

Norwell Conservation Commission
Town Hall, 345 Main Street, Norwell MA
December 15, 2015 @ 7:00 PM - Room 112
Meeting Minutes Final

7:00 Call to Order

M. Wahl called the meeting to order at 7pm, welcoming those in attendance, and stated that the meeting would be recorded.

Present: Chair Marynel Wahl, David Osborne, Stacy Minihane, Ron Mott, Bob Woodhill, Bruce Humphrey, Lori Hillstrand, Agent Nancy Hemingway

Agenda Acceptance

Motion; made by B. Humphrey, seconded by R. Mott, Unanimously voted in favor

Main Street(Rte. 123/SE52-1085 & NCC#18(15)/Road Improvements(cont'd.)

A request to continue the hearing to Jan. 5, 2016 was submitted by EPG.

Motion to continue this hearing as requested; to Jan 5, at 7:00 PM, made by R. Mott, seconded by R. Woodill. Unanimously voted in favor

Scheduled Discussions

Peter Morin – Town Administrator discussion

M. Wahl suggested that she and Mr. Morin talk about possible changes to the Town's permitting procedures, and asked that the Commission be included on Town Hall updates. Mr. Morin has monthly Department Head meetings, in which M. Wahl would like to be included.

Farm plan reviews

Guests: Town Administrator Peter Morin, Steve Ivas, George Whittaker, Sean Sutton, Nicole Bartley, Jessica Chase, Karen Martin, John Hornstra, BOS Chair Gregg McBride, additional Town residents

BeeKeeping

Brief Review of the application as submitted

Motion; made by D. Osborne, seconded by B. Humphrey, to approve the Lambert farm plan. Unanimously voted in favor

Donovan Fields (Whitaker farm) plan

Sean Sutton gave an overview of the farm activities. Discussion ensued. The Donovan parking expansion plan was discussed. Mr. Whitaker asked if the Town would consider assistance with annual spraying of the huge amount of poison ivy bordering the fields. The Commission will follow up with Paul Foulsham. Discussion of plowing the pathway ensued; no plowing will be done at this location.

Motion: made by R. Mott, seconded by D. Osborne, to renew the farm plan at Donovan Fields, Unanimously voted in favor.

Hornstra Farms-Donovan Fields/Main/Jacobs

Jacobs Farm fields plan - Hornstra

Hornstra reviewed his farm plan. Cow manure is used in the spring to re-supply the soil nutrients. GMO products are discontinued and will not be used on Hornstra's fields.

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*Motion: made by B. Humphrey, seconded by R. Mott, to accept the Jacobs West farm plan.
Unanimously voted in favor*

Donovan Fields farm plan - Hornstra

Mr. Hornstra reviewed his farm plan. He spreads manure once a year in the spring. The state has issued new guidelines and requires a Nutrient Management Plan, and he will give the Commission the exact mix when the soil is tested in the spring. He will also provide a copy of the Nutrient management plan to the Commission.

Motion: made by D. Osborne, seconded by R. Mott, to accept the land use proposal for Donovan/Hornstra for 2016. Unanimously voted in favor.

Main Street-Hornstra

Mr. Hornstra stated that his farm plan is the same as for the Donovan fields.

Herbicides and other weed control issues were discussed: weed control is used only for areas growing corn, as no one can grow corn without it. No GMO seed or products will be used. Once the corn grows tall enough and shades the soil, the weeds are not a problem.

Motion: made by R. Woodill, seconded by S. Minihane, to approve the farm plan for Main Street, Unanimously voted in favor

Jacobs/Barstow farm plan

Nicole Bartley, farm director, Jessica Chase, Karen Martin representing the board of directors for Norwell Farms. The farmer was unable to be present. Ms. Bartley reviewed the application and current farm activities and issues with the Commission including the use of a portion of the field licensed to Hornstra.

The farm plan will not be accepted until the outstanding violation is addressed, and is therefore continued to the next meeting.

Motion; made by L. Hillstrand, seconded by B. Humphrey to approve the plan for Jacobs/Barstow farm. Vote: Yes- Ms. Hillstrand, Mr. Humphrey, Ms. Minihane. Vote: No – Mr. Osborne, Mr. Mott, Mr. Woodhill. As the vote is a tie, M. Wahl voted no. Motion fails to carry.

Motion; made by D. Osborne, seconded by R. Woodill, to continue the land use proposal on Jacobs fields till January 5th, Unanimously voted in favor.

Next steps: moving the mulch pile, reseeding, port-a-potty to be moved. These are the outstanding issues requested to be addressed before the farm plan is approved.

Mr. Hornstra is currently holding the approved license on field #4 for the next four years.

Barstow – comments

The Commission discussed the field condition and summarized problems with the Norwell Farm Representatives. This discussion will be continued at the January 5th meeting, and will include discussion or comment on the squaring of the field on the wall and the use of plastic on the field.

Motion; made by D. Osborne, seconded by R. Woodill, to continue the land use proposal on Barstow fields till January 5th, Unanimously voted in favor.

Hearings:

235 Bowker Street / SE52-xxxx & NCC# 27(15) / Addition

NoI / OoC (cont.) Applicant: Gerry O'Neill / Representative: N/A

- The landowner is still waiting, DEP never received the application or check. It was resubmitted.
- *This hearing was continued to the January 5, 2016 meeting.*
- *Motion; made by R. Woodill, seconded by D. Osborne. Unanimously voted in favor*

10 Arrowhead Drive / SE52-1076 & NCC# 1(15) / Pool

CoC (cont.) Applicant: Timothy & Tara Madden / Representative: J. Lowell Associates

- Cont. from December 1. Erosion control has been removed, and 2 conservation bounds installed.
- Recommend a CoC for completion of the project with continuing conditions 23, 24, 26, 27, 28, 29 to continue in perpetuity
- *Motion; made by D. Osborne, seconded by R. Mott, to grant a CoC with listed conditions continuing in perpetuity. Unanimously voted in favor*

689 Grove Street / SE52-996 & NCC# 18(14) / Single-Family Home & Related

CoC Applicant: J. Stephen Bjorklund / Representative: Jeff Hassett, Morse Engineering

- The edge meadow within the lawn area is bounded by boulders. The wooded area was never cleared and planted with a meadow mix. Not required but allowed.
- There is only one conservation bound along the 50' buffer for this site. N. Hemingway recommended there should be at least 2 more as the 50 foot buffer is not a straight line. The OoC does not specify a number.
- Agent recommends a CoC for complete compliance of the structure mitigation never being conducted. Conditions 65, 68-72 continuing in perpetuity along with the three conservation bounds to remain in place for the life of the property.
- *Motion: made by D. Osborne, seconded by R. Mott, to grant the CoC but to hold releasing it until all conservation bound issues are resolved. 2 bounds to be added. The mitigation planting area was never cleared but left natural so the mitigation plantings are not an issue. Unanimously voted in favor*

44 Upper Ferry Lane / NCC# 29(15) / Septic System Repair

RDA / DoA Applicant: Bayard & Wendy Livingston / Representative: B. Sullivan, Cavanaro

- R. Woodill read the legal ad into the record.
- N. Hemingway reported that she believed the septic to be closer to BVW than 50 feet.
- Wetlands were observed beyond that shown on the plan. Many of the wetland areas were not identified. Stream channels, small ponded areas exist identified in the field and shown on site plans related to permits on 2 abutting properties.
- A site visit w/ Brendan Sullivan resulted in hydric soils discovered throughout the yard off the stream channel. A revised delineation and site plan is being developed.
- Request for a continuation to January 5, 2016 @ 8:00pm.
- *Motion; made by D. Osborne, seconded by R. Mott, to continue to the January 5th meeting at 8:00 PM. Unanimously voted in favor.*

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351 Mt. Blue Street / NCC# 30(15) / Construction of Barn & Driveway

RDA / DoA Applicant: Gregg McBride / Representative: Steve Ivas, Ivas Environmental

Mr. Woodhill read the legal notice. Mr. Ivas gave a summary of the property map and plan.

- R. Woodill read the legal ad into the record.
- S. Ivas representing the applicant described the project as shown on the site plan and NOI narrative. He identified the resources adjacent to the site, the project layout and distances from resource areas.
- The barn and driveway proposed are within existing lawn/yard area.
- Wetlands surrounding this site were delineated and identified for a septic repair in 2014 and for the Trenz drainage issue in 2011/12.
- All construction is outside the 50 foot buffer and will be on the road side of the project away from the adjacent wetlands.
- It was recommend that staging and stockpiling areas be identified and added to the site plan or conditioned in the decision.
- The agent recommends positive 2A accepting the shown wetlands, positive 2B for unidentified wetlands on lot 38/8 (owned by Trenz, no access authorized). Positive 5 -- subject to local bylaw, and negative 3, within buffer but not likely to have an adverse impact on resource areas.
- The Commission discussed the portion of the barn/garage in the 100 foot buffer zone. A request to move the building further from the resource was made. S. Ivas said a large tree adjacent to the home and driveway was located and would have to be removed, he recommended preserving the tree.
- The roof drains and tank locations were noted.
- *Motion; made by L. Hillstrand, seconded by R. Mott, to approve application as recommended by Ms. Hemingway. Unanimously voted in favor*

145 Main Street / NCC# 28(15) / Fill, Construction of Retaining wall & Stone patio

After-the-Fact RDA / DoA (cont.) Applicant: Mark O'Neill / Representative: N/A

- Nothing submitted. Fining restarted on Friday per the Commission vote on 12/1
- Mark O'Neill attended the meeting. As no plan was submitted by the deadlines of 11/17 and 12/1, fines were imposed. He is here to follow up on a plan, and gave an overview to the Commission. He would like to reinstate the boundaries, and will schedule a site visit with N. Hemingway and S. Minihane..
- *Motion: made by Mr. Osborne, seconded by Mr. Mott, to continue the hearing to the meeting on January 5th at 8:00 pm and hold the fine in abeyance as of this evening, December 15th, to be reinstated if no plan is filed with the Commission. Unanimously voted in favor.*

Wildcat Subdivision (cont.) re: site stormwater issues, compliance with the issued OoC and measures being utilized to bring/keep the site in compliance

- A draft bullet list was sent by S. Ivas, identifying the issues addressed and outstanding.
- A. Gallagher attended the hearing representing the developer and described the progress made.
- John Spur, manager, gave a summary of his submissions and addressed all on the list. N. Hemingway stated that the project is moving along.

- *Motion; made by Mr. Mott, seconded by Mr. Osborne, to continue this hearing to the January 5th meeting at 8:00 PM to continue to monitor the site. Unanimously voted in favor*

ENFORCEMENT HEARINGS:

Curtis Farm Rd (PKA: Barrell Lane Subdivision): Site stormwater issues (ATF) (cont.) NOI required for site-wide stormwater review due to impacts to downgradient resource areas. NOTE: Ms. Minihane recused herself from this discussion.

Agents Notes

- Monitoring by Deb Keller, McKenzie is on-going. MSDS sheets were available for the meeting.
- Scott Miccile requested a continuation to Jan 5, to allow time to complete the stormwater filing. They are having legal issues in addition to the complicated stormwater review due to ownership of the infrastructure by Shute.
- *Motion; made by Mr. Woodhill, seconded by Mr. Osborne, to continue this hearing to the January 5th meeting at 8:00 PM. Vote: 6-yes. 1-abstain (Ms. Minihane) Motion carried in favor*

Endorsement of deed for 170 Pleasant Street(lots 3 and 4) and Bennet/Grove

1. *Motion: made by Mr. Woodhill, seconded by Mr. Osborne, to ratify the document for Pleasant Street as complete. Unanimously voted in favor.*

2. Ratification of Bennett/Grove deed – the Commission discussed the quitclaim deed and verified the need to pay back taxes – Answer: yes. They will be paid from the Con Com fund in the amount of \$945.88. The legal fees will be paid by the Town. A tax abatement option was discussed. The abatement applications are only accepted for a short period in January. Ms. Hemingway will follow up with Town Counsel and file for an abatement.

Motion; made by Mr. Osborne, seconded by Mr. Woodhill, to ratify the deed/donation and pay the taxes in the amount of \$945.88 unless abated by the Town Assessors.. Unanimously voted in favor

N. Hemingway will follow up on this issues.

TM articles, capital budget requests

The discussion of Town meeting Articles and capital budget requests will be continued to the January 5th meeting.

Cuffee's Lane

The Commission discussed authorization to survey and document the property line along the historic lane. They are currently waiting on a plan from Town Counsel, and N. Hemingway will follow up with Atty. Galvin.

Senior work program – The CoA program is open for project submittals. N. Hemingway reviewed the requests, similar to those last year. The Commission had no new projects to add.

Subcommittee updates

D. Osborne updated the Commission on the Water Dept. meeting that he attended. It was agreed that both boards should meet on current and future projects to decide how to proceed. (See email) Mr. Osborne will go to the next Water Dept. meeting with an agreement drawn up by the Commission. N. Hemingway will draft a letter following the email lines for the next meeting.

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Pathways is considering a maintenance program, and asking for \$5000 (perhaps considering an ask for this at Town Meeting.

Trail signage RFP's are all out to bid, and Pathways will pick one. R. Woodhill gave an update and listed the proposed vendors.

CPC – nothing to report yet. No applications have been reviewed.

Farming – updates included in the above minutes

Grants -- no new information

Bill Payments and Approval of Minutes

- i. WB Mason \$116.75 Ink and supplies
- ii. EcoTec \$3,24.02 Winter St Peer review oversight of mitigation
- iii. John Suurhans \$121.50 Trail work
- iv. Nancy Hemingway \$39.98 Poster Trail map copies for safety complex reimburse
- v. Atty Galvin \$1206.00 for closing costs, recording fees, title and settlement for Pleasant St lots 3 and 4 from the Conservation Fund.
- vi. Town of Norwell \$948.65 for Taxes due for 2015 accrued between Conservation accepting the land and closure, almost 9 months for Bennett donation on Grove Street – From the Conservation Fund

Motion; made by Mr. Woodhill, seconded by Mr. Mott, to approve bill payments including item 6 if needed (Bennet taxes). Unanimously voted in favor

The Minutes review for 11/3/15 and 11/17/15 was continued to the next meeting. There was a conflict about the level of detail for the highway issue. The original request was to include verbatim detail. On reading the draft, the Commission requested that all “back and forth” conversation not relating to the project scope review be removed.

The Agents notes list was reviewed and is attached to these minutes.

Motion to Adjourn

Motion to adjourn: made by D. Osborne, seconded by R. Mott. Unanimously voted in favor at 9:55 PM.

I hereby certify that the above minutes were presented and voted by a majority vote by the Norwell Conservation Commission on March 15, 2016.


Marynel Wahl, Chairperson