



NORWELL CONSERVATION COMMISSION

Room 112 / 345 Main Street / Norwell, MA

April 2, 2019 @ 6:30PM

Minutes

TOWN OF NORWELL
TOWN CLERK

4 JUN -5 AM 10:41

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Present: Chair Marynel Wahl, Vice Chair Bob Woodill, Bob McMackin, Ron Mott, Justin Ivas, Ellen Markham, Conservation Agent Nancy Hemingway, and Recording Clerk C. Sullivan. Roy Bjorlin was absent.

CALL TO ORDER

The meeting was called to order at 6:34 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 discussion regarding the purchase of equipment for the Conservation Office.

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

PUBLIC HEARING: Simon Hill (Off Prospect St.) / SE52-1154 & NCC# 35(18) / Comprehensive Permit for Dev. Project including Roadway, Parking, Retaining Walls & associated Infrastructure NoI / OoC (cont.) Applicant: Brian Murphy, Simon Hill, LLC / Representative: B. McKenzie, McKenzie

A request for continuation was received at the Conservation Office.

Motion by Mr. Woodill to continue the matter to May 21, 2019 at 6:30 PM. Seconded by Mr. Ivas and unanimously voted.

COMMISSION BUSINESS

New Business

Donation Feasibility Study

Selectmen Ellen Allen and Jason Brown discussed a proposal to incorporate a walking trail from the YMCA/NSRWA headquarters to the South Shore Natural Science Center, passing through the library and Norwell High School/Library, into a Mass Works grant currently in process to address traffic issues on Mill and South Streets. This would require easements from a property owner on South Street, as well as from the developers of the Hanover Mall, and completion of a feasibility study for which a quote of \$13K has been received from Cavanaro Consulting.

All parties discussed potential funding sources including the Conservation Fund, which would be contingent upon the Hanover Mall developers turning land over to the Commission or granting a trail easement. Other options discussed included CPC administrative or discretionary funds, or a combination of general budget line items.

In response to a query from Commissioner Ivas, Ms. Hemingway indicated this connection had been contemplated in the Open Space plan for some time, as it may be attractive to students at the high school as well as residents of the Mall development.

Motion by Mr. Woodill that the Commission ask the Town Administrator to ask the developers of the Hanover Mall to provide funding and/or an easement letter of intent for a feasibility study related to a Mass Works grant for a trail connection, and authorize the expenditure of up to \$15K out of the Conservation Fund to fund such study as needed. Seconded by Mr. Mott and approved by a 4-0 margin, Mr. Ivas having abstained.

Donovan Field – Wildflower Labyrinth / Meadow

Mr. McMackin led a discussion about converting Donovan west-Whitaker into a public wildflower meadow or labyrinth. (Commissioner ???) has talked with Peg Norris, of the Beautification Committee, who expressed support.

Mr. McMackin suggested that they start with planting a simple meadow, and then gauge resident response. Ms. Hemingway recommended soil testing, which can be done at a nominal cost. She also requested cost estimates from Seone and ECR as to landscaping and planting.

After further discussion concerning cost and logistics, the Commission authorized the expenditure of funds from the Boardwalk and Entry Fund to proceed. The estimates will likely be ready for the April 23 meeting.

Motion by Mr. Mott to authorize the Conservation Agent and Commissioners Mott and McMackin to expend no more than \$7500 from the Boardwalk and Entry Fund to create a wildflower meadow at Donovan Field. Seconded by Mr. Ivas and unanimously voted.

Vinal School Outdoor Woodland Trail

Ms. Hemingway advised that the fifth grade class at the Vinal School would like to add a guide rope and braille signage to the school trail system. The Commission authorized the trail crew to provide any needed assistance.

Motion by Mr. Mott to authorize the Trail Crew to assist with work on the Vinal School trails. Seconded by Mr. Ivas and unanimously voted.

“Norwell Cares” (High School public service project) Update

The Commission discussed project ideas for the high school community service day in September.

2019 Trail Maintenance Plan Review

The Commission discussed and approved the draft 2019 Trail Maintenance Plan, and authorized Agent Hemingway to expend trail maintenance funds to extend the Miller Trail loop by an additional 24 feet. Mr. Mott suggested one of the trail crew members construct an internal locked cage to store tools and equipment in the storage shed.

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JUN -5 AM 10:41

Motion by Mr. Mott to authorize the Conservation Agent to expend up to \$500 from the Repair and Maintenance funds for the Miller Woods trail extension. Seconded by Ms. Markham and unanimously voted.

Motion by Mr. Woodill to approve the 2019 Trail Maintenance Plan as written. Seconded by Mr. Ivas and unanimously voted.

Equipment Purchase

The Commission authorized the expenditure of funds for the purchase of a GPS unit and digital camera for the Conservation Office.

Motion by Mr. Mott to authorize the expenditure of up to \$3000 for the purchase of a GPS unit and camera for the Conservation Office. Seconded by Ms. Markham and unanimously voted.

Old Business

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

Stony Brook Cottage

Ms. Hemingway advised that Trees & Grounds Commissioner Glenn Ferguson found asbestos tiles in Stoney Brook Cottage. An analysis will be required to determine what, if any, remediation will be required as part of the cottage demolition. Mr. Mott advised there was a deed restriction on the property that would preclude providing public parking for access to the North River; he suggested that a steel bench be installed once the building was razed. Ms. Hemingway suggested that an Osprey stand be added to the site.

The Commission authorized Ms. Hemingway to accept a \$975 quote from FLI Environmental for the asbestos analysis and start preparing a Notice of Intent. She will also ask Stacy Minihane to provide a delineation and solicit bids for the work.

Motion by Mr. Mott to authorize the expenditure of \$975 out of the Conservation Fund for an asbestos analysis at Stony Brook Cottage. Seconded by Mr. Ivas and unanimously voted.

Motion by Mr. Mott to authorize the Conservation Agent to start a NoI for demolition of the Stony Brook cottage and placement of a bench and osprey stand. Seconded by Mr. Woodill and unanimously voted.

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		

Open Space & Recreation

Chair Wahl advised that the committee is meeting tomorrow.

JUN - 5 AM 10:41
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Pathways

Pathways is meeting tomorrow to discuss a new idea for the privacy berm whose restoration Ms. Hemingway requested in writing.

CPC

The Advisory Board did not recommend CPC's \$25K grant to the Commission for trail maintenance; Ms. Hemingway is seeking alternative funds. Chair Wahl suggested that a Commissioner(s) attend Advisory Board meetings where grants to the Commission are being discussed.

The Board did approve the grant for the Jacobs West feasibility study. Ms. Hemingway will try to loop in the residents of Jacobs Pond Estates to address any concerns.

Trail Work Update

The Commission granted NSRWA permission to host a trail walk in Stetson Meadows. They are not charging a fee for the event, and will provide an insurance certificate.

Motion by Mr. Ivas to permit the NSRWA to host a trail walk in Stetson Meadow as proposed. Seconded by Mr. Mott and unanimously voted.

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MISCELLANEOUS

Bills

The following bills were presented for payment:

- Chris Sullivan - \$150 – minutes 3/19/19
- Steve McViney - \$87.75 – Trail work

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

Ms. Hemingway advised that the Simon Hill developers have requested an in-office meeting with BSC and Chessia to discuss their peer review results, and requested authorization to bill the developers for these meetings.

Motion by Mr. Ivas to authorize the Conservation Agent to bill the Simon Hill developers for the two change orders, \$1460.00 and \$500.00. Seconded by Ms. Markham and unanimously voted.

Minutes

The minutes for the March 5, 2019 meeting were distributed. Commissioners reviewed and discussed corrections and changes.

Motion by Mr. Mott to approve the minutes of the March 5, 2019 meeting as written. Seconded by Ms. Markham 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.

TOWN OF NORWELL
TOWN CLERK
2019 JUN -5 AM 10:41

8:00PM: PUBLIC HEARINGS LEGAL DOCUMENTS/VOTES
*****Legal Documents/Votes ***Minor Amendments, Reviews, CoC's**
*****Requests for Determination ***Notices of Intent ***Enforcements/ Violations**
Refer to the complete agents notes to the Commission for comments relating to this meeting.

85 Till Rock Lane / SE52-762 & NCC# 9(05) / Addition & Pool
Request for CoC Applicant: Daniel & Dianne Uhlman / Representative: N/A

Applicants are selling their home and need to close out an Order of Conditions for a pool that was never built. Ms. Hemingway noted for the record that a violation she found in the file actually applies to the property four lots down (lot 15).

Motion by Mr. Mott to issue a CoC for 85 Till Rock Lane, as the permitted work never took place. Seconded by Ms. Markham and unanimously voted.

55 Bridge Street / NCC# 7(19) / Addition
RDA / DoA Applicant: Gordon Pulsifer / Representative: N/A
Mr. Woodill read the Notice of Public Meeting.

Gordon Pulsifer present. Applicant discussed a plan for a small addition to his existing house, which would be cantilevered out over existing mulch beds, with no foundation or lawn disturbance, and be supported by two sonotubes. A mini-excavator will be used, and any fill will be removed by hand. Silt sock will be used for erosion control. One shrub will be taken out which applicant will try to replant. Ms. Hemingway advised applicant that a pre-start of work meeting will be required.

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

710 Grove Street / NCC# 8(19) / Septic System Replacement
RDA / DoA Applicant: Nikolay Borunov / Representative: Terry McGovern, Stenbeck & Taylor
Mr. Woodill read the Notice of Public Meeting.

Rick Servant, Stenbeck & Taylor, present.

Ms. Hemingway noted it was discovered that the system issues requiring frequent pump-outs were due to a clogged pipe rather than a failed leachfield. The system is technically still in failure and has to be replaced. Mr. Servant added that the new system was sited in approximately the same location due to the perceived urgency of the failure, and moving the system out front would incur considerable expense.

Ms. Hemingway noted that four trees were a potential hazard to the house, and recommended that their removal be permitted with the condition that any trees so removed be replaced.

The project was approved with the condition that the fallen trees and green waste along the bank to the wetland be removed, and that any hazard trees removed be replaced at a 1:1 ratio. Conservation posts and markers are required along the limit of allowed use and/or 50 foot buffer.

Motion by Mr. Mott to issue a Determination of Applicability, pos 2b, pos 5, neg 2, neg 3 and conditions as noted. Seconded by Ms. Markham and unanimously voted.

386 River Street / SE52-1160 & NCC# 41(18) / Detached 2-Car Garage

NoI / OoC (cont.) Applicant: Jerzy Hrebenko / Representative: Mark Manganello, LEC Env. Cons.

Applicant present. Ms. Hemingway noted that the Commission had requested that the ZBA consider other locations for the proposed garage. The applicant needs the Commission to deny the NoI without prejudice before they can consider a variance for other garage locations. Applicant can re-open the hearing if ZBA doesn't grant the variance, in which case the Commission will waive the filing fee.

Mr Ivas stated that if the project was denied by ZBA and came back to the Commission, the new structure must be moved out of the 50 ft buffer in keeping with past history and precedence.

Motion by Mr. Mott to deny the NoI without prejudice. Seconded by Mr. Ivas and unanimously voted.

Lot 62, Stony Brook Lane / SE52-1153 & NCC# 34(18) / Single-Family Home

NoI / OoC (cont.) Applicant: Thomas Williams / Rep: Scott Goddard, Goddard Consulting

A request for continuation was received. Ms. Hemingway as well as Commissioners Wahl and Markham visited the site recently and found the staking to be minimal and not reflective of the site plan.

Motion by Mr. Ivas to continue the matter to April 23, 2019 at 8 PM. Seconded by Mr. Mott and unanimously voted.

16 Circuit Street / SE52-1159 & NCC# 40(18) / Installation of a Pool & Fence

NoI / OoC (cont.) Applicant: Kevin McKinnon / Representative: Darren Grady, Grady Consulting
Mr. Woodill read the Notice of Public Meeting.

A request for continuation was received.

Motion by Mr. Ivas to continue the matter to April 23, 2019 at 8 PM. Seconded by Mr. Mott and unanimously voted.

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

Kevin Maguire present with applicant. Mr. Maguire advised that NRC had granted them a waiver to increase the height of the dock by 7 inches to meet the new DMF guidelines; NRC had requested that wire instead of wooden railings be used as a condition of the waiver.

The matter was continued to allow for receipt of an electronic copy of the updated site plan. The matter will be formally closed at the next meeting.

Motion to continue the matter to April 23, 2019 at 8 PM. Duly seconded and unanimously voted.

PENDING SUBDIVISIONS / COMMERCIAL DEVELOPMENT UPDATES:

Norwell Estates (Circuit Street)

A continuation request was received from the applicant.

ADMINISTRATIVE PERMITS & REQUESTS:

15 Leigh Road

Applicant is asking permission to remove three trees to the left of the home in the 50 ft buffer. Ms. Hemingway stated the trees are not dead, but are overhanging and causing roof rot and mold issues I the home. Replacement trees will be planted further from the home.

Motion by Mr. Mott to authorize Ms. Hemingway to issue an administrative permit for tree removal at 15 Leigh Road. Seconded by Mr. Woodill and unanimously voted.

134 Main, That Bloomin Place

The owners are adding a temporary greenhouse within an existing agricultural exemption yard. Ms. Hemingway noted that this activity does not require a permit, but she will visit the site along with Commissioners Wahl and Mott.

PUBLIC MEETINGS:

Forest Cutting Requests - Mt. Blue Street and Barrel Lane (Historic)– Rodriquez – update

A decision on the motion to dismiss is still pending.

VIOLATION DISCUSSIONS:

135 Norwell Ave. (Lowe)

Homeowner Eric Lowe present. Ms. Hemingway advised that a previous OoC had expired before Mr. Lowe started work. A new NoI will be required.

The Commission reviewed a pre-filing site plan provided by Mr. Lowe, who would like to use an old dirt path running through a resource area in order to run a tractor between his garage and a farmed area in back of his property. Ms. Hemingway noted that the existing use exemption for the path expired years ago.

2019-04-02 AM 10:42
COMMISSIONER
NORWELL

After a discussion of alternatives including a shorter or different path, or constructing a new garage in the back of the property, a site walk was arranged for additional ideas. Ms. Hemingway noted that applicant will also need to re-permit for installation of the new septic system, and mitigation is still needed for previous unpermitted cutting and alteration of the 50 ft no disturb buffer. Ms. Hemingway suggested that applicant consider shifting the location of the proposed septic system to free up an alternate route to the backyard.

109 Parker St

Property owner is requesting a CoC for an Order of Conditions that expired four years ago after two extensions. Several conditions of the OoC have not been met, including implementation of a conservation restriction and planting plan. Applicant has stated they will be filing a new NOI; Ms. Hemingway recommends issuance of an enforcement order if this is not forthcoming.

ENFORCEMENT HEARINGS:

None.

AGENT'S REPORT

Carissa Demore of Historic New England has expressed concern at the number of high tunnels proposed by Norwell Farms/Cross Street Flower Farm, and may visit the site.

**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>April 23, 2019</i>
<i>NEW filing applications due date/deadline</i>	<i>April 9, 2019 @ noon</i>
<i>Legal Notice publication date-Patriot Ledger</i>	<i>April 15, 2019</i>
<i>Revised Information submittal deadline</i>	<i>April 16, 2019 @ noon</i>
<i>Peer Review Info Deadline, CoC Requests, Minor Modification &LP Requests</i>	<i>April 16, 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. Mott to adjourn at 9:10 PM. Seconded by Mr. Ivas 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.



 Marynel Wahl, Chair

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 CHAIRMAN