

NORWELL CONSERVATION COMMISSION
345 Main Street / Norwell, MA
February 7, 2017 @ 7:00 PM - Room 112
Final Minutes

Present: Marynel Wahl, Chair, Dave Osborne, Ron Mott, Bob Woodill, Justin Ivas, Bob McMackin, Stacy Minihane, Agent N. Hemingway, and Recording Clerk C. Sullivan
Mr. Ivas left at 10:04 PM; Mr. McMackin left at 10:40 PM.

CALL TO ORDER

The meeting was called to order at **7:01 pm** by Chair Marynel Wahl.

AGENDA ACCEPTANCE

Motion made by Mr. Osborne to approve the agenda as recorded. Seconded by Mr. Woodill and unanimously voted.

The Commission discussed whether to postpone the February 21, 2017 meeting to March 7, as Ms. Wahl will not be present on the 21st.

Motion by Mr. Woodill to postpone the February 21st meeting to March 7. Seconded by Mr. Mott and unanimously voted.

COMMISSION BUSINESS

Old (cont.):

Meeting Minutes

Farm Plan Review

Jacobs

Jessica Chase was present for Norwell Farms. She reported that the remainder of the debris pile discussed in the January 17 meeting will be removed when the weather permits. The tree removal discussed at that meeting will be done by March 15.

Ms. Chase also gave a brief update on the organic certification process for Jacobs. Barstow may be a separate, later process.

Motion by Mr. Woodill to accept the Land Use Proposal Form submitted by Norwell Farms for Jacobs Field. Seconded by Mr. Mott and unanimously voted.

Barstow

Ms. Chase advised that Scott Franklin has agreed to do the clearing work discussed in the January 17 meeting before the start of the planting season. The completion date she gave on the form allows for weather uncertainties and time to do other tasks.

Ms. Wahl suggested that the Commission condition its approval of the farm plan on this removal work being done.

Motion by Mr. Osborne to accept the Land Use Proposal form submitted by Norwell Farms for Barstow field with the condition that no work can be performed until the clearing work discussed at the meeting is completed. Seconded by Mr. Mott and unanimously voted.

Farm Plan Permits

Ms. Hemingway distributed draft Farm Plan approvals for proposals discussed in the December 20, 2016 meeting. Commissioners approved the permits as drafted for beekeeping at Barstow Field, Donovan West, and Jacobs Farm Field 2, and as amended. These were passed on to Ms Wahl for signature.

After a brief discussion, the permits for the Hornstra Fields at Donovan and Jacobs Field West were amended for specificity as to new work related to field edge maintenance . All final permits will be forwarded to Ms. Wahl for her signature.

Harris & Barstow CRs

The Commission briefly discussed Scott McFadden's changes to the Harris and Barstow CRs. The amended CRs will be further reviewed by Bob Galvin.

Motion by Mr. Woodill to approve the Barstow CR and forward to Bob Galvin for legal review. Seconded by Mr. Mott and unanimously voted.

Motion by Mr. Woodill to approve the Harris CR and forward to Bob Galvin for legal review. Seconded by Mr. Mott and unanimously voted.

New:

Meeting Minutes

Jacobs Pond Gift Account

Tabled to March 21st.

Town Meeting Articles

Ms. Hemingway reviewed two proposed town meeting articles with the Commission. The first article concerned potential deed updates to parcels on Parker Street, Mt. Hope Street, Old Meetinghouse Lane, and Pine Street. After some discussion, it was decided to proceed with the Parker, Mt. Hope, and Old Meetinghouse deed updates. The article requests will be submitted to the Selectmen.

Motion by Mr. Osborne that the Commission send a suggested warrant articles concerning the parcels on Parker Street, Mt. Hope Street, and Old Meetinghouse Lane to the Selectmen. Seconded by Ms. Minihane and unanimously voted.

The Commission then discussed a second proposed article concerning parcels that are part of the Cuffee Conservation area; this would to clear the back taxes to get a clear title to these parcels. After discussion, the Commissioners decided to carry this item over until 2018.

Jacobs Conservation Area

Motion by Mr. Woodill to create an article to convert Block 24, Lot 2, to Conservation by submitting a warrant article to the Selectmen. Seconded by Mr. Mott and unanimously voted.

SUB-COMMITTEE UPDATES (OLD & NEW BUSINESS)

		Notes/Meeting Minutes
Open Space and Recreation	M. Wahl	Ms. Wahl discussed a travel walk with South Shore Conservation Commission Network on March 18
Land Protection	All	
Pathways	R. Woodill	
Trails/Signage	R. Woodill	
CPC	D. Osborne	The CPC voted Thursday to fund the pathway connector the Commission voted on
Farming	R. Mott	
Grants	B. McMackin	
Zoning Bylaw	R. Woodill	

MISCELLANEOUS

1. Bills

- i. \$45.00 - AMWS membership for N. Hemingway-office
- ii. \$460.00 - MACC Annual conf attendance fees for MW, RM, BM, NH
- iii. \$853.70 - EcoTec for ANRAD peer review Stetson
- iv. \$2,149.56 - EcoTec for final Tack Factory Dam Oversight/monitoring Dec 14-Jan 13
- v. \$242.70 - ABC Equip for 2 Silky Katanaboy Hand saws for down tree removal w/out chainsaw
- vi. \$150 - Chris Sullivan - meeting minutes Jan 17
- vii. \$136.50 - Ed Cox - Trail work 1/24-1/31
- viii. \$78.00 - Steve Young - Trail work 1/27-1/31
- ix. \$300-not to exceed - N. Hemingway - Travel reimburse Oct-Jan

2017 JAN 10 PM 1:09
 RECEIVED
 TOWN OF CHITTENDEN

2. Minutes -

3. Request for funding authorization -CoC plan estimate Chittenden

- i. The trail crew is in need of new markers. Request to purchase 500 new. In 2012 500 cost \$660.10. Current pricing is \$700 plus shipping and handling. I am also seeking quotes from MassSign and one other sign company.
- ii. Sitec has submitted a not-to-exceed quote of \$2,900 which includes as-built plans formatted for each agency.
 - 1. Complete dock as-built survey;
 - 2. Prepare Request for Certificate of Compliance package for OOC.
 - 3. Prepare Request for Certificate of Compliance package for Chapter 91 Waterways License.
 - 4. Submit As-built plan to ACOE as required by the permit.

4. Reconsideration of account to pay authorized bill for fencing

- i. David Osborne will lead this discussion as the CPC Liaison. Copies of the Town Meeting Article language for each account will be in your packets for reference.

Meeting Minutes

1. Ms. Hemingway read off the list of bills to be paid.

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

2. The minutes for the January 17, 2017 meeting were distributed. Changes to remove the agents notes (they are a separate document) and one addition to the wording was requested.

3. Ms. Hemingway discussed the Chittenden dock estimates she received. She has a \$2900 estimate from Sitec and needs authorization to proceed. She also requested authorization to purchase 500 new trail markers and is currently seeking quotes for the job.

Motion by Mr. Osborne to authorize the expenditure of \$2900 for as-built Chittenden Dock plans. Seconded by Mr. Woodill and unanimously voted.

Motion by Mr. Woodill to authorize \$700 for the purchase of trail markers. Seconded by Mr. Ivas and unanimously voted.

4. Finance Director Donna Mangan would not approve payment of the \$2750 THS fencing bill from the Town Meeting 9, Article 39 account. After some discussion as to paying the bill from other accounts, the matter was tabled to March.

8:00PM: PUBLIC HEARINGS LEGAL DOCUMENTS/VOTES

***Legal Documents/Votes ***Minor Amendments, Reviews, CoC's

***Requests for Determination ***Notices of Intent ***Enforcements/ Violations

Please refer to Agents Notes to the Commission for each hearing

101, 111 & 169 Stetson Road / SE52-1106 & NCC# 36(16) / Delineation Confirmation

ANRAD / ORAD (cont.) Applicant: Stetson Road, LLC / Rep: Brad McKenzie, McKenzie Eng.

Meeting Minutes

Brad Holmes, of McKenzie Engineering, was present for applicant. About eleven abutters from Stetson Road and Masthead Lane were also present. Mr. Holmes discussed his site walk with Commissioners and Art Allen of EcoTec, as well as the adjustments made to the site plan. He felt the revised plan accurately depicts the wetlands on the site.

Several abutters came forward with questions. Larry Leff asked for more detail regarding areas of wetland that had been filled and then restored. He also asked whether a damaged culvert near the filled area was looked at; Mr. Holmes replied that it was not. Ms. Hemingway added that Trees and Grounds is aware of the issue.

Heather Leff asked whether people would have to come onto their property during the assessment process, and Mr. Holmes replied not for the purposes of wetlands delineation. Mike Dugay asked whether abutters could review the documents on file, and Ms. Hemingway replied they could.

David Begley asked whether the recent drought factored into the delineations, and Mr. Holmes replied that it did not. Greg Steen broadly asked about the delineation process and whether Mr. Holmes looked for other isolated wetlands that were filled. Mr. Holmes replied that he followed state and local guidelines, and that the delineation is done considering soils, vegetation, hydrology, and experience. He walked the site with Art Allen and Commissioners, and there are no other upgradient wetlands on the property.

Ms. Hemingway noted that Art Allen had approved the peer review and is in agreement with the site plan as presented. Ms. Minihane requested that "possible fill" be changed to "agreed upon fill" in the plan, and recommend that offsite buffers be removed.

Motion by Ms. Minihane to issue an ORAD approving the delineation of wetland areas as discussed, to not depict buffers offsite, removing the ivw reference, removing the word "possible" from "fill area," and removing the "remnant" wetland note. Seconded by Mr. Woodill and unanimously voted.

A revised plan showing these changes must be submitted to the Commission office.

South Street & Mill Street / NCC# 4(17) / Utility Pole Management (in Easement)
RDA / DoA Applicant: Jaime Walker, National Grid Representative: Dan Herzlinger, TRC Env.

Meeting Minutes

Mr. Woodill read the notice of public meeting. Jaime Walker and Luke Fiske were present for National Grid. Ms. Minihane recused herself from the discussion.

Ms. Walker advised that the project involves utility pole removal within a wetland, as well as several pole replacements, the installation of four new poles, and a cable upgrade along a road within 10 feet of the shoulder.

Ms. Walker then discussed the tree removal work. They will prune where they can but will have to remove some of the larger trees. Mr. Fiske, a forester for National Grid, stated that the purpose of this is to prevent trees from growing up into the wires, and that they are looking to remove less than half of the cedar trees in the stand. They have been in touch with Glenn Ferguson and other town entities regarding the project.

Ms. Hemingway noted that the project involves a significant amount of cutting and pruning, and recommended that Commissioners do a site walk so as to better understand the impact to the canopy. She questioned the wetlands delineation provided, and needed additional details in order to make a recommendation.

After further discussion, Commissioners polled and decided that a NoI would not be required for the project. National Grid will have an environmental specialist monitoring the work and an outage will need to be scheduled. They are looking to start work in April, and Ms. Walker will give Ms. Hemingway the definite start date.

Motion by Mr. Woodill to approve the RDA DoA for South Street and Mill Street as Positive 2b – not approving the delineation, Positive 5 -the site is subject to local jurisdiction, and Negative 3 – the work is in buffer zone and will not adversely impact wetlands as proposed and described.. Seconded by Mr. Osborne and unanimously voted.

Parker Street (Map 16C, Bl. 51, Lot 78) / NCC# 3(17) / Determination of Jurisdictional Wetlands
RDA / DoA Applicant: Paul Jevne / Representative: John Zimmer, S. River Environmental

Meeting Minutes

Mr. Woodill read the notice of public meeting. John Zimmer, of South River Environmental, was present for the applicant.

Ms. Hemingway briefly recapped her notes and Mr. Zimmer gave an overview of his site plan. The majority of the species he encountered on his site walk were upland indicators. He also noted that there

was extremely high groundwater through out the site with saturation at the surface in several areas. He is happy do another walk with the Commissioners to relook at the areas in question.

Ms. Hemingway did not think that a peer review would be necessary if Commissioners can do a site walk with Mr. Zimmer. ~~Ms Minihane noted that the plan was digitized and should be surveyed.~~ She asked if the delineation would change if the herbaceous layer was visible. She also noted that plan should either be marked RDA exhibit or have a PLS stamp and signature.

Motion by Ms. Minihane to continue the matter to March 7 @ 8:00 PM. Seconded by Mr. Ivas and unanimously voted.

169 Tiffany Road / NCC# 5(17) / Septic System Upgrade

RDA / DoA Applicant: Arlene Snowdale / **Representative:** Joe Webby, Webby Engineering Inc.

Meeting Minutes

Mr. Woodill read the notice of public meeting. Michelle Golart, Connor Curran, and Joe Webby were present.

Ms. Hemingway stated that she did not feel the wetlands delineation provided was accurate; her recommendation was to approve the upgrade but not accept the wetlands line provided in the plan.

Motion by Mr. Woodill to approve the RDA but not recognize the wetlands delineation provided, Positive 2B- rejecting the delineation, Positive 5 – locally jurisdictional, and Negative 3 – in the buffer but the project will not adversely impact wetland resources.. Seconded by Mr. Osborne and unanimously voted.

Circuit Street (Bl 69, Lots 25 & 26) / SE 52-1109 & NCC # 1(17) / Jurisdictional Wetland Delineation ANRAD / ORAD Applicant: Thomas Tuffo and Mark Raimondi / Rep: Paul Shea, IEC

Meeting Minutes

Mr. Woodill read the notice of public meeting. The applicant requested that the matter be opened and then continued to March 7th to allow for plan revisions to be completed. Ms. Hemingway will schedule a site visit.

Motion by Mr. Osborne to continue the matter to March 7 @ 8:00 PM. Seconded by Mr. Ivas and unanimously voted.

49 Green Street / SE52-1108 & NCC # 2(17) / Jurisdictional Wetland Line Delineation

ANRAD / ORAD Applicant: Sean Donovan, EMET / **Representative:** Darren Grady, Grady Consulting

Meeting Minutes

Mr. Woodill read the notice of public meeting. John Zimmer, of South River Environmental, was present for the applicant. Ten residents of River and Green Street were also present.

Mr. Zimmer briefly discussed his wetlands delineations on the site plan and possible changes going forward. Ms. Hemingway added that the land owner is expecting a peer review and Commissioners agreed that one would be needed. She noted that several resource areas, intermittent stream channels, were not shown on the site plan.

Several residents of River and Green Street discussed their experience with runoff and stormwater drainage in the area. David Dighetto noted that he frequently observes water and sediment running down the hill. Barbara Wolinski provided a picture of this happening a week after a storm.

Fred St. Ours Jr. stated that the wetlands recharged his wells. Mr. Zimmer stated that this will be considered in the stormwater analysis.

Patricia Crumley discussed uprooted trees and an old mailbox that have come down on her property due to running water. Amy Mastrodomenico stated that stormwater often flows down her driveway, turning it into a sheet of ice in winter. Water also runs down to the foundation and puddles in her basement even when it is not raining. She has made extensive upgrades to her drainage and doesn't want a new plan to disrupt them.

Ms. Hemingway reminded those present that only the wetlands delineation was before the Commission currently. She has obtained three peer review quotes at different prices.

After review of the peer review quotes and some discussion, the Commissioners decided to hire Art Allen, of EcoTec, to do the peer review. The reason for choosing Mr. Allen, high quote, above the other submittals was due to his experience with the local bylaw and the wetland nuances of Norwell. Some drainage areas may be locally jurisdictional resource.

Motion by Mr. Osborne to hire Art Allen to conduct a peer review of the property. Seconded by Mr. Woodill and unanimously voted.

Motion by Mr. Woodill to continue the matter to March 7 at 8:00 PM. Seconded by Mr. Mott and unanimously voted.

River & Dover Street (portions) / SE52-1105 & NCC# 31(16) / Pathway – Phase 3
NoI / OoC (cont.) Applicant: Pathway Comm. / Representative: Justin Lamoureux, Horsley Witten.

Meeting Minutes

Mr. Woodill requested a continuation to March 7 on behalf of the Pathways Commission.

Motion by Ms. Minihane to continue the matter to March 7 @8:00 PM. Seconded by Mr. Mott and unanimously voted.

81 King's Landing / SE52-1107 & NCC# 37(16) / Septic System Upgrade & assoc. grading
NoI / OoC (cont.) Applicant: Edward LeNormand / Representative: Al Loomis, McKenzie Eng.

Meeting Minutes

Al Loomis, of McKenzie Engineering, and Edward and Judy LeNormand were present. Mr. Loomis advised that the Board of Health has granted 11 waivers for the septic installation. Ms. Hemingway requested a copy of this decision for the Commission's file.

Ms. Hemingway reported that the applicant has submitted a revised plan. Please see the agents notes from each hearing session. She recommends conditions that, if any work requirements arise beyond those set forth in the plan, all work must cease, the site be stabilized, and a new NoI be filed.

Motion by Ms. Minihane to issue an OoC with a local bylaw long form, allowing the project subject to the conditions noted in the meeting. Seconded by Mr. Mott and unanimously voted.

Circuit Street (Donovan Field) / SE52-xxxx & NCC# 6(17) / Agricultural Field Squaring/ Clearing
NoI / OoC Applicant: John Hornstra & NCC / Representative: John Hornstra & Ron Mott

Meeting Minutes

Mr. Woodill read the notice of public meeting. Shawn James, of 211 Pleasant Street, was present.

Mr. James wanted to know what this project entailed and expressed concern about possible impacts to his property. Mr. Mott showed Mr. James a photo showing some of the work areas and explained the work in greater detail. He said there were no big trees coming out, just briars and underbrush, and the tree line is staying in effect. Mr. Osborne offered to do a site walk with Mr. James.

Commissioners then broadly discussed what needs to be filed for this project. Ms. Hemingway recommended continuing the existing NOI for two months to clarify this. Ms. Minihane and Mr. Mott will do a site walk with Ms. Hemingway in the meantime.

Motion by Mr. Woodill to continue the matter to April 4 @ 8:00 PM. Seconded by Mr. McMackin and unanimously voted.

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

Motion by Mr. Woodill to continue the matter to May 23, @8:00 PM. Seconded by Ms. Minihane. Unanimously voted.

PUBLIC MEETING:

Mount Blue St. (Bl. 4, Lot 17) – Forest Cutting Submittal (Rodriguez)

Meeting Minutes - No new information

ADMINISTRATIVE UPDATES & REQUESTS:

Meeting Minutes

23 Winter St

This permit concerns a carport turned into garage. The owner is requesting an administrative signoff for the work, claiming the interim building inspector at the time of the project didn't think the Commission needed to be looped in.

Motion by Ms. Minihane to grant the administrative authorization. Seconded by Mr. Mott and unanimously voted.

40 Norwell Ave

A report from EcoTec on the oil spill recommends further sampling of wetland soils to ascertain impacts.

565 Mt. Blue St

The owner wants to keep the fence in place as installed and put a small shed behind the fence. Ms. Hemingway recommended conditions that all yard debris behind the fence be removed, with no further activity or dumping.

Motion by Ms. Minihane to grant the administrative authorization with conditions as noted. Seconded by Mr. Mott and unanimously voted.

Norwell Estates

Ms. Hemingway asked that Commissioners monitor the site while she is away.

Wildcat OSRD

Ms. Hemingway advised that sediment is getting into the basins again; it is controlled, but the basins will have to be cleaned out.

281 Main St

The concrete wall has been removed pursuant to Court order.

111 Farrar Farm Rd

VIOLATION DISCUSSIONS

Meeting Minutes

Lot 62 Stoney Brook

Ms. Hemingway advised that the landowner has submitted an ANRAD to verify the wetlands on the site.

Tiffany Hill

Jim Pavlick, of Outback Engineering and Brian Seeland, of Seeland Construction, were present. The violation concerned sediments flowing down Tiffany Road, into Third Herring Brook.

Mr. Pavlick stated that snowplows knocked out some of the erosion controls on the edge of road and weren't replaced property, causing soil from some lots to run off into the road. Once notified, Seeland replaced the erosion controls. Mr. Pavlick said that this violation was a one-time event.

Ms. Hemingway noted that the project managers were compliant in responding to the problem, and that most of the sediment has been carried away downstream. Commissioners discussed ways to prevent this from happening again.

Ms. Hemingway recapped the enforcement options set forth in her notes. After further discussion, Commissioners agreed to the opening of a peer review account with Chessia, with an initial deposit of \$1000. Mr. Pavlick will contact Chessia to set up the account.

Motion by Mr. Osborne that the Commission accept the opening of a peer review account with Chessia, with an initial deposit of \$1000 from the developer to prevent further accidents. Seconded by Ms. Minihane and unanimously voted.

358 Mt. Blue St.

Ms. Hemingway briefly recapped her notes, noting that this is the second time they have been notified of sediments flowing into the town drainage system.

2017 MAY 10 PM 1:09
TOWN OF NORWELL
COMMISSION SECRETARY

ENFORCEMENT HEARINGS

None

AGENTS REPORT Partial.

Please refer to the Agents Notes for the complete report.

- The budget review with the Board of Selectmen is Wed., Feb 15
- Fishing Derby – Sat May 13th – Jacobs Pond
- 8 CoA trail workers were assigned to Conservation. 4 returning and 4 new.
- The ACOE permit for 75 Harbor Lane was received and contained language regarding access across the marsh by large construction vehicles.
- The Planning Board continued the Kopacz -Winter St pre-OSRD and the 427 Main St OSRD to Wednesday, February 22nd.
- A young farmer, Adam Jackson, has expressed possible interest in the Stetson/Donovan-smaller fields. He also met with Ron Mott and John Hornstra.

Adjournment

Motion by Mr. Osborne, to adjourn at 10:57 PM. Seconded by Mr. Mott and unanimously voted.

I hereby certify that the above minutes were presented and voted by a majority vote by the Norwell Conservation Commission on March 21, 2017.

Marynel Wahl
Marynel Wahl, Chairperson

