



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

**August 3, 2021 @ 6:30PM 2021 AUG 18 AM 10:00**  
**Minutes**

**RECEIVED**

Present: Chair Marynel Wahl, Vice Chair Bob Woodill, Bob McMackin, Ron Mott, Roy Bjorlin, Justin Ivas, Tricia DeGiulio, Conservation Agent Will Saunders, and Recording Clerk C. Sullivan. 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 6:33 PM by Chair Marynel Wahl. The meeting was recorded.

**AGENDA ACCEPTANCE**

The Commission reviewed the proposed agenda and discussed changes and additions. Mr. Saunders added discussions regarding the Donovan parking lot and 95 Hemlock start of work meeting.

*Motion by Mr. Mott to approve the agenda as amended. Seconded by Ms. DeGiulio and unanimously voted.*

**COMMISSION BUSINESS**

**Citizen Comments**

Dave DeGhetto, 303 River, commented on continuing erosion and flooding issues at 29 Green Street. Mr. Mott noted that consulting engineer John Chessia was monitoring the property; work at the site has been held up because the retention basins on site are not working properly, and at this point, they need to give the project engineers time to address the issues.

Mr. Saunders advised that the basins appeared to be working better when he visited the property this week. He talked to applicant yesterday, who stated they had addressed nearly all of his concerns. Mr. Saunders took photos of the site, and is waiting on a follow-up visit from Mr. Chessia to verify the basins are working. Ms. Wahl asked Mr. DeGhetto to take photos to document any further issues.

**New Business**

Agent Saunders will be on vacation next week.

**MassTrails Grant for Carleton and Trout Brook**

DEP has awarded the Commission a MassTrails Grant which will be used to upgrade the trails on the Carleton and Trout Brook properties and link them to the Fogg Forest trail system. Under the terms of the matching grant, MassTrails will provide 60% of the funding needed for the work, \$17,500, and the Commission will provide the remaining 40%, about \$11,000. The Commission will seek additional grant funding for an ADA-compliant trail linking the three properties to the Main Street sidewalk.

**Hazardous Trees and Town Trees Standards**

All parties discussed procedures for handling requests from residents to remove hazard trees on town-owned land, including whether to set a standard for evaluating tree risk, or seek or require arborist input. Cutting such trees higher off the ground to leave "snags" would preserve habitat and may dissuade frivolous requests. Agent

Saunders noted that the Town is not liable for damage caused by falling trees, even if located on Town land, and suggested such requests may have to be evaluated case by case.

#### **Selling of Conservation Markers and a New Design**

The Commission voted to sell "Town of Norwell" conservation markers at the Conservation Office. Agent Saunders will check with Town Accountant Darlene Sullivan and report back on cost and potential designs.

*Motion by Mr. Mott to authorize the selling of conservation markers at the Conservation Office. Seconded by Mr. Woodill and unanimously voted.*

#### **Dogs Must be Leashed Signs for Conservation Properties**

A town bylaw requires dogs to be leashed, including on Conservation properties. After discussion, the Commission voted to add signage advising of the bylaw at the entrance to Commission properties and to the kiosks as they are updated, to be paid for out of the Signage account.

*Motion by Mr. Mott to add and update leash law signage as discussed. Seconded by Ms. DeGiulio and unanimously voted.*

#### **Approve Monitor for Behind 200 Cordwainer Restoration**

The Commission accepted a \$4500.00 bid from Art Allen to act as construction monitor for 200 Cordwainer; this figure will include six inspections and three reports.

*Motion by Mr. Mott to accept Ecotec's bid for construction monitor at 200 Cordwainer. Seconded by Mr. Woodill and unanimously voted.*

#### **CPC Articles**

The Commission continued its discussion of potential projects for CPC grant funding, including Norwell Cares supplies, map updates, repairs to Jacobs Dam, reimbursements for Open Space Plan cost overruns and Tanczos/Laurelwood back taxes, and funding for the Carleton ADA trail in case additional MassTrails funding isn't available. The status of already funded projects, including trail hazards removal and invasives control, was also discussed.

CPC liaison McMackin commented that CPC prefers applications to reference specific projects; they are reluctant to retroactively fund projects already paid for, and a request to replenish the Conservation Fund should include an itemized list of recent expenditures out of the fund.

#### **Farm Fields: Option for use of Herbicides & Maintenance of Stonewalls**

All parties continued the discussion of whether to allow farmers leasing Commission fields to use herbicides to clear their stone walls. Farmers would make the request, specifying the agents to be used, etc., when they submit their annual farm plans.

Ms. DeGiulio attended a UMass Extension webinar regarding the use of glyphosates that indicated they dissipated quickly in soil, but their safety was not clear cut; she had difficulty finding peer-reviewed, independent research on the issue. She would be willing to consider their use on a case by case basis, as keeping the walls clear was a lot of work, but the risks and benefits should be clearly conveyed to the farmers. Mr. Mott agreed herbicide use should be considered case by case but had no issues if they were used sparingly and the Commission were told what was used, how much, and when; given their cost, he felt their use would

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likely be limited to spot treatments of poison ivy. Mr. Woodill agreed that cost would be a self-limiting factor. Chair Wahl suggested that farmers be required to provide advance notice so their usage could be monitored.

Ms. DeGiulio also inquired about the use of goats for clearing poison ivy, and was told by goat farmers that the practice was not humane.

*Motion by Mr. Mott to add an herbicide use option for stone wall clearance to the LUPF. Seconded by Ms. DeGiulio and unanimously voted.*

#### **Donovan Lot**

Quotes for paving the Donovan parking lot came in at a range of \$80K-\$150K, well beyond the available budget. Mr. Saunders will work with Barbara Mello to scale down the request, including reducing the binder and specifying black asphalt.

#### **Old Business**

##### **Change in Rates and Fees**

Agent Saunders has updated filing rates and fees as per the discussion at the previous meeting, doubling and rounding up most; the new fees are roughly in line with those in Cohasset and Duxbury. A \$100 fee for administrative permitting was added, as well as a \$100 subsequent agent site visit fee; consultation visits and initial visits for a project will remain free. At Chair Wahl's suggestion, the Commission added a 10% management fee to peer review contracts. A public hearing regarding the rate changes will be held at the next meeting.

*Motion by Mr. Mott to hold a public hearing regarding the proposed change in rates in fees on April 17, 2021 at 7:30. Seconded by Ms. DeGiulio and unanimously voted.*

#### **Norwell Cares**

Mr. Saunders has requested 30 students for the Norwell Cares service day on September 24. Potential projects include trails and wetland crossing maintenance, daffodil plantings at Stetson Shrine, and Cuffey trail marker cleanings.

#### **Norwell Community Gardens Update**

The subcommittee requested a vote approving the concept of the Memorial Garden presented at the July 20 meeting, so as to facilitate their fundraising and grant applications.

*Motion by Mr. Woodill to approve the concept of the Memorial Garden, as discussed at the July 20 meeting, for fundraising and grants. Seconded by Mr. Ivas and unanimously voted.*

#### **Pre-Start of Work Meetings**

##### **7 & 8 Schooner Way**

Agent Saunders visited the property on July 27.

##### **55 Satuit Meadow Lane**

Agent Saunders visited the property on July 29.

##### **95 Hemlock Drive**

Agent Saunders visited the property on August 3.

#### **Building Permit Sign-Offs / Administrative Permits**

##### **303 River St (Boardwalk and Bridge Repair)**

Property owner David DeGhetto would like to replace rotten boards on top of an existing boardwalk; the Commissioners agreed that this could be approved as a maintenance activity.

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## **Bills**

The bills due for payment were read into the record.

*Motion by Mr. Mott to pay the bills presented for payment. Seconded by Ms. DeGiulio and unanimously voted.*

## **Minutes**

The minutes for the July 20, 2021 open session and executive session were distributed. Commissioners reviewed and discussed corrections and changes.

*Motion by Mr. Mott to approve the minutes of the July 20, 2021 open session as edited. Seconded by Mr. McMackin and unanimously voted.*

*Motion by Mr. Woodill to approve the minutes of the July 20, 2021 executive session as written. Seconded by Mr. McMackin and unanimously voted; Mr. Ivas having abstained.*

**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

Mr. Saunders advised that the Legal Notices for 31 Islandview and 111 Chittenden Lane were not sent out in time, and these projects will be heard at the next meeting.

**136 Longwater Drive / SE52-1200 & NCC# 21(20) / Comm. Bldg. Addition, Parking Lot Improvements**  
NoI / OoC (cont.) Applicant: James Rader, Longwater Norwell, LLC / Representative: Brian Madden, LEC

A continuation request was received at the Conservation Office.

*Motion by Mr. Mott to continue the matter to August 17, 2021 at 8 PM. Seconded by Mr. Ivas and unanimously voted.*

**98 Accord Park Drive / SE52-xxxx & NCC# 32(21) / Repaving of Existing Parking Lot & Landscaping**  
NoI / OoC (cont.) Applicant: Michael Argiros, Norwell AMA Realty Ventures / Representative: N/A

A continuation request was received at the Conservation Office.

*Motion by Ms. DeGiulio to continue the matter to August 17, 2021 at 8 PM. Seconded by Mr. Mott and unanimously voted.*

**PENDING SUBDIVISION / COMMERCIAL DEVELOPMENT UPDATES:**  
None

**VIOLATION DISCUSSIONS:**  
**5 Fieldstone Way**

Property owners are working on new as-built plans.

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### 28 George Horse Farm

A manure dumpster on the property is emptying into the road. Mr. Saunders has sent two violation letters, the last of which said to contact the Conservation Office by August 3 or fines would be imposed. These certified letters have not been signed for. The Commissioners advised Mr. Saunders to have the Police deliver an enforcement order, giving the owners 14 days from receipt to respond, after which fines would be imposed.

*Motion by Mr. Mott to authorize the hand delivery of an Enforcement Order via the Police Department. Seconded by Mr. McMackin and unanimously voted.*

### LEGAL ISSUES

**Historic Barrel Lane (Block 59, Lot 56 & Block 69, Lot 18) – WPA only.**  
**Mount Blue St. (BL 5, Lot 17) – update on Forest Cutting Plan & Appeal**  
None

### ENFORCEMENT UPDATES, MEETINGS OR HEARINGS:

None

<i>Next Meeting</i>	<i>August 17, 2021</i>
<i>NEW filing applications due date/deadline</i>	<i>August 3, 2021 @ noon</i>
<i>Legal Notice publication date-Patriot Ledger</i>	<i>August 9, 2021</i>
<i>Revised Information submittal deadline</i>	<i>August 10, 2021 @ noon</i>
<i>Peer Review Supplemental Info Deadline, CoC Requests, Minor Modification &amp; LP Requests</i>	<i>August 10, 2021 @ noon</i>
<i>Public Information Written Comments</i>	<i>No deadline</i>

### ADJOURNMENT

*There being no further business, a motion was made by Mr. McMackin to adjourn at 8:07 PM. Seconded by Mr. Mott and unanimously voted.*

I hereby certify that the above minutes were presented and approved by a majority vote by the Norwell Conservation Commission on August 17, 2021

  
Maynor Wahl, Chair

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