

NORWELL CONSERVATION COMMISSION

345 Main Street / Norwell, MA

February 16, 2016 @ 7:00 PM - Room 112

Meeting Minutes Final

Present: Chair Marynel Wahl, Bob McMackin, Stacy Minihane, Bob Woodill,
Agent Nancy Hemingway

Absent: Dave Osborne, Ron Mott, Lori Hillstrand

CALL TO ORDER

AGENDA ACCEPTANCE

The meeting was called to order by Chair Marynel Wahl at 7:02pm.

Motion; made by Mr. Woodill, seconded by Ms. Minihane, to accept the amended agenda.

Unanimously voted

The 7:00PM EXECUTIVE SESSION was cancelled.

COMMISSION BUSINESS (Agent's notes):

- Meeting w/ Fred St. Ours – Water Department –
 - RE: Water Department and Spence Property
 - Cancelled for tonight and will be rescheduled.
- Town Meeting Articles –
 - Bylaw housekeeping article adoption of the Cornell rainfall data consistent with Planning and Zoning.
 - Written draft will be in your packets.
- Committee/liason assignment
 - Current lists are in your packets

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7:01pm Public Hearing - Main Street (Rt. 123) / SE52-1085 & NCC# 18(15) / Road Improvements (review of potential wetland impacts from sidewalk/pathwalk, paving and intersection improvements) NoI/OoC (cont.) Applicant: Paul Foulsham, Highway Dept.
Representative: Ziad Kary, Environmental Partners

Agent's Notes:

- Site plans were dropped off Friday morning to the office and mid-afternoon Friday to John Chessia.
- John has said he will be present at the hearing to make any final recommendations and comments.
- The final report did not make the Commission deadline and was not submitted in a reasonable time for staff or peer or Commissioners to review the information. There was not reasonable time or availability for any public to review the final submittal. -----That all being said, there are also no further outstanding issues that cannot be conditioned as requirements prior to the start of any work. There was no public that had come in looking for the information and so would it would not have made a difference from that perspective. I have a draft Order ready for any contingency including amendments to standard conditions commented on and submitted by Chessia as peer review. While not meeting the deadlines, I also do not believe that that there are remaining outstanding issues – Chessia submitted conditions to cover any outstanding information.
- Any recommended special conditions are included in the draft OoC and can be amended.

- Further notes from John Chessia will be included in your packets. These will include recommended conditions to add to the OoC to cover missing and incomplete data.

Meeting Minutes

Present– Ziad Kary, Ryan Paul

Agent Hemingway gave a quick status update for this hearing. Ms. Wahl asked if attendees were OK with the changes from John Chessia (Agent Hemingway highlighted two documents from Mr. Chessia, and there are two final maps that were reviewed by the board).

Mr. Chessia reviewed the letters and timeline of events, with draft comments for all to review. His review of the submittal package and memo highlighted items of importance to the Commission. The project is subject to the maximum feasible compliance. He will summarize his peer review findings in a memo to the Commission. All documents re: this hearing are on file in the Con Com office. Mr. Chessia reviewed changes on the maps with the Commissioners, who have also asked for a set of drawings that is complete with all changes. Mr. Kary will provide drawings with all changes, date stamped to ensure that they are the correct set. Per Ms. Wahl, the Commission will not issue the Order Of Conditions until the completed plans are reviewed. Discussion ensued for clarification of some review conditions in the memo. All should be consistent and labeled on the completed draft.

Mr. Chessia and the Commission reviewed the memo. Ms. Wahl and Agent Hemingway discussed reviewing the Memo with Chessia to determine if peer review comments had been met to the extent feasible. A draft copy of the memo was given for review to Mr. Paul during the meeting w/ Chessia to review the modified plans.

The Commission reviewed each of Chessias comments and deliberated on whether or not the standard had wither been met, or was met to the extent feasible and why.

Standard 2 – all agreed, met to the extent feasible

Standard 3 – all discussed this standard, met to the extent feasible, the small amount remaining is immaterial

Standard 4 –in order to arrive at 80% the project would have to replace everything, which is clearly not feasible.

Therefore, the standards noted, have been met to the maximum extent feasible.

Agent Hemingway summarized the results of the edits and statements.

Motion: made by Mr. Woodill, seconded by Ms. Minihane, to approve the NOI Order of Conditions as amended with the long form. The OoC is to include Mr. Chessia's peer review report, as well as the recommended and amended conditions. Unanimously voted

MISCELLANEOUS

1. Bills

1. Brad Holmes for Queen Anne Lane final report - \$ 522.50

a. **DISCUSSION IS NEEDED REGARDING BILLING PROTOCOLS FOR PART OF THIS PEER REVIEW PRIOR TO ACCEPTING OR APPROVING THE BILL.**

2. ABC – chainsaw replacement - \$359.95

3. Chessia Consulting – Barrell Lane Toll Bros to prepare a project summary for Atty Galvin - \$172.50

4. Chessia Consulting – Main Street Sidewalk – second review of the sidewalk plans and data - \$2,060.00
5. N. Hemingway – Travel reimbursement - \$444 Sept-Jan

Motion: made by Mr. Woodill, seconded by Ms. Minihane, to pay the bills as presented except for the Queen Anne Corner invoice. Unanimously voted

NOTE 1: On March 1st, the Commission will meet with the Advisory Board from 7-7:30pm. The regular open meeting of the Conservation Commission will be called to order at 7:30pm.

NOTE 2: The Chessia Engineering expenses are being paid out of the Professional Services budget.

SCHEDULED HEARINGS

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

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

Applicant has requested a Continuation of this hearing to 3/1/16 Meeting

Motion; made by Ms. Minihane, seconded by Mr. McMackin, to continue the hearing for 235 Bowker Street to March 1, 2016. Unanimously voted

251 Lincoln Street / SE52-1091 & NCC# 2(16) / Septic System Upgrade

NoI / OoC Applicant: Carol Osborne / Representative: Joseph Webby, Webby Engineering

***Applicant has requested a Continuation of this hearing to 3/1/16 Meeting**

Motion: made by Mr. Woodill, seconded by Ms. Minihane, to continue the hearing for 251 Lincoln Street to March 1, 2016. Unanimously voted

427 Main Street / SE52-xxxx & NCC # 4(16) / Wetland Line Delineation

ANRAD / ORAD Applicant: Russell Campanelli / Representative: Brad McKenzie, McKenzie Eng. ***Applicant has requested a Continuation of this hearing to 3/1/16 Meeting***

Mr. Woodill read all of the legal notices for the above hearings into the minutes and all are continued per the motions recorded below.

Motion: made by Mr. Woodill, seconded by Ms. Minihane, to continue the hearing for 427 Main Street to March 1, 2016. Unanimously voted

18 Parker Street / NCC# 3(16) / Septic Repair

RDA / DoA Applicant: Melvin & Lorraine Olsen / Representative: Brendan Sullivan, Cavanaro

Agents Notes

- The system construction zone is within the 50 foot buffer to resource areas including BVW, some minor channels and are within BVW.
- There is no place on site further from wetlands to place the system.
- The design is an innovative rather than standard and reduces the footprint slightly.
- I recommend approval with positive 2b – no confirmation of the delineation, positive 5 – subject to review by the Commission under a local wetland bylaw, and negative 3 – work within the buffer zone but will not have an adverse impact on protected resource areas.

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- Due to proximity to resource areas and a very tight construction zone I recommend requiring a larger mulch sock 18" rather than the standard 12 or 9.
- The delineation in this particular site has been looked at. The hydric soils extend beyond the flags in pockets. For the purposes of a septic repair with only one feasible location, a specific delineation is not significant. A clear statement that any further work on site will require a formal delineation is recommended.

Meeting Minutes

7:45pm John Cavanaro, Cavanaro consulting, represented the homeowner.

This is a failed septic system. There are no other locations for it, as all around are wetlands. Agent Hemingway has reviewed the drawing of the proposed system, which is on the footprint of the old one. Natural Heritage has been notified as this is a natural habitat. The applicants have obtained a green certificate. They have filed with the Board of Health.

Agent Hemingway concurs with the plan, but is not in complete agreement with the wetlands delineation. However she recommends approval of this plan.

Motion: made by Mr. Woodill, seconded by Ms. Minihane, to approve the RDA as specified in the agent's notes for 18 Parker Street. Unanimously voted

Letter Permit Request: Norris Reservation / Osprey Stands (Agent's Notes)

- A request to install 2 replacement Osprey stands in salt marsh in Norris Reservation has been submitted by Bill Grafton.
- The Commission permitted 2 stands earlier, but the locations are too close to trees and are not being utilized by the Osprey. The site managers would like to relocate the stands to areas that are more consistent with Osprey preferences.
- Work/installation will be conducted by hand auger with no construction vehicles or permanent disturbance occurring.
- Work will occur while the marsh is still dormant in March or early April.
- Materials will be delivered to the proposed locations using the existing pathway to a walking distance to the 2 locations.
- A copy of the letter request and site locations are in your packets.
- As this is a one day, cut, stand and fill, with no long term impacts to Salt Marsh and a habitat improvement, a Letter Permit is being requested.
- I recommend approval as a short term letter permit conditioned to allow no vehicles off the trails, no work in the marsh other than by hand, immediate replacement of the marsh same day, supervision required by B. Grafton, a post installation report.

Meeting Discussion

The Commission discussed the Norris Reservation putting in two new osprey stands. The stands will replace two existing that do not function due to location. S. Minihane was concerned with the short term impact to the marsh and questioned whether an RDA or NoI should be required. The Commission authorized Agent Hemingway to give them a letter permit.

Motion: made by Mr. Woodill, seconded by Ms. Minihane, to approve a letter permit for the Norris Reservation. Unanimously voted

Adjourn

Motion: made by Mr. Woodill, seconded by Ms. Minihane to adjourn at 7:50pm. Unanimously voted

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

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