



**NORWELL CONSERVATION COMMISSION**  
Room 112 / 345 Main Street / Norwell, MA  
**December 18, 2018 @ 6:30PM**  
**Meeting Minutes**

TOWN OF NORWELL  
TOWN CLERK

2019 MAR 14 PM 1:15

RECEIVED

**Present:** Chair Marynel Wahl, Vice Chair Bob Woodill, Bob McMackin, Ron Mott, Roy Bjorlin, Justin Ivas, Ellen Markham, Conservation Agent Nancy Hemingway, and Recording Clerk C. Sullivan. **Please refer to complete agents notes to the Commission for details, comments and recommendations.**

### **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.

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

### **COMMISSION BUSINESS**

#### **New Business**

#### **Carleton Fields update**

The Commission reviewed the original charge for the Carleton Committee from the Board of Selectmen and the limited feasibility study prepared by Merrill in 2017, and discussed Commission objectives and possible conservation uses for the property.

Mr. Mott suggested that the objective should be to protect all the wetlands and fields, and let all parties know where the resource areas were. Mr. McMackin noted that about 60% of the property is wetlands or buffer and there is a consensus that the fields will not be developed, leaving about 20 acres available for development. Mr. Ivas stated that parking should be part of the plan, as accessibility to the trails will help with the property's preservation, and locations for parking were discussed.

Chair Wahl noted that the Carleton Committee was looking for suggestions from the Commission and other town entities on what to do with the property. Recreation Commissioner George Grey expressed interest in putting in a health course. There is currently little interest in an affordable housing development on the property. Vin Bucca, 232 Main St., advised that Mass. Audubon has a consulting division that helps towns with this process for a fee.

Mr. Mott suggested that the Commission look for opportunities to add trails and connections to surrounding Commission properties, plus parking for greater accessibility. Mr. Ivas will prepare a site map to show possible trail connections.

Ms. Wahl will ask for an additional meeting with the Carleton Committee. A working session will be held before the meeting.

### **Update on Recent Town/Regional Meetings Affecting Conservation**

The Commission discussed Commissioner attendance at various upcoming meetings, materials and information needed for presentations, and who would be presenting. Upcoming meetings include Economic Development (EDIC) on December 19, CPC on January 10 to discuss Commission grant applications, and an Advisory Committee budget review on January 24.

### **Jon Haskins – 2019 Farm Field Plan Review**

The Commission reviewed Mr. Haskins' farm plans for Stetson Meadows and Barstow Field. He proposes the same crops and activities as last year. Mr. Mott advised there were three dead trees in front of the field that need to be removed.

Mr. Haskins inquired about keeping livestock at Barstow. Mott felt the only issue would be ensuring access for the beekeeper who also uses the field. Chair Wahl pointed out that Stetson can have livestock and did previously. Ms. Hemingway will research the deed for Barstow to see if this is an allowable use; if so, Haskins will need to submit a supplemental farm plan to proceed.

*Motion by Mr. Mott to approve the 2019 farm plan submitted by Mr. Haskins for Barstow Field. Seconded by Mr. Ivas and unanimously voted.*

Mr. Haskins inquired about help with clearing the front stone walls at Stetson. Ms. Hemingway advised that clearing the walls was the Commission's "rent" for using the field. Mr. Mott added that all other farmers have to clear their walls as part of their lease.

After further discussion, the proposal was amended to include the application of hayseed and lime, same as in Barstow. Ms. Hemingway asked Haskins to submit a product sheet if he used any other products.

*Motion by Mr. Mott to approve the 2019 farm plan submitted by Mr. Haskins for Stetson Meadows as amended. Seconded by Mr. Woodill and unanimously voted.*

Mr. Mott also mentioned to Haskins that Donovan Field may also be available to lease. The field would have to be fenced in to keep livestock there, and must be mowed twice a year.

### **Old Business**

#### **John Hornstra: 2019 Farm Field Plan Review (cont. –signature)**

Ms. Hemingway circulated Mr. Hornstra's Land Use Proposal form for Commissioner signatures. The proposal had been discussed with Mr. Hornstra at the previous meeting.

*Motion by Mr. Mott to approve the 2019 farm plan submitted by Mr. Hornstra. Seconded by Mr. Woodill and unanimously voted.*

#### **Norwell Farms: 2018 Fall Stabilization Plan & 2019 Farm Field Plan Review**

Nikki Bartley, of Norwell Farms, requested a continuation of the farm plan review to January 15, 2019.

*Motion by Mr. Woodill to continue the matter to January 15, 2019 at 6:30 PM. Seconded by Mr. Mott and unanimously voted.*

2019 MAR 14 PM 1: 15

**Budget Quotes, High-Definition Screen**

The Commission reviewed additional information regarding hardware and installation costs for a high-definition screen for the Conservation office. As the anticipated cost may be higher than the up to \$5000 figure approved by Town Administrator Peter Morin, Ms. Hemingway will research further.

**Budget Amendment**

Ms. Hemingway circulated an amended budget with several small changes for Commissioner signatures.

**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			

**SUB-COMMITTEE UPDATES**

**Open Space & Recreation**

Ms. Wahl advised that the next meeting is scheduled for January 9. They will discuss the benefits of updating the Open Space Plan for presentation to the CPC.

**Pathways**

Ms. Hemingway is preparing a PowerPoint document for the Pathways Commission regarding trail connections.

**CPC**

The Commission discussed its CPC grant applications with Patrick Campbell, Planning Board liaison to CPC.

Mr. McMackin advised that CPC prefers that Chairs do the presentation, and if an entity has multiple applications, they should be ranked in order of priority. He also noted that the Commission's request for an increase in the Conservation Fund deposit from 10% to 20% did not have the support of CPC or the Board of Selectmen. The application raised some confusion among CPC members, and the question was asked whether a need to quickly place deposits on at-risk properties, as cited in the application, had arisen in the past.

Mr. McMackin felt the application should either be amended to make a more compelling argument or withdrawn. After some discussion of whether to amend or withdraw the application, it was decided that Ms. Hemingway would research the historical usage of the Conservation Fund and update the application and presentation.

Mr. Campbell stated that the CPC's "bucket" of open space funds was not the Commission's to spend at its discretion, and a discussion ensued regarding the difference between the Conservation Fund and the open space bucket; Mr. Campbell and Ms. Hemingway will find out the current and unencumbered balances of both entities.

The Commission also discussed with Mr. Campbell what kind of presentation they should prepare for CPC. Mr. Campbell requested that the Commission rank its asks in order of priority.

Regarding the request for an increase in the Conservation Fund deposit, Mr. Campbell stated that the Board of Selectmen had taken the position that proposals for quick land acquisition should be handled by a special town meeting; he also cited potential fiduciary issues that could arise if the Commission used CPC funds to place a deposit on a property and town meeting did not approve the acquisition of the property, causing loss of the deposit.

Ms. Hemingway noted that the Commission doesn't have unilateral authority over the Conservation Fund, and funds are expended with the approval of the Board of Selectmen. Campbell asked why the Commission needed the extra funds if it couldn't spend them unilaterally. Mr. Bjorlin noted the Commission was charged with protecting land, which sometimes required its acquisition.

Regarding the request for funds to update the Open Space Plan, Mr. Campbell asked how much grant funding the Commission had received in the past and would lose if the plan wasn't updated. Ms. Hemingway stated the Commission had not received any such funding since she had been agent, but Vin Bucca noted there was thousands of potential grant dollars available for trail work.

Mr. Campbell also asked whether it made sense to update the Open Space Plan without also updating the Master Plan. Ms. Hemingway noted that the OS Plan is a component of the Master Plan. Town Planner Ken Kirkland is starting to update the Master Plan, and also sits on the Open Space Committee. Given this, Mr. Ivas questioned the assumption that the Master Plan would change so drastically as to be out of sync with an updated OS Plan.

After further discussion, the Commission agreed to hold a working session prior to its appearance before CPC on January 10.

*Motion by Mr. Woodill to add a posted Commission meeting for January 8, 2019 at 7:30 AM to discuss CPC applications. Seconded by Mr. Mott and unanimously voted.*

## **MISCELLANEOUS**

### **Bills**

The following bill was presented for payment:

Christopher Sullivan	Meeting Minutes	\$150
----------------------	-----------------	-------

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

### **Minutes**

Tabled.

2019 APR 14 PM 1:20  
TOWN OF NORWELL  
TOWN CLERK  
RECEIVED

2019 MAR 15 PM 1:15

**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.

**7:00PM PUBLIC HEARING:**

RECEIVED

**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 Eng.

Applicant Brian Murphy present. Commissioner McMackin recused from voting but remained present for the discussion as a resident. About 8 area residents were present. Ms. Hemingway noted that today's discussion solely concerned the peer review quote for wetlands impacts.

Ms. Hemingway advised that the quote she received from Art Allen lacked sufficient detail, and recommend the Commission take no action on it. She will send out a more detailed proposal to Ecotec and two other firms.

*Motion by Mr. Woodill to continue the matter to January 15, 2019 at 7:30 PM. Seconded by Mr. Mott and approved by a 5-0 margin, Mr. McMackin having recused.*

**8:00PM: PUBLIC HEARINGS & MEETINGS / LEGAL DOCUMENTS / VOTES**  
**\*\*\*Legal Documents/Votes \*\*\*Minor Amendments, Reviews, CoC's**  
**\*\*\*Requests for Determination \*\*\*Notices of Intent \*\*\*Enforcements/ Violations**

**PUBLIC MEETING:**

**5 Fieldstone Way / SE52-865 & NCC# 24(07) / Discussion re: Mitigation (cont.)**  
**(Signature of Restoration Order Only)**

Ms. Hemingway circulated the restoration order for Commissioner signatures.

**Main Street (Town Hall to Ctr) – Pathway: Phase 3 / SE52-1105 & NCC# 31(16) / Sidewalk Relocation Request for Minor Mod. to OoC** Applicant: Norwell Pathway Comm. / Rep: BETA Group

Melissa Recos present for BETA Group. Also present were Highway Commissioner Glenn Ferguson, Patrick Campbell of the Complete Streets Committee, and Selectman Alison Demong.

The Commission reviewed a request for to shift the previously approved Main Street sidewalk to the north side of the street, from the Town Hall crosswalk to Lincoln Street, as a minor modification.

Ms. Recos advised that the Highway Department had asked them to study this modification for safety and aesthetic reasons, as well as better access to the Cushing Homestead and town parklands. She also indicated the north side of the street had more space in the right of way and would require less culvert work and slightly less impact to buffer zones. Three locations on the north side would fall within Commission jurisdiction.

TOWN OF NORWELL  
TOWN CLERK

2019 MAR 11 PM 1:21

RECEIVED

Ms. Hemingway advised that the work on the north side would be in the same buffer to the same wetland systems identified during the original hearing. Abutters on both sides of the street were notified, and are being notified again. If the Commission considered the overall resource area impact to be minor, the change would not trigger a new NoI.

Highway Commissioner Glenn Ferguson advised that a sidewalk on the north side would better fit with the image of the town. Since there was more space in the northern right of way, the sidewalk could be placed further away from the road, improving safety and aesthetics. The shift would also place the sidewalk out of the way of the utility poles on the south side of the street. Mr. Campbell added that the shift would require less granite curbing and thus save cost.

After further discussion, the project was approved as a minor modification, as the changes resulted in minimal changes in impact to the wetlands.

Vin Bucca asked what would be done with the sidewalk by the Carleton fields. Selectman Demong stated one possibility was to run at path along the inside of the stone walls to protect the vista and save the curb. Ms. Hemingway noted that this would be a later branch of the project, and was not currently before the Commission for consideration.

*Motion by Mr. Woodill to approve the minor modification. Seconded by Ms. Markham and unanimously voted.*

**41 Accord Park Drive / SE52-1150 & NCC# 30(18) / Parking Area Improvements, Landscaping & Stormwater NoI / OoC (cont.)** Applicant: Robert D. Sullivan, Trustee / Representative: SITEC

Applicant requested continuation to January 15, 2019.

*Motion by Mr. Ivas to continue the matter to January 15, 2019 at 8 PM. Seconded by Mr. Woodill and unanimously voted.*

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

Applicant requested continuation to January 15, 2019.

*Motion by Mr. Ivas to continue the matter to January 15, 2019 at 8 PM. Seconded by Mr. Woodill and unanimously voted.*

**386 River Street / SE52-xxxx & NCC# 41(18) / Detached 2-Car Garage** NoI / OoC Applicant: Jerzy Hrebenko / Representative: Mark Manganello, LEC Environmental Cons.

Applicant requested continuation to January 15, 2019.

*Motion by Mr. Ivas to continue the matter to January 15, 2019 at 8 PM. Seconded by Mr. Woodill and unanimously voted.*

2019 MAR 14 PM 1:15

**PENDING SUBDIVISION / COMMERCIAL DEVELOPMENT UPDATES:**

**Schooner Estates (Stetson Road)**

Ms. Hemingway advised that most houses were outside the 100 foot buffer in the latest plan, with some grading in the 50 foot buffer. The plan is under review by the Planning Board.

**Norwell Estates (Circuit Street)**

Ms. Hemingway advised that Toll Brothers had requested a continuation to January 15, 2019.

*Motion by Mr. Mott to continue the matter to January 15, 2019 at 8 PM. Seconded by Mr. Woodill and unanimously voted.*

**Damon Farm (Washington Street)**

Ms. Hemingway advised that the builders had accidentally filled in some additional space by unit 11.

**PUBLIC MEETINGS:**

**Forest Cutting Applications (cont.):**

**Barrell Lane (Historic) – part of Curtis Farm Lane – Rodriquez – update**

Commissioners reviewed and discussed the copy of the approved Forest Cutting Plan forwarded to the Conservation Office by DCR. DCR's approval letter offers no opinion regarding Rodriquez' access rights. Town Counsel Bob Galvin has sent correspondence to Mr. Rodriquez setting forth the town's position regarding access to the plan site.

Rodriquez claims he has legal right to access through Barrell Lane and therefore doesn't have to appear before Commission. Residents continue to monitor the area.

**VIOLATION DISCUSSIONS:**

**294 Lincoln Street (cont.)**

Ms. Hemingway continues to monitor the area.

The Commission discussed the possible use of and budgeting for a drone for monitoring.

**ADMINISTRATIVE PERMITS & REQUESTS:**

**53 Hemlock**

Ms. Hemingway issued an administrative permit for a Title 5 septic installation; the system is outside the buffer, with a one-day cut and fill line installation in the outer 20 feet of the buffer.

**ENFORCEMENT HEARINGS:**

None.

**AGENT'S REPORT – please refer to the Agents complete report to the Commission for details.**

**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>January 15, 2019</i>
<i>NEW filing applications due date/deadline</i>	<i>January 2, 2019 @ noon</i>
<i>Legal Notice publication date-Patriot Ledger</i>	<i>January 8, 2019</i>
<i>Revised Information submittal deadline</i>	<i>January 9, 2019 @ noon</i>
<i>Peer Review Info Deadline, CoC Requests, Minor Modification &amp; LP Requests</i>	<i>January 9, 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. Woodill to adjourn at 8:49 PM. Seconded by Ms. Markham and unanimously voted.*

I hereby certify that the above minutes were presented and approved by a majority vote by the Norwell Conservation Commission on March 5, 2019.

Marynel Wahl  
 Marynel Wahl, Chairperson

RECEIVED  
 2019 MAR 14 PM 1:21  
 TOWN OF NORWELL  
 TOWN CLERK