



NORWELL CONSERVATION COMMISSION
Room 112 / 345 Main Street / Norwell, MA
April 23, 2019 @ 6:30 PM
Minutes

TOWN OF NORWELL
TOWN CLERK
JUN -5 AM 10:42
RECEIVED

Present: Chair Marynel Wahl, Vice Chair Bob Woodill, Ron Mott, Justin Ivas, Ellen Markham, Conservation Agent Nancy Hemingway, and Recording Clerk C. Sullivan. Bob McMackin and Roy Bjorlin were absent. Mr. Ivas arrived at 6:35 pm.

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. Mr. Mott added a discussion regarding the changing of dumpsters on Commission property.

Motion by Mr. Woodill to approve the agenda as amended. Seconded by Ms. Markham and unanimously voted.

Refer to the Agents complete notes to the Commission relating to all agenda items.

COMMISSION BUSINESS

New Business

Potential Land Donation

Ms. Hemingway advised that the owner of 111 Jacobs Lane has offered the Commission two acres in the back of their property; she felt this land could allow for a direct trail connection to an upland section of the Jacobs Pond Reservation. The Commission authorized further discussions with the owner.

Motion by Mr. Woodill to authorize Ms. Hemingway to meet with owner of 111 Jacobs Lane and their attorneys regarding the land offer. Seconded by Ms. Markham and unanimously voted.

Jacobs Pond Use Requests Summer 2019

The Commission discussed the following use requests for Jacobs Pond:

- Saturday, May 11 – Fishing Derby – Norwell Rec and NSRWA
- Sunday, June 16 – NSRWA – Fathers Day Jacobs Pond Canoe trip - approved
- Tuesday, June 25 – Jacobs Pond Canoeing Day – Norwell Rec w NSRWA
- Wednesday, June 26 – Hiking at Jacobs – Norwell Rec w NSRWA
- Thursday, June 27 – Canoe trip at Chittenden – Norwell Rec w NSRWA
- Friday, June 28 – make up day for the 25-28 programs due to bad weather

Ms. Hemingway noted that everything except for the June 16 Father's Day event was new and needed approval.

Motion by Mr. Mott to approve the listed use requests. Seconded by Mr. Woodill and unanimously voted.

Budget Update – Wrapping up FY 2019

The Commission discussed the remaining FY 2019 funds in its accounts as well as some upcoming expenses. Ms. Hemingway has decided to wait for an upcoming tech upgrade to purchase a previously authorized GPS unit for the Conservation Office. Commissioner Ivas may be able to get the office computers to recognize her current GPS device. Ms. Hemingway also advised that a proposed walking trail from the YMCA/NSRWA headquarters to the South Shore Natural Science Center has been taken off a MassWorks grant being jointly pursued by Norwell and Hanover.

Graham Waste

Mr. Mott advised that he observed a truck from Graham Waste changing a 30 yard dumpster in the Donovan-Wildcat parking lot on March 11; he felt the company shouldn't be changing dumpsters on conservation property, as it disturbs the dirt lots. Ms. Hemingway will send a cease and desist letter to the company advising they will be billed if there is a second offense.

Motion by Mr. Mott to authorize Ms. Hemingway to send a cease and desist letter to the company. Seconded by Mr. Woodill and unanimously voted.

Old Business

Signage Discussion – Rules/Regs and uniform public land use policy

Tabled.

Stormwater Bylaws Progress

Ms. Hemingway advised that a town-wide update was ongoing for more consistency between departments.

S. Shore Climate Change

Ms. Hemingway advised that seats were available at this upcoming conference and asked the Commissioners to spread the word.

SUB-COMMITTEE AND PROJECT UPDATES (OLD & NEW BUSINESS)

Open Space and Recreation	M. Wahl	CPC	B. McMackin
Land Protection	All	Trails and Signage	R. Woodill
Pathways	R. Woodill	Project Grid Review	All
Farming	R. Mott	Trail Work Update	N. Hemingway
Grants	B. McMackin	Bylaw Committee	R. Woodill

Pathways

Mr. Woodill advised that Pathways had unanimously agreed to reinstate the privacy berm around the proposed Wompatuck parking area, using soils excavated onsite. To save funds, they would like to refrain from providing an updated site plan until they file their NoI. The Commissioners assented provided that an updated plan be provided with the NoI.

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Donovan Flower Field

Ms. Hemingway advised she was waiting for quotes from ECR and Seoane Landscaping to create a wildflower meadow. The Commission authorized ECR to perform the required soil sampling and approved the quote for \$545.00.

Motion by Mr. Mott to authorize Ms. Hemingway to hire ECR to perform soil testing at Donovan West. Seconded by Mr. Woodill and unanimously voted.

CPC

The Commission discussed CPC's rejection of its application for Jacobs Pond weed treatments. CPC had approved this request in past years. The funding request is on the warrant for the special town meeting.

Farming

Mr. Mott advised that part of a tree is down in Jacobs Field 3. Ms. Hemingway will send a trail crew to remove it.

Trail Work Update

Ms. Hemingway advised that trail maintenance is behind due to the weather.

MISCELLANEOUS

Bills

The following bills were presented for payment:

1. FLI – Stony Brook Cottage asbestos testing/report - \$885 from Prof. Services line item.
2. Chris Sullivan – minutes 4/3 - \$150
3. DBS – lumber/supplies for storage shed improvement for small tools - \$53.76
4. ABC – supplies for trail crew – two pairs loppers, gloves, oil, safety glasses - \$191.46
5. WB Mason – office - \$ 57.33
6. N. Hemingway – reimbursement for 4 copies of stormwater plan at Office Max - \$15.26
7. Chessia – Simon Hill Peer Review - \$2,009.00
8. Chessia – George Rd stormwater – SWPPP – grading peer review - \$1,000.00
9. Chessia – Curtis Farm Toll Bros – Stormwater - \$256.00
10. Steve McViney – Trail work - \$117.00

Motion by Mr. Mott to pay the bills as listed. Seconded by Mr. Ivas and unanimously voted.

Minutes

The minutes for the March 19, 2019 meeting were distributed. Commissioners reviewed and discussed corrections and changes.

Motion by Ms. Markham to approve the minutes of the March 19, 2019 meeting as written. Seconded by Mr. Woodill and unanimously voted.

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.

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7:30pm: (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

A continuation request was received at the Conservation Office.

Motion by Mr. Woodill to continue the matter to June 4, 2019 at 7:30 pm. Seconded by Mr. Mott and unanimously voted.

8:00pm: PUBLIC HEARINGS LEGAL DOCUMENTS/VOTE *Legal Documents/Votes ***Minor Amendments, Reviews, CoC's ***Requests for Determination ***Notices of Intent ***Enforcements/ Violations**

45 Cedar Point / SE52-1163 & NCC# 6(19) / Remove Pier/Deck & Replace with Ramp, Pier, Boat Rack & Float NoI / Ooc (ISSUE OoC ONLY) (cont.) App: Domenic Mazzocco / Rep: (Same)

The electronic copy of the updated site plan was received per discussion by the Commission during the April 2, meeting.

Motion by Mr. Mott to close the hearing for 45 Cedar Point, SE52-1163. Seconded by Mr. Ivas and unanimously voted.

Motion by Mr. Woodill to approve the NoI for 45 Cedar Point, SE52-1163 with a short form OoC. Seconded by Mr. Mott and unanimously voted.

40 Norwell Avenue / SE52-1124 & NCC# 32(17) / Remediation for a (heating) oil release Request for CoC App: Roy & Anna Colella / Rep: McKenzie Engineering

Ms. Hemingway advised that conservation markers have been added to trees, vegetation has been established, and the site seems in order. Since the matter concerned a heating oil release, DEP will continue to monitor. Ms. Hemingway recommended that the standard continuing conditions 24-33 be applied.

Motion by Mr. Mott to issue a certificate of compliance for 40 Norwell Ave. with continuing conditions as noted. Seconded by Mr. Ivas and unanimously voted.

427 R Main Street / NCC# 10(19) / Maintenance of existing driveway, Install. of Farm Field Fence

RDA / DoA App: Conor & Colleen Cooper / Rep: Brad McKenzie, McKenzie Eng.
Mr. Woodill read the Notice of Public Meeting. Applicant Colleen Cooper present.

Ms. Hemingway advised that the majority of the work was outside Commission jurisdiction; a 10 x 40 stretch of the proposed cart path re-grading is in the buffer zone to a BVW. Her only concern was controlling the staging area and vehicle traffic associated with the barn construction. She recommended approval with the condition that there be no disturbance in the 50 ft buffer

other than maintenance. In response to a query from Mr. Mott, Ms. Cooper indicated that the cart path is wide enough to accommodate construction vehicles.

Motion by Mr. Ivas to issue a Determination of Applicability, pos 2A, pos 5, neg 2, neg 3, with condition as noted. Seconded by Mr. Mott and unanimously voted.

Off Pleasant Street & George Rd. / SE52-997 & NCC # 10{12} / Stormwater Basins
Request for Minor Amendment App: Philip Johnson / Rep: McKenzie Eng.

Work is ongoing on Lots 4 and 6, with temporary basins in place; the Building Department has indicated that no occupancy permit will be issued until the permanent basins are installed. The project is under peer review by Chessia Consulting, and the matter was continued for Mr. Chessia's comments; work can continue in the meantime.

Motion by Mr. Mott to continue the matter to May 21, 2019 at 8 pm. Seconded by Ms. Markham and unanimously voted.

169 Stetson Road / SE52-1165 & NCC# 9(19) / Wetland Line Jurisdictional Delineation
ANRAD / ORAD App: Stetson Road, LLC / Rep: Brad McKenzie, McKenzie Eng.

Mr. Woodill read the Notice of Public Meeting.

Ms. Hemingway indicated that the purpose of this filing is to establish the sq ft of upland acreage on the lot. The applicants plan to sell the back of their lot to the Schooner Estates subdivision but must retain a minimum of 1 acre of upland. She walked the new line with Brad Holmes and Al Loomis, and felt the delineation to be accurate.

Motion by Mr. Woodill to issue an ORAD for 169 Stetson Road. Seconded by Mr. Mott and unanimously voted.

Lot 62, Stony Brook Lane / SE52-1153 & NCC# 34(18) / Single-Family Home
NoI / OoC (cont.) App: Thomas Williams / Rep: Scott Goddard, Goddard Consulting

A continuation request was submitted by the applicant.

Motion by Mr. Mott to continue the matter to May 21, 2019 at 8 pm. Seconded by Ms. Markham and unanimously voted.

16 Circuit Street / SE52-1159 & NCC# 40(18) / Installation of a Pool & Fence
NoI / OoC (cont.) App: Kevin McKinnon / Rep: Darren Grady, Grady Consulting

A continuation request was submitted by the applicant.

Motion by Mr. Ivas to continue the matter to June 4, 2019 at 8 pm. Seconded by Mr. Mott and unanimously voted.

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TOWN ENGINEER

323 Cross Street / SE52-xxxx & NCC# 12(19) / Garage, Addition, Workshop, Driveway Reconfig, Drainage, Landscape NoI / OoC App: Peter Cargill & Elizabeth O'Brien / Rep: Brad Holmes, ECR

Mr. Woodill read the Notice of Public Meeting. Brad Holmes, ECR, present along with applicants and about 6 area residents. Ms. Hemingway advised that a DEP number had not yet been issued, and the matter will have to be continued.

Mr. Holmes indicated that the subject property was a 2.4 acre lot with gravel, then paved driveway. There is a BVW on the other side of Cross Street whose drainage is piped to an intermittent stream running along the property. Resource areas include an intermittent stream, BVW, and the associated buffers.

Applicants would like to add a garage to the side of the house, where a portion of the driveway is now. The driveway would be reconfigured to access the garage, and portions of the existing driveway would be restored to lawn area and vegetated buffer zone. A patio bordered by a retaining wall would be added to the front of the house in existing lawn area inside the 100 ft buffer. An addition would be made to the back of the house in the outer 100 ft buffer.

There is an existing yard drain that empties into the intermittent stream; they would like to move this further north but also construct a rain garden with native species in the front yard, so the water collected gets treated and infiltrated. They would also like to add a freestanding workshop in the northwest corner of the yard, in the outer buffer zone.

Mr. Ivas questioned the rationale for realigning the front of the driveway, as it seemed to result in more square feet of disturbance in the buffer zone, including the removal of trees. Mr. Cargill indicated they would route the driveway between existing trees to minimize the necessity for removal. Mr. Mott pointed out that keeping the existing driveway would eliminate the need for mitigation. Mr. Holmes is willing to further discuss this with applicants for the next meeting.

All parties then discussed the proposed workshop, which Mr. Cargill indicated would be about 25 x 25 ft, with no associated pathway. He would like to permit it now but not construct it immediately.

Mark Brulport, 15 Gendarme Pl., commented that the current driveway seemed to be acting as a large berm that caused ponding in the front yard. Chair Wahl felt that the proposed rain garden would soak up a lot of this water. Ms. Hemingway noted that this part of the yard was once part of the wetland on the other side of Cross Street, and suggested that applicants plant willow trees or similar species in the front yard or along the length of the driveway, as these would absorb additional water. She would also like some additional details about the shifting drain and inlet for the next meeting.

The matter was continued to allow for receipt of a DEP number. The Commissioners will visit the site, and Mr. Holmes will provide more analysis concerning the driveway and catch basin.

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APR 23 2019
TOWN OF MONMOUTH
TOWNSHIP

Motion by Mr. Mott to continue the matter to May 21, 2019 at 8 pm. Seconded by Ms. Markham and unanimously voted.

Jacobs Pond / SE52-xxxx & NCC# 13(19) / Pond Treatment of Invasive & Noxious weeds
NoI / OoC Applicant: Town of Norwell Conservation / Representative: Solitude Lake Mgmt.

Mr. Woodill read the Notice of Public Meeting.

Ms. Hemingway advised that several residents had asked for more information, but had no issues once they realized the filing was for weed treatment in the pond as opposed to weed cutting outside the pond.

The matter was continued for receipt of a DEP number and to allow more time for public comment.

Motion by Mr. Mott to continue the matter to May 21, 2019 at 8 pm. Seconded by Mr. Ivas and unanimously voted.

Stony Brook Cottage / NCC# 11(19) / Demolition, Removal & Replacement of Run-down cottage with an osprey pole/nest & bench RDA/DoA
Applicant: Norwell Conservation / Representative: N/A

Mr. Woodill read the Notice of Public Meeting.

Ms. Hemingway advised that the cottage has been boarded up. They will need to do some asbestos treatment, and will need to hire a Title V specialist to pump and test the tank underneath; the tank will not be excavated. No comments had been received from the public, but she recommended a continuation to allow more time for public comment.

Motion by Mr. Woodill to continue the matter to May 21, 2019 at 8 pm. Seconded by Ms. Markham and unanimously voted.

PENDING SUBDIVISION / COMMERCIAL DEVELOPMENT UPDATES:
Norwell Estates (Circuit Street), (cont.)

Ms. Hemingway advised that consulting engineer John Chessia has been working with Scott Miccile, Toll Bros., to address a collapsing berm and planting failures; she does not recommend additional lot releases at this time.

ADMINISTRATIVE PERMITS & REQUESTS:
41 Accord Park

Ms. Hemingway noted that the property owners had previously submitted a NoI to pave the parking lot and upgrade the stormwater system. Now they would like to level and re-grade the existing gravel lot. An existing berm will prevent any impact to Accord Pond. Chair Wahl recommended that the permit specify that there be no discharge into the pond.

Motion by Mr. Woodill to issue an administrative permit for 41 Accord Park with condition as noted. Seconded by Mr. Ivas and unanimously voted.

191 Pleasant Street

Ms. Hemingway advised that applicant would like to remove five trees, three living and two dead. The request was approved with the condition that the two living trees be replaced.

Motion by Mr. Woodill to issue an administrative permit for 191 Pleasant St. with condition as noted. Seconded by Mr. Mott and unanimously voted.

40 River Street

Applicant is requesting a permit for several minor activities including the addition of raised garden beds, a fire hydrant, and an adjustment to one of the paths farther away from the wetland. Ms. Hemingway had no concerns.

Motion by Mr. Mott to issue an administrative permit for 40 River St. Seconded by Mr. Ivas and unanimously voted.

PUBLIC MEETINGS:

Forest Cutting Requests - Mt. Blue St & Barrel Lane (Historic) – Rodriguez – update
Town Counsel Bob Galvin continues to monitor.

VIOLATION DISCUSSIONS:

135 Norwell Ave. (Lowe) – Discussion re: Outstanding OoC & Violation Resolution

Ms. Hemingway advised that she hasn't received any filings from the homeowner, but there also hasn't been any new activity on the site; she will continue to monitor. The Commission discussed whether and when to issue a violation for the uncompleted restoration.

109 Parker St, - Discussion of status and anticipated owner actions

The subject property is up for sale, and lacks the conservation restriction and plantings required to close out the existing OoC. The owner's representative is preparing a filing to expand the yard into the 50 ft buffer, but nothing has been received to date. Ms. Hemingway will continue to monitor.

236 Bowker St

Ms. Hemingway has allowed the filing of an after-the-fact RDA for unpermitted work; the matter is on for May 21.

ENFORCEMENT HEARINGS:

AGENT'S REPORT

Moderators Meeting / Town Meeting

Mr. Woodill will attend the moderators meeting on April 29 to speak on articles affecting the Commission.

Norwell Beautification Day

Commissioner Bjorlin asked about Commission participation in the Trash Bash on May 4. Mr. Mott and Ms. Hemingway can help.

TOWN OF NORWELL
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**SCIENCE AND REGULATION IN THE NEWS
EDUCATION AND TRAINING OPPORTUNITIES**

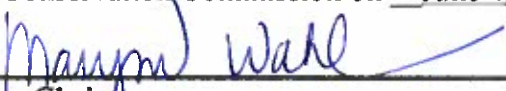
Please refer to the Agents Notes available in the Conservation Office.

<i>Next Meeting</i>	<i>May 21, 2019</i>
<i>NEW filing applications due date/deadline</i>	<i>May 7, 2019 @ noon</i>
<i>Legal Notice publication date-Patriot Ledger</i>	<i>May 13, 2019</i>
<i>Revised Information submittal deadline</i>	<i>May 14, 2019 @ noon</i>
<i>Peer Review Info Deadline, CoC Requests, Minor Modification &LP Requests</i>	<i>May 14, 2019 @ 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 9:08 pm. Seconded by Mr. Woodhill and unanimously voted.

I hereby certify that the above minutes were presented and approved by a majority vote by the Norwell Conservation Commission on June 4, 2019



 M. Wahl - Chair

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