



NORWELL CONSERVATION COMMISSION

Room 112 / 345 Main Street / Norwell, MA

July 16, 2019 @ 6:30PM

Minutes

TOWN OF NORWELL
TOWN CLERK
JUL 16 2019 AM 9:02
RECEIVED

Present: Chair Marynel Wahl, Vice Chair Bob Woodill, Bob McMackin, Ron Mott, Roy Bjorlin, Ellen Markham, Conservation Agent Nancy Hemingway, and Recording Clerk Chris Sullivan. Justin Ivas was absent. Mr. McMackin arrived at 6:35; Mr. Bjorlin arrived at 7:10 and left at 9 PM.

CALL TO ORDER

The meeting was called to order at 6:30 pm by Chair Marynel Wahl. The meeting was recorded. Please refer to the Agents complete notes to the Commission for details on all agenda items.

AGENDA ACCEPTANCE

The Commission reviewed the proposed agenda and discussed changes and additions.

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

COMMISSION BUSINESS

New Business

Citizen Comments

Historical Commissioner David DeGhetto inquired about follow-up correspondence from Town Counsel Bob Galvin regarding joint management of property off Simon Hill Road; Attorney Galvin replied by e-mail, which Ms. Hemingway will forward.

Re-Organization – Commission & Sub-Committees

Tabled.

Vote to accept donation of Beach Property off Circuit/Pine

Ms. Hemingway advised that Town Counsel Bob Galvin had commented on title issues with the property. The cost to clear up these issues would be prohibitive, and it was felt that these would not present an issue for Conservation uses as there is no plan to develop or sell the land. The Commission voted to pay the closing costs and taxes associated with accepting the donation.

Motion by Mr. Woodill to accept the donation of the Beach property and forward it to the Board of Selectmen for final approval. Seconded by Mr. Mott and unanimously voted.

Motion by Mr. Mott to pay the associated costs with accepting the Beach property donation out of the Conservation Fund, said costs not to exceed \$2000. Seconded by Mr. Woodill and unanimously voted.

Stony Brook Cottage – Funding Source for Demolition

Town Administrator Peter Morin recommended that the Commission submit a standalone Town Meeting article for the Stony Brook Cottage demolition. The project is not eligible for CPC funds, as the property is not convertible to a public use due to its size, lack of parking, and deed restrictions. After the demolition, the site will be converted into riverfront buffer with a bench. The Commission discussed coordinating with the Eagle Scout program for the bench and an Osprey Stand on the marsh.

Motion by Mr. Mott to authorize Ms. Hemingway to start the RFP and funding process for the Stony Brook cottage demolition. Seconded by Ms. Markham and unanimously voted.

Discussion of General Bylaw Art 3 Section 1 – withholding of permits if taxes are delinquent.

The Commission discussed a Town Bylaw that requires permits be withheld if a property owner owes back taxes; Ms. Hemingway reviewed the Town Meeting Article and vote and gave some recent examples. She reported that per State Law changes under the Acts of Legislature (early 90's) allows the Town Treasurer to hold licenses or permits for landowners who have neglected or refused to pay their taxes. This has been on the books, (confirmed with Pat Anderson) since 1994. The final decision whether to hold permits or not under this General Bylaw lies with the individual Boards or Commission's issuing the permits.

This has been brought to the attention of Planning and Conservation by the Town Treasurer as there have been projects over the years where landowners have subdivided, sold and built new homes or added on major additions, pools, etc but owe many thousands in unpaid taxes for a year or longer.

Motion by Mr. Mott to adopt the Town Meeting Bylaw that the issuance of permits be withheld where the Treasurer indicates that back taxes are owed. Seconded by Ms. Markham and unanimously voted.

Conservation Day

The Commission approved up to \$2000 funding for Conservation Day activities proposed by volunteer workers in the Conservation Office. The day will be scheduled according to the volunteers' schedule.

Motion by Mr. Woodill to authorize the expenditure of up to \$2000.00 to fund Conservation Day activities as proposed. Seconded by Mr. Mott and unanimously voted.

Wildlands Trust - Super Conservation Restriction

Ms. Hemingway requested comments on the draft conservation restriction for the property emailed to Commissioners on Friday. Mr. Woodill noted that the language is sufficiently broad enough to allow uses for the next hundred years.

Jacobs Pond Fishing Derby

The Commission approved a request from Jennifer Winnie to hold a fishing derby on July 20th for Hanover Cub Scout Pack 37. The group is to be instructed to carry out what the carry in.

Motion by Mr. Mott to grant permission for the fishing derby. Seconded by Mr. Woodill and unanimously voted.

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Old Business

Signage Discussion – Rules/Regs and uniform public land use policy

Tabled until the Fall.

Stormwater Bylaw Progress

Ms. Hemingway advised that the town bylaws were being updated for compliance with the Federal MS4 stormwater mandates, and asked for feedback to relay back to the working group. She noted that a likely outcome would be that the Commission would issue an additional stormwater permit in addition to state and local bylaw permits; this would add to the administrative workload to an unknown degree. Conservation currently already reviews many of the projects that would trigger this review under the BI Permit process. In terms of other Department, Conservation would have the least increase in additional workload. After/if the program is adopted, the Commission may want to reevaluate staff needs once it is up and running. Conversion of the administrative assistant from part time to full time may need to be requested for the Department. She had objected to Commissioners taking on additional responsibilities with respect to these regulations without sufficient authority to enforce them.

Chair Wahl asked what additional information Commissioners would need to learn. Ms. Hemingway thinks the additional regulatory review for larger non-administrative projects would be handled by consulting engineers, for which applicants would pay a fee. The Commission will be kept apprised of the project as it moves forward.

MVP/HMP Progress

Ms. Hemingway advised that the process is moving forward, and deposit of the funds is pending.

SUB-COMMITTEE UPDATES (OLD & NEW BUSINESS)

Open Space 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	N. Hemingway
Grants	B. McMackin	Bylaw Subcommittee	R. Woodill

Open Space & Recreation

The Committee continues to have quorum issues and is considering having a working group comprised of the town employees, including Ms. Hemingway, Town Planner Kenneth Kirkland, Recreation Director George Grey, and Building Department Administrator Nicole Pelletier, create a first draft plan for the larger group to work from, as this would not require a quorum.

Pathways

Mr. Woodill advised that the Commission was meeting tomorrow, and would be discussing design of the privacy berms at the Wompatuck connector parking lot.

CPC

Commissioner McMackin and Ms. Hemingway met with the residents of Jacobs Pond Estates regarding the proposed Jacobs West project; abutters expressed privacy concerns given the proximity of the exit walkway to the buildings. The Commission briefly discussed the feasibility of creating a walkway circling the entire pond.

Farming

Mr. Mott advised that Hornstra has started clearing his walls at Donovan Field and has already cleared the walls at Jacobs West. The walls at Stetson and Barstow have also been cleared. The walls at Norwell Farms are also clear; the branch trimming they referenced at the previous meeting has not yet been done.

Land Protection

Mr. Mott noted that there were two abandoned boats at Jacobs Pond, one submerged and one chained to the dock. Ms. Hemingway has a call out to the police regarding their removal and storage. Additionally, a trash and dog waste barrel are missing from the property; Ms. Hemingway will check with Trees & Grounds Commissioner Glenn Ferguson.

The Jacobs Pond Treatment was officially cancelled and will be re-RFQ'd for next May.

Historic New England has approved the two most recent requests from the Commission for NF/CSFF for irrigation and the cable line installation.

Grants

Ms. Hemingway has reached out to various departments to gauge their interest in joint applications for several grant opportunities currently available.

MISCELLANEOUS

Bills

The following FY 20 bills were presented for payment:

- a. Chessia - \$134.00 – Barrell Lane Toll Bros lot 4
- b. AMWS - \$45.00 – Annual membership
- c. MACC - \$686.13 – Annual membership plus eHandbook subscription and Wetland Buffer guidance manuals
- d. WB Mason - \$18.80 – office misc
- e. TL Edwards - \$3386.19 – Donovan Connector Pathway – CPC
- f. TL Edwards - \$549.72 – Donovan Parking Lot – CPC
- g. TL Edwards - \$777.00 – Donovan Parking Lot (transition to path) – CPC
- i. Chessia - \$437.50 - George Rd Peer review
- j. Chessia - \$687.50. – Schooner Estates Peer review
- K. BSC \$8672 - peer review through 7/15

Motion by Mr. Mott to pay the bills as listed. Seconded by Ms. Markham and unanimously voted.

TOWN OF NORWICH
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The Commission discussed using \$3620 remaining in the Donovan parking lot fund to purchase gravel and posts for repairs to the parking lot. Mr. Mott noted that would be maintenance which is not a legal use of CPC funds. Ms. Hemingway will confirm with Trees and Grounds Commissioner Ferguson that all work on the lot is done before notifying the CPC that any remaining funds can be returned to the CPC general funds.

The following FY 19 encumbrances were presented for payment:

- a. ECR - \$143.75 – Donovan Labyrinth soils testing from FY 19 Professional Services
- b. Nicole Pelletier - \$135.86 Conservation class reimbursement
- c. Nicole Pelletier - \$132.87 Conservation class reimbursement

Ms. Hemingway noted that these funds would be returned to the town's general fund if not used.

Motion by Mr. Mott to pay the encumbrances as listed. Seconded by Ms. Markham and unanimously voted.

Kiosk & Trail Map Purchase Authorization

Ms. Hemingway would like to request using CPC granted funds for new kiosks and tenfold trail maps; she will obtain estimates for their construction.

Motion by Mr. Woodill to authorize Ms. Hemingway to obtain estimates for the purchase of new kiosks. Seconded by Ms. Markham and unanimously voted.

Motion by Mr. Woodill to authorize Ms. Hemingway to obtain estimates for the purchase of new trail map tenfolds. Seconded by Ms. Markham and unanimously voted.

Peer Review – Change Order Request – refer to the Agents complete notes to the Commission. Ms. Hemingway advised that the applicants for Simon Hill have contested the \$5930 change order submitted by BSC for review of major changes to the project. She has offered to split the cost with the applicants per the Commission discussion at the June 18 meeting, but has received no response.

Town Administrator Peter Morin is willing to support a reserve fund transfer towards the study if applicants refuse to pay; the Commission discussed whether to pay for the balance with funds from the Professional Services line item and Filing Fee fund. Commissioners Wahl and McMackin expressed concern at setting a precedent of paying for peer review studies that applicants should be paying for. Ms. Hemingway noted that the \$5930 figure is a not-to-exceed quote, and feels that having the study done will give the town the best information with which to make its final decision. Should this project go to appeal, professional expert guidance will be essential to defending any position of the Commission.

Motion by Mr. Mott to authorize the expenditure out of the Professional Services line item towards the BSC \$5930.00 change order request. (with the previously discussed understanding

that a portion of the cost will be reimbursable through a Reserve Fund Transfer if needed).
Seconded by Ms. Markham and approved by a 5-0 margin, Mr. Mr. McMackin having recused.

Minutes

The minutes for the June 4 and July 2, 2019 meetings were distributed. Commissioners reviewed and discussed corrections and changes.

Motion by Mr. Mott to approve the minutes of the June 4, 2019 meeting as written. Seconded by Mr. Mott and unanimously voted.

Motion by Mr. Mott to approve the minutes of the July 2, 2019 meeting as written. Seconded by Mr. Mott and unanimously voted.

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.

7:30PM:

(Off) Circuit Street (Bl. 69, Lots 25, 26 & 30) aka: Hitchin' Post Lane / SE52-1149 & NCC# 29(18) / Road Construction & Stormwater Improvements NoI / OoC (cont.) Applicant: Mark Raimondi (Circuit St. R/T) / Representative: Gary James, James Engineering

Applicant requested a continuation.

Motion by Mr. Mott to continue the matter to August 20, 2019 at 7:30 PM. Seconded by Mr. Woodill and unanimously voted.

8:00PM: PUBLIC HEARINGS LEGAL DOCUMENTS/VOTES

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

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

1775 Washington Street & Mill Street / SE52-xxxx & NCC# 31(19) / HANOVER MALL REDEVELOPMENT – In Norwell - construction of a Theater w/ Parking. Stormwater Drainage & Utilities NoI / OoC Applicant: Lloyd Sova, PREP Property Group, Ed Callahan, Lisa Farrell and Mike ?? of Hanover Mall/Prep Group
Rep: David Kelly, Kelly Engineering

Mr. Woodill read the notice of public meeting. Ms. Hemingway advised that no DEP # has been issued. The hearing will not be able to close.

David Kelly and Brandon Li present for Kelly Engineering. Mr. Li indicated that a portion of the new movie theater and maintenance building will be located in Norwell, and within riverfront area to Third Herring Brook. There will be no work within the 50 ft buffer, but there will be some paving within the 100 ft buffer. The redevelopment will result in a significant reduction in impervious area, (2,300sq ft), favorably impacting Best Management Practices per Stormwater

Standards 2 and 3, and the stormwater management system will be upgraded, resulting in up to 80% TSS removal at discharge points.

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Mr. Li noted that Third Herring Brook had been designated as a cold-water fishery, and they will be using white roofs and bioretention swales to cool runoff prior to discharge. They have filed for a special permit with the Planning Board, and will be filing for a special permit with the ZBA.

In response to a query from Mr. Woodill, Ms. Hemingway indicated that the Norwell Commission had jurisdiction over the physical layout in the Norwell portion of the site, watershed areas that contribute to outfalls in Norwell, and the quality of stormwater coming out of the pipes in Norwell. The Norwell Commission does not have jurisdiction for areas in Hanover or contributing to resources only to Hanover.

Ms. Hemingway submitted extensive notes including one indicating that she and Hanover Agent Sandra MacFarlane had not agreed with the current delineation of the site during the site walk; Mr. Kelly indicated that they would have John Rockwood, of Ecotec, review the flags on a site walk next week.

All parties discussed how to proceed with the stormwater peer review. Ms. Hemingway indicated that the Planning Board and ZBA noted that they would likely be using Chessia as they typically do; the Hanover Commission is using CEI; applicant will provide the Norwell Commission a copy of CEI's comments. Mr. Kelly asked that the Commission give specific direction to its peer reviewer as to what is to be reviewed. He would like to avoid duplicative efforts and having to respond to conflicting comments from different reviewers. Commissioner consensus was to hire Chessia to review the technique and scope of CEI's peer review to determine if their review was complete, covered all issues and if they followed accepted professional practices in conducting the review.

Motion by Mr. Mott to authorize Ms. Hemingway to send an RFP to Chessia Consulting to comment on the peer review practices of the CEI review for Hanover and any project components impacting Norwell not covered by the CEI review. Seconded by Mr. McMackin and unanimously voted.

Motion by Mr. Mott to continue the matter to August 6, 2019 at 8 PM. Seconded by Mr. Woodill and unanimously voted.

81 Central Street / SE52-1074 & NCC# 45(14) / Addition

Request for CoC (cont.) Applicant: Karen Raccuia / Representative: Edward Eisenhaure

Ms. Hemingway requested a continuation to resolve an issue regarding the required rain garden construction.

Motion by Mr. Mott to continue the matter to September 3, 2019 at 8 PM. Seconded by Mr. Woodill and unanimously voted.

60 Turner's Way (Lot 3) / SE52-867 & NCC# 30(07) / Single-Family Home Construction
Request for CoC Applicant: John Calnan / Representative: Kevin Grady, Grady Consulting

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Ms. Hemingway recommended issuance of the CoC with continuing conditions 23, 24, 26, 27, 28, and 29.

Motion by Mr. Mott to issue a Certificate of Compliance for the property with continuing conditions as noted. Seconded by Mr. McMackin and unanimously voted.

46 Bridge Street / SE52-1116 & NCC# 19(17) / Addition

Request for CoC Applicant: Edgewood Realty Trust / Rep: William McGovern, Stenbeck & Taylor

Ms. Hemingway recommended issuance of the CoC with continuing conditions 24, 25, 28, 29, 30, 31, and 33.

Motion by Mr. Mott to issue a Certificate of Compliance for the property with continuing conditions as noted. Seconded by Ms. Markham and unanimously voted.

25 Washington Street / NCC# 30(19) / Septic Repair

RDA / DoA Applicant: Marlene Ketchen / Representative: Robert Carlezon, Grady Consulting
Mr. Woodill read the Notice of Public Meeting.

Paul Seaberg present for Grady Consulting. The proposed activity is a septic repair for a commercial building. The new system will be outside the 100 ft buffer to a BVW, but there will be some clearing within the buffer.

Ms. Hemingway indicated that there was a significant difference between the delineation on the site plan and one done for Damon Farms, which abuts the property, but this should not delay the project. She recommended a double erosion control line given the steep slope to the BVW, to which applicant assented. There is no need for a retaining wall, as the slope is heavily vegetated.

The project was approved with the following special conditions:
Clear, detailed construction phase-plan submitted prior to the start of work. Jute fabric along the disturbed upper bank to keep it stable. Double erosion control line

Motion by Mr. Woodill to issue a Determination of Applicability, pos 2b, pos 5, neg 3, with conditions as noted. Seconded by Ms. Markham and unanimously voted.

Bowker Street / NCC# 33(19) / Resurfacing of Road & Maintenance Replacement of (2) Culverts

RDA / DoA Applicant: Glenn Ferguson, Norwell Highway Dept. / Representative: N/A
Mr. Woodill read the Notice of Public Meeting.

Commissioner Glenn Ferguson and Assistant Director Joe Conlon present for the Norwell Highway Department. The proposed activity includes the repaving of Bowker Street, with no

expansion of the street width, and the replacement of two culvert pipes found to be failing. The two culverts connect BVWs on either side of the road; the new pipes will be the same size as the old ones, and will be installed at the same depth.

Ms. Hemingway inspected the work sites with Commissioner Ferguson and consulting engineer John Chessia, and agrees that the work as proposed falls within the scope of an RDA filing as it is required maintenance of existing structures. No expansion of use will take place. The work on the shoulder will be one day disturbance with stabilization and closure at the end of each day.

Motion by Mr. Mott to issue a Determination of Applicability, pos 2b, pos 5, neg 2, neg 3. Seconded by Ms. Markham and unanimously voted.

156 Cross Street / NCC# 35(19) / Construction of Horse Corral & Land Clearing & Review of Delineation RDA / DoA Applicant: Ellen Coletta / Rep: Greg Morse, Morse Engineering
Mr. Woodill read the Notice of Public Meeting. Commissioner Bjorlin left prior to the start of this hearing.

Ms. Hemingway advised that the matter originally came to her for a building permit sign-off for work outside the buffer; it was subsequently determined that a portion of the proposed horse corral and pasture were actually in the buffer zone to a BVW. A delineation of this area by John Zimmer, South River Environmental, is scheduled for the week of July 22. Applicants are requesting a permit with respect to the activity in the buffer and confirmation of the wetland line in that area of the property.

Mr. Morse indicated that applicants were anxious to get started, and he is willing to adjust the limit of work to accommodate the new wetland line. Ms. Hemingway didn't think an adjustment would be needed, but the new line in that area of the property should be defined and confirmed so applicants have a clear 100 ft buffer. With Commission authorization, she was willing to sign off on the project with respect to the corral and barn work, so that aspect of the project can proceed. Erosion control will be required along the limit of work in the buffer area and is encouraged, but not required, outside the buffer. The matter was continued to allow for Mr. Zimmer's delineation. It was noted that the entire property is subject to NHESP review.

Motion by Mr. Woodill to authorize Ms. Hemingway to sign off on the project to the extent of the corral and barn on the Building Department Web site. Seconded by Mr. Mott and unanimously voted.

Motion by Mr. Woodill to continue the matter to August 6, 2019 at 8 PM pending the delineation site walk w the Agent and Zimmer. Seconded by Mr. Mott and unanimously voted.

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

Applicant requested a continuation.

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TOWN OF SOUTH RIVER

Motion by Mr. Mott to continue the matter to August 20, 2019 at 8:00 PM. Seconded by Mr. McMackin and unanimously voted.

78 Stony Brook Lane / SES52-1173 & NCC# 29(19) / Raze Existing Boathouse & Replace with Garage NoI / OoC Applicant: Sam & Catherine Peper / Rep: Darren Grady, Grady Consulting

Mr. Woodill read the notice of public meeting. The hearing was opened and immediately continued as the legal ad had not been properly posted. Abutters had been notified.

Motion by Mr. Woodill to continue the matter to August 6, 2019 at 8 PM. Seconded by Mr. Mott and unanimously voted.

49 Green Street, Lot 2 / SE52-xxxx & NCC# 32(19) / Construction of Pool House/Garage & Vegetation Mgmt. NoI / OoC Applicant: William Lazzaro / Rep: Paul Seaberg, Grady Cons.
Mr. Woodill read the notice of public meeting.

Ms. Hemingway advised that the matter will have to be continued, as DEP is requesting additional information and has not yet issued a file number.

Mr. Seaberg noted that there is an existing SFH on the site, with BVW along the edge of the property to the east and west. Approval was granted to construct a pool, patio, and driveway under an Order of Conditions issued in 2015; they would like to wrap any unfinished work from that Order into the current request to construct a 23 by 30 ft pool house and construct a garage in the location of the original garage which was proposed as mitigation lawn to offset the additional impervious in the 2015 filing; the associated runoff would be routed into drywells.

They would also like to trim down some vegetation at the edge of the driveway for safety reasons. Applicant Cynthia Lazzaro commented that she has difficulty seeing traffic when she pulls out of the driveway. John Zimmer, South River Environmental, has provided a narrative as to the proposed vegetative management and proposed mitigation. To mitigate the estimated 1339 square feet of disturbance within the 50 ft buffer, they are proposing to convert an existing lawn area to native plantings at 2 to 1 replacement ratio. Ms. Hemingway agreed with applicant's safety concerns, but suggested that the Commissioners review the proposed mitigation areas in the field to determine if they were the best places to offset the additional disturbance.

All parties discussed the potential impact of the project on stormwater issues in the area. Jesse McSweeney, 346 River, commented she that has noticed an increase in the outflow of water coming from the Lazzaro property, which abuts her backyard, and does not want the project to displace additional water onto her property. Chair Wahl asked if the mitigation area could be moved to behind the pool house, between the two properties to create a better intercept for the stormwater, to which Mr. Seaberg agreed. Discussion regarding the elevation differences was held. Ms. Hemingway asked if it would be possible to create a system similar to a French drain or modified rain garden in this area to intercept and infiltrate any runoff headed toward downgradient properties.

The matter was continued to allow for receipt of the DEP file number, response to DEP concerns, Commissioner site visits, and redesign of the mitigation area to respond more appropriately to the area of increased disturbance. It was noted for record that the Commission will approve an extension of the existing OoC if the current application is not approved so they applicants would not lose their timing for an extension. An extension is not needed if the work is rolled into the new OoC request. The Commission agreed unanimously that they would honor the extension request without prejudice if the current request is not approved.

Motion by Mr. Mott to continue the matter to August 6, 2019 at 8 PM. Seconded by Mr. McMackin and unanimously voted.

39 Satuit Meadow Lane / SE52-1175 & NCC# 34(19) / Install In-ground Pool & Patio

NoI / OoC Applicant: Jason & Susan D'Entremont / Rep: Richard Servant, Stenbeck & Taylor

Mr. Woodill read the notice of public meeting. Applicant requested a continuation to allow for abutter notification.

Motion by Mr. Mott to continue the matter to August 6, 2019 at 8 PM. Seconded by Mr. Woodill and unanimously voted.

11 Arrowhead Drive / SE52-xxxx & NCC# 36(19) / Addition

NoI / OoC Applicant: Christian & Jill Diamandis / Rep: Paul Mirabito, Ross Engineering

Mr. Woodill read the notice of public meeting.

Mr. Mirabito advised that the proposed addition would be in existing lawn; its closest point to the wetland would be about 70 ft. All work would be in existing lawn or landscaping areas, and construction access would come in from the street, over the lawn.

Ms. Hemingway noted that the root systems of two trees would likely be impacted as a result of the construction. The project was approved with the following special conditions:

- Erosion control to be pulled outside the 50 ft buffer
- Conservation markers every 25 feet along edge of lawn/tree line, field verified by Conservation Agent

Motion by Mr. Mott to approve the Notice of Intent with a short-form Order of Conditions and special conditions as noted. Seconded by Mr. Woodill and unanimously voted.

Simon Hill to Hatch Lots (Burnt Plain Swamp) / SE52-xxxx & NCC# 21(19) / Trail Connection

NoI / OoC (cont.) Applicant: Town of Norwell Conservation Comm. / Representative: N/ A

Ms. Hemingway advised that she has received no public comment to date; she would like to close the hearing at the next meeting, once the DEP number has been received. She will invite the Water and Historical Commissioners to the meeting.

Motion by Mr. Woodill to continue the matter to August 6, 2019 at 7:30 PM. Seconded by Mr. Mott and unanimously voted.

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ADMINISTRATIVE PERMITS & REQUESTS:

64 South Street - Norwell Public Library

Ms. Hemingway advised that she recently completed the pre-start of work visit; applicant is requesting approval to shift the septic utility line across the High School entry road, and outside the 50 foot buffer. Ms. Hemingway feels this is a beneficial change and recommended its approval.

Motion by Mr. Woodill to approve the administrative request to shift the septic utility line location. Seconded by Mr. Mott and unanimously voted.

Pleasant - George Lot 5c

Applicant is seeking final design approval for lot 5c. Consulting engineer John Chessia recommended that the approval be with the condition that the pool area shown on the site plan be inclusive of patio and all other pool components.

Motion by Mr. Mott to approve the final design layout for lot 5c with condition as noted. Seconded by Mr. Woodill and unanimously voted.

PENDING SUBDIVISION / COMMERCIAL DEVELOPMENT UPDATES:

Tiffany Hill – Ms Hemingway reported that an additional lot was released for construction. The stability of the site was inspected prior to release and approved by Chessia.

Schooner Estates (Stetson Road) – No new info

Norwell Estates (Circuit Street) - Ms Hemingway reported the following.

- The sod placed into the basin (in most of the area needing attention) was showing signs of adapting and rooting into the subsoils. This will require frequent attention and care to ensure it continues to establish.
- There are a few narrow areas in the basin where the new sod is brown. The sod in those locations is small and narrow enough, and provides a stable cover, so that the surrounding basin grasses (which are doing very well) will take over in time. The applicant may want to consider overseeding these small areas, right into the sod, with the seed mix used in the basin.
- The sod along the top rim did not do so well. That being said, it has stabilized the top rim of the basin. They will need to remove the stone riprap along that top edge of the permanent basin as part of the final work. As that area would have likely been disturbed removing the rip rap, John's recommendation is that the release be allowed and that be reworked when they remove and seed the riprap area.
- Once the applicant is ready to remove the riprap along the permanent basin, they are required to contact John and I so we can meet in the field. They will need to either sod the riprap area and replace the sod that does not come back along that work zone, or hydro-seed. Time of year and weather conditions will impact that decision.
- Per the Commission's decision on Tuesday, July 2, and per John Chessia's recommendation, lot 4 is released per the above statement and conditions.

Damon Farm (Washington Street)

Ms. Hemingway advised that Damon Farms was requesting release of units 9-11 for occupancy, but that aspects of the required restoration and mitigation work were still incomplete around these units and in other areas of the property. Outstanding issues included exposed soils and incomplete plantings around units 9-11, incomplete vernal pool work by unit 24, and the need for a longer fence behind unit 19 and re-seeding of a mitigation area by unit 23.

Ms. Hemingway noted that applicants are offering to sod or hydroseed around the three lots, and do the restoration planting by lot 11 concurrent with the sign-off for occupancy. After a brief discussion of options including denial of the request, the Commissioners decided to release these lots for occupancy but not release further lots for construction until all restoration and mitigation work was completed throughout the project.

Motion by Mr. Mott to release lots 9-11 for occupancy but not allow further lot releases for construction until all mitigation and restoration is 100% complete. Seconded by Mr. McMackin and unanimously voted.

PUBLIC MEETINGS

VIOLATION DISCUSSIONS –

Ms Hemingway reported on the following projects.
89 King’s Landing –
34 First Parish

ENFORCEMENT HEARINGS

None

AGENT’S REPORT – please refer to the complete agents notes for additional information.

- Simon Hill MoU – follow up to the request to obtain Bob Galvin’s opinion in writing - Bob replied via email..... “It is my opinion that if this is how the town wishes to handle it then we are within our rights to do it this way; there is no mandate. By the way, the land is protected as Article 97 land. We can obviously agree to create a restriction that protects both interests and there is already Town meeting approval to do that. The only thing TM needs to do, if at all, is to approve the apportionment if the Commission and Water Commissioners wish to do it”.
- There are many regulatory projects under construction (or information gathering) and review at the moment. A few of the more significant and/or publically visible, are the Library at 64 South St., Monitoring wells off Accord Pond, work on the Main Basin (closing the temp basin) on lot 4 Curtis Farm Rd, 89 Kings Landing – mitigation for violation, 43 Kings Landing, Gaffield Park, 34 First Parish, 22 Forest, 19 Mt Blue-wrapping up...
- Ken reports that Wompatuck is currently being expedited through National Grid ...The NoI will be prepared after the National Grid Review.

SCIENCE AND REGULATION IN THE NEWS

EDUCATION AND TRAINING OPPORTUNITIES

Please refer to the Agents Notes available in the Conservation Office.

2019 SEP -4 AM 9:03
TOWN OF WAMPATUCK
COMMISSIONERS OFFICE

<i>Next Meeting</i>		August 6, 2019
<i>NEW filing applications due date/deadline</i>		<i>July 16, 2019 @ noon</i>
<i>Legal Notice publication date-Patriot Ledger</i>		<i>July 22, 2019</i>
<i>Revised Information submittal deadline</i>		<i>July 23, 2019 @ noon</i>
<i>Peer Review Supplemental Info Deadline, CoC Requests, Minor Modification & LP Requests</i>		<i>July 23, 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. McMackin to adjourn at 9:44 PM. Seconded by Mr. Woodill and unanimously voted.

I hereby certify that the above minutes were presented and approved by a majority vote by the Norwell Conservation Commission on September 3, 2019.


 Marynel Wahl, Chair

2019 SEP -4 AM 9:03
 09/03/2019 09:03 AM
 09/03/2019 09:03 AM