.

LEGAL ISSUES

Historic Barrel Lane (Block 59, Lot 56 & Block 69, Lot 18) – WPA only.

Mr. Rodriquez' cutting plan for property off Mt. Blue Street has been denied again by DEP.

ENFORCEMENT UPDATES, MEETINGS OR HEARINGS:

(Behind) 200 Cordwainer Drive / NCC&EO# 04-2021 / Enforcement Order Resolution & Restoration Enforcement Order (cont.)

Manager: Shawn Keys / Representative: Brad Holmes, ECR

A continuation request was received at the Conservation office; a restoration plan is pending.

Motion by Mr. Mott to continue the matter to June 15, 2021 at 8 PM. Seconded by Mr. Bjorlin and unanimously approved by roll call vote: Mott, aye; Ivas, aye; Bjorlin, aye; McMackin, aye.

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<i>Next Meeting</i>	<i>August 4, 2020</i>
<i>NEW filing applications due date/deadline</i>	<i>July 21, 2020 @ noon</i>
<i>Legal Notice publication date-Patriot Ledger</i>	<i>July 13, 2020</i>
<i>Revised Information submittal deadline</i>	<i>July 14, 2020 @ noon</i>
<i>Peer Review Supplemental Info Deadline, CoC Requests, Minor Modification & LP Requests</i>	<i>July 16, 2020 @ noon</i>
<i>Public Information Written Comments</i>	<i>No deadline</i>

ADJOURNMENT

There being no further business, a motion was made by Mr. Ivas to adjourn at 9:05 PM. Seconded by Mr. McMackin and unanimously approved by roll call vote: Mott, aye; Ivas, aye; Bjorlin, aye; McMackin, aye.

I hereby certify that the above minutes were presented and approved by a majority vote by the Norwell Conservation Commission on June 19, 2021.


Marynel Wahl, Chair

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