

NORWELL CONSERVATION COMMISSION

345 Main Street / Norwell, MA

August 1, 2017 @ 7:00 PM - Room 112

Minutes

2017 SEP -6 AM 11:22

Present: Marynel Wahl, Chair, Bob McMackin, Ron Mott, Bob Woodill, Justin Ivas, Stacy Minihane, Agent N. Hemingway, and Recording Clerk C. Sullivan. David Osborne was absent.

CALL TO ORDER

The meeting was called to order at 7:03 pm by Chair Marynel Wahl. The meeting was recorded.

AGENDA ACCEPTANCE

Ms. Hemingway added one bill and one refund for approval.

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

COMMISSION BUSINESS

Norwell Highways Presentation

Highway Commissioner Glenn Ferguson gave a slide show to advise the Commission of some upcoming Norwell Highways projects and illustrate some of the maintenance challenges they are facing; these included drain pipes clogged with silt, private owners tucking drains near the right of way and causing drainage onto the road, mail truck damage, and ongoing drainage issues at the Wildcat development. He also pointed out that the department had picked up about 13 additional miles of roadway to maintain over the past 5 years.

He also discussed pipe repair processes and techniques, areas where he thinks he can use woven mesh instead of stone riprap to protect the drains, and the possible installation of Green Armor turf in the swales.

Ms. Hemingway advised that the general permitting process discussed at the previous meeting was ongoing but progressing.

Street Signage

Mr. Woodill requested permission to enter negotiations with Highway Commissioner Glenn Ferguson to put in six signs near the entrance to several Commission properties. Ms. Hemingway advised that this would be a municipal procurement that would require permission from the procurement officer, Town Administrator Peter Morin.

Motion by Mr. Mott to authorize Mr. Woodill to get quotes for the installation of street signs. Seconded by Mr. Ivas and unanimously voted.

SUB-COMMITTEE UPDATES (OLD & NEW BUSINESS)

Pathways	R. Woodill	The next Pathways Commission meeting is tomorrow.
Farming	R. Mott	Mr. Mott advised that Norwell Farms has done the clearing work requested of them at Barstow field. The brush will be burned in the Fall. John Hornstra is clearing the stone walls at his fields. Mr. Mott would like trash barrels to be put in at Jacobs and Donovan fields, as people are putting trash in the pet waste containers.

MISCELLANEOUS

1. Bills
 - a. WB Mason – office supplies - \$36.61
 - b. WB Mason – Recorder - \$
 - c. EcoTec – Peer review monitoring replication and mitigation areas - 239 Washington - \$91.68
 - d. EcoTec – Peer review monitoring replication area/VP – Damon Farm - \$146.68
 - e. Chris Sullivan - meeting transcription July 18 - \$150.00
 - f. Anchor Press – reprint updated brochure 1500 copies - \$2958.75
2. Minutes – 7-6-17, 7-18-17 - *minutes* *hppm*
3. Jacobs Pond payment for service-shifting of accounts per request of D. Mangan
4. Review and acknowledgement of Yearly Budget and Reconciliation Funds

Bills

Ms. Hemingway read off the list of bills to be paid. A \$2490.63 bill from Anchor Press for 1250 trail maps was added, as well as a vendor return for a CoC at 501 Mt. Blue Street.

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

Minutes

The minutes for the July 6 and July 18 meeting were distributed. Commissioners reviewed and discussed corrections and changes.

Motion by Ms. Minihane to approve the minutes of July 6 as submitted. Seconded by Mr. Mott and approved by a majority vote, Mr. Ivas having abstained.

Motion by Ms. Minihane to approve the minutes of July 18 as amended. Seconded by Mr. Woodill and approved by a majority vote, Mr. Mott and Mr. Ivas having abstained.

Jacobs Pond Payment

Ms. Hemingway requested the Commission change the schedule account numbers for the Jacobs Pond treatment payment at the request of Town Accountant Donna Mangan.

Budget/Reconciliation Review

Commissioners signed a document acknowledging receipt and review of the yearly budget and reconciliation funds.

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.

8:00PM: PUBLIC HEARINGS LEGAL DOCUMENTS/VOTES

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

King's Landing, Lot 43 / SE52-1103 & NCC# 29(16) / Water line installation through Norwell Water Department from Harbor Lane through King's Landing.

Minor Modification Applicant: Norwell Water Department Jack McInnis/Eric Hines / Representative: Merrill Assoc.

Water Superintendent Jack McInnis, Assistant Superintendent Eric Hines, and Water Commissioner Steve Ivas were present. Commissioner Justin Ivas recused himself and left for the duration of the discussion.

Mr. Hines advised that the residents of King's Landing had petitioned the Department for water service. The Department has asked Steve Miller for an easement and wants to run the line from Harbor Lane through the easement. They will also put in hydrants for fire protection and flushing. He asked that the Commission

approve the request as a minor modification to the OoC for the Miller parcel between Harbor Lane and King's Landing.

Mr. McInnis added that allowing the easement would save 1300 feet of installation from Main Street and improve water quality for the residents on King's Landing. Ms. Hemingway advised that the new plan adds a 20 foot easement to the north of the permitted project and slightly intrudes into the 50 foot buffer.

After some discussion, Commissioners decided to approve the amendment to the Miller OoC and request an RDA for the other aspects of the work. A brief meeting was set for 7 AM on August 11 to close out the minor amendment and review the RDA.

Motion by Mr. Mott to approve the minor amendment for the water line through the Miller property. Seconded by Mr. Woodill and unanimously voted.

224 Main Street / SE52-1118 & NCC# 17(17) / Jurisdictional Wetland Line Delineation
ANRAD / ORAD (cont.) Applicant: Bonnie Campbell / Representative: Rick Grady, Grady Consulting

Paul Seaberg, Grady Consulting, present. Ms. Hemingway advised that she and Ms. Minihane had reviewed the amended flag line in the field and they think the new line is accurate.

Motion by Ms. Minihane to issue an ORAD reflecting the approved plan and noting the specific on-site flag series are confirmed. Seconded by Mr. Woodill and unanimously voted.

50 Turner's Way / SE52-1119 & NCC# 22(17) / Raze & Rebuild Single-Family Home & Garage
OoC (signature) Owner: Alan McKim / App. & Representative: Peter Bilodeau, Bilodeau Builders

Ms. Hemingway noted that this OoC had been approved at the previous meeting and advised that the builders had done a good job with the plantings. The OoC was then circulated to the Commissioners for their signatures.

246 Bowker St. (fka: 260 Bowker, Lot D) / SE 52-1096 & NCC # 17(16) / Single Family Home & related CoC (cont.) Applicant: Fran O'Meara Representative: N/A

Ms. Hemingway briefly advised that the site had been stabilized with no issues, and recommended approval of the CoC.

Motion by Mr. Woodill to approve the CoC for 246 Bowker Street. Seconded by Mr Ivas and unanimously voted.

85 Till Rock Lane / SE52-762 & NCC# 9(05) / Home Addition & Pool Installation
CoC Request Applicant: Daniel & Dianne Uhlman / Representative: Atty. Donald Kethro

Ms. Hemingway advised that the addition was completed but the pool was never installed. She recommended a continuation to give the homeowners time to comply with all aspects of the OoC.

Motion by Mr. Woodill to continue the matter to September 5 at 8 PM. Seconded by Mr. Ivas and unanimously voted.

501 Mount Blue Street (fka: #497) / SE52-1045 & NCC# 42(13) / Driveway Access w/ SFH
CoC Request Applicant: Diamond Development / Representative: Greg Tansey, Ross Engineering

Ms. Hemingway advised that the final site inspection and peer review have been completed. The final plantings look healthy, and conservation bounds have been established and shifted to the edge of the

driveway. She recommended issuance of the CoC based on the findings of the engineer, peer review, and personal observation.

Motion by Ms. Minihane to issue a CoC for 501 Mt. Blue Street. Seconded by Mr. Ivas and unanimously voted.

405 Washington Street / SE52-756 & NCC# 62(04) / Septic System Upgrade

CoC Request Applicant: Pilgrim Lodging, Inc. **Representative:** Kevin Grady, Grady Consulting, LLC

Ms. Hemingway advised that the site had been stabilized and recommended issuance of the CoC.

Motion by Ms. Minihane to issue a CoC for 405 Washington Street. Seconded by Mr. Ivas and unanimously voted.

405 Washington Street / NCC# 27(17) / Septic System Upgrade

RDA / DoA Applicant: Rosano Davis / **Representative:** Rob Carlezon, Grady Consulting, LLC

Mr. Woodill read the notice of public meeting. Ms. Hemingway advised that the applicants need to expand their septic service so it can handle more units. The leachfield is well outside the 100 foot buffer, and they are only adding a new tank adjacent to the existing approved tank. She had no concerns.

Motion by Mr. Mott to approve the RDA on a pos 2b, pos 5, neg 3. Seconded by Mr. Ivas and unanimously voted.

27 Stetson Road / SE52-1121 & NCC# 28(17) / Septic System Upgrade

NoI / OoC Applicant: Thomas Fadden / **Representative:** Paul Mirabito, Ross Engineering

Mr. Woodill read the notice of public meeting. Paul Mirabito, Ross Engineering, present.

Mr. Mirabito advised that the proposed system would be installed over the existing one, and the design was approved by the Board of Health last night. The system is designed for two bedrooms, and this restriction will be recorded in the Registry of Deeds.

Commissioners discussed the installation of conservation bounds along the brook edge. Ms. Hemingway noted that the short-form OoC requires their installation. Mr. Mott suggested that a deed restriction denoting the brook as an outstanding resource water be added as well.

Motion by Mr. Mott to approve the NoI with a short-form OoC and conditions that four conservation bounds be installed along the brook edge, identifying the brook as a coldwater fishery, and that a deed restriction be added denoting the brook as an outstanding resource water. Seconded by Mr. Ivas and unanimously voted.

Circuit Street (Donovan Field) / SE52-xxxx & NCC# 6(17) / Agricultural Field Squaring/ Clearing

NoI / OoC (cont.) Applicant: John Hornstra & NCC / **Representative:** John Hornstra & Ron Mott

Mr. Mott presented a site plan showing areas of Donovan field to be cleared; a project narrative and NoI will follow at a later meeting.

Commissioner questions included the reason for the project (reclaiming the field from invasive species and restoring it to its original size), how the knotweed encroachment would be addressed (it will be burnt on site), future maintenance (once-yearly mowing), and whether Hornstra Farms could handle the mowing (Hornstra has already offered to do so).

Commissioners also discussed whether any work would be done in the wetland and whether the total area to be cleared in the BVW would be less than 5000 feet. Ms. Hemingway noted that it would be important to accurately measure this, and advised that DEP may ask for additional project details.

Motion by Ms. Minihane to continue the matter to September 5 at 8 PM. Seconded by Mr. Woodill and unanimously voted.

31 Central Street / SE52-xxxx & NCC# 29(17) / 24 x 24 Garage Construction
NoI / OoC Applicant: John McKay / Representative: Steve Ivas, Ivas Environmental

Mr. Woodill read the notice of public meeting. Steve Ivas, Ivas Environmental, present. Commissioner Justin Ivas recused himself and left for the duration of the discussion.

This NoI concerns the construction of a garage directly adjacent to the existing single-family home. The site is within a priority habitat and the plans have been sent to National Natural Heritage and DEP for comments. Mr. Ivas advised that the entire garage will be built over existing driveway and turf lawn, in the 50 foot buffer to both BVW and an intermittent stream. Septic tanks and a pump chamber currently under the proposed garage site will be moved towards Central Street, further away from the BVW.

Ms. Hemingway noted that new structures in the 50 foot no new disturbance zone have not typically been permitted. She recommended continuation to September 5 pending the issuance of a DEP file number.

Motion by Mr. Mott to continue the matter to September 5 at 8 PM. Seconded by Mr. Woodill and unanimously voted.

The Commission briefly discussed whether it can consider intent or stewardship in permitting projects.

Norwell Conservation Comm. – Regulatory Review & Amendment Hearing (cont.)

- We can see the light at the end of the tunnel. We are starting to catch up on backlogged projects and I anticipate having something to discuss at the 9/5 meeting. If you would allow yet another continuation to 8PM, I would be appreciative.

Motion by Ms. Minihane to continue the matter to September 5 at 8 PM. Seconded by Mr. Woodill and unanimously voted.

PUBLIC MEETINGS - None
ADMINISTRATIVE REQUESTS

935 Main Street –

- The owner would like permission to install a pool within the already approved designated work zone associated with construction of the home. The project is outside the 100' VP zone and extends into the 100-foot buffer by approximately 15 feet. The permit expired in 2016 but has not been CoC'd. Commission discretion whether to allow an administrative permit or require an RDA.

Ms. Hemingway read the request, noting that the original OoC expired last year. Commissioners discussed whether to issue an administrative permit or require an RDA. Ms. Wahl observed that it was a large property and the delineations provided with the original application may no longer be valid.

Motion by Mr. Woodill to approve the administrative permit. Seconded by Mr. Mott. The motion did not pass, Ms. Minihane and Mr. Ivas having abstained and Ms. Wahl having voted no.

With the failure of the motion, the property owner must file an RDA.

45 Cedar Point

- Request to tear up the drive to install radiant heat and connect electricity from the home to a new garage outside the buffer to install alarms. The project is outside the 100-foot buffer to coastal bank, BVW, salt marsh etc. and within the outer 200 ft RRA.

Meeting Minutes

Ms. Minihane noted that this project falls under maintenance.

Motion by Mr. Woodill to issue an administrative permit for 45 Cedar Point. Seconded by Mr. Mott and unanimously voted.

VIOLATION DISCUSSIONS

89 Kings Landing

Ms. Hemingway advised that she had spoken with Robert Molla, the property owner. He was having trouble maintaining the plantings required in the 2007 CoC, so he replaced them with stones. He also added boulders around the perimeter to protect his driveway. She recommended continuation to September 5, as he is reaching out to an engineer for assistance; a site visit will be made prior to then.

Mr. Mott has submitted documentation to the Board of Selectmen related to a possible conflict of interest in this matter.

Motion by Mr. Ivas to continue the matter to September 5 at 8 PM. Seconded by Ms. Minihane and unanimously voted.

40 Norwell Avenue

Ms. Hemingway will issue a formal violation notice, as she has received no after-the-fact filings despite several requests.

ENFORCEMENT HEARINGS - None

AGENTS REPORT

The Commission authorized Ms. Hemingway to accept a donation of benches from the Mederos family; they will be placed at the Stetson and Donovan Field properties. As this is a land management administrative request and not a public hearing issue, no motion or second was made, the consent was unanimous, none opposed.

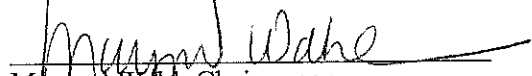
**SCIENCE AND REGULATION IN THE NEWS
EDUCATION AND TRAINING OPPORTUNITIES**

Please refer to the complete Agents Notes available in the Conservation Office. Notes included in the minutes are partial.

ADJOURNMENT

There being no further business, a motion was made by Ms. Minihane to adjourn at 9:58 PM. Seconded by Mr. Ivas and unanimously voted.

I hereby certify that the above minutes were presented and voted by a majority vote by the Norwell Conservation Commission on Sept 5, 2017.


Marynel Wahl, Chairperson