

**NORWELL CONSERVATION COMMISSION**

345 Main Street / Norwell, MA

**March 7, 2017 @ 7:00 PM - Room 112**

**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. Osborne left at 8:47 PM and Mr. Ivas left at 10:05 PM

**7:00PM:**

**CALL TO ORDER**

The meeting was called to order at **7:02 PM** by Chair Marynel Wahl. The meeting is being recorded.

**AGENDA ACCEPTANCE**

*Motion by Mr. Osborne to approve the agenda as recorded. Seconded by Mr. Ivas 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. – please refer to the executive session minutes.

**COMMISSION BUSINESS - Old (cont.):**

- Discussion of Jacobs Pond Gift Account – Recommend Tabling as there is a long meeting schedule. No rush on this discussion.
- Town Meeting Articles follow-up – As needed

**COMMISSION BUSINESS - New:**

**Pathways CPC Filing**

The Commission briefly discussed new developments related to the Commission’s joint CPC filing with the Pathways Commission as to Wompatuck State Park.

*Motion by Mr. Osborne to have Marynel withdraw Commission support for the Wompatuck Parking Lot CPC application. Seconded by Mr. McMackin. Motion passed with Wahl, Osborne, McMackin, Mott, and Ivas voting in favor; Woodill opposed; and Minihane abstaining.*

Jacobs Gift Account

Tabled.

**SUB-COMMITTEE UPDATES (OLD & NEW BUSINESS)**

		<b>Notes/Meeting Minutes</b>
Pathways	R. Woodill	The NCC did not sign the CPC request
CPC	D. Osborne	Significant discussion ensued. Motion by Mr. Osborne to have Ms Wahl withdraw support for the Wompatuck CPC article. (Discussion – The Commission is not opposed to the project and is supportive of the concept. The pavement is not agreed to, the cost is too high.) Seconded by Mr. McMackin. Ms Minihane abstaining. Mr. Woodill opposed. Mr Osborne, Mr Mott, Mr. Ivas and Mr McMackin in favor as discussed. Ms Wahl not voting.
Farming	R. Mott	A draft revised farming license agreement for commissioners to review.

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TOWN OF NORWELL  
CLERK OF TOWN

## MISCELLANEOUS

1. Bills
  - a. Ed Cox – Trail Work - \$156.00
  - b. Chessia Consulting – Curtis Farm Rd peer review Jan 24-27 - \$378.00
  - c. WB Mason –
    - i. \$53.96 for ink, small office printer
    - ii. \$7.63 pens
    - iii. \$36.19 8x11 note pads,
  - d. Nancy – Travel Reimburse from Oct-Jan –\$300.00 approved 2/7 but not signed
  - e. Chris Sullivan – minutes 2/7 - \$150
  - f. Gatehouse Media – Donovan Field NoI legal Ad - \$199.68
2. Minutes
  - a. Jan 17 and Feb 7.
3. Reconsideration of account to pay authorized bill for fencing

### Meeting Minutes

#### Bills

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

*Motion by Mr. Woodill to pay the listed bills. Seconded by Mr. McMackin and unanimously voted.*

#### Minutes

Tabled to 3/21.

#### Fencing Bill Account

The Commission continued its discussion from last month regarding payment of the THS fencing bill.

*Motion by Mr. Mott to pay the fencing bill by taking \$733.46 from the TM 13 Article 34 account and the remaining balance from the TM 15 Article 16 account. Seconded by Mr. McMackin 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**

#### **South Street & Mill Street / NCC# 4(17) / Utility Pole Management (in Easement)**

RDA / DoA Applicant: Jaime Walker, National Grid Representative: Dan Herzlinger, TRC Env

This was approved at the last meeting Feb 7. The decision still needs signatures in accordance with that action. No vote needed. Not a hearing or meeting.

### **Meeting Minutes**

Ms. Hemingway circulated the RDA decision approved at the February 7 meeting for Commissioners to sign.

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

ANRAD / ORAD (cont.) Applicant: Sean Donovan, EMET / Representative: Darren Grady, Grady Cons.

### **Meeting Minutes**

Ms. Hemingway reported that the peer review site visit was still needed on this matter; The peer review deposit had been submitted within the week and had not yet cleared.

*Motion by Mr. Woodill to continue the matter to March 21 at 8 PM. Seconded by Ms. Minihane 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 read the notice of public meeting. Brendan Sullivan was present for applicant.

Mr. Sullivan discussed recent changes to the plan; these included pulling the sidewalk off from River Street and putting a 230-foot boardwalk through the wetlands. The boardwalk will use a similar design and materials to others recently installed in town.

Ms. Wahl asked about mitigation; The Commission and Ms. Hemingway discussed that the path of least impact to protected wetlands was a raised boardwalk and that mitigation would not be needed if the boardwalk were raised up and slatted in such a way as to allow the sun and rain through so vegetation would not be impacted.

Mr. Ivas asked about tree removal. Mr. Sullivan replied that he would only anticipate trimming the adjacent trees to the boardwalk. After further discussion, Commissioners agreed to also allow for the removal of dead trees near the boardwalk. Mr. Ivas noted that the curve of the boardwalk may need to be straightened near the crossing per request from Mr. Ferguson.

*Motion by Ms. Minihane to approve the plan as presented with the draft long-form with conditions that the boardwalk be shifted as necessary to avoid tree removal, or as directed by Glenn Ferguson, as long as its length doesn't exceed 10% more than as shown; and that dead trees be cut at 15 feet for habitat but not total loss. Seconded by Mr. Woodill and unanimously voted.*

**400 Cordwainer Drive / SE52- 1090 / SWPPP Review and Acceptance (per OoC)**

**Meeting Minutes**

Applicant has requested continuation to March 21 to allow for revisions.

*Motion by Ms. Minihane to continue the matter to March 21 @ 8:00 PM. Seconded by Mr. Osborne and unanimously voted.*

**Parker Street (Map 16C, Bl. 51, Lot 78) / NCC# 3(17) / Determination of Jurisdictional Wetlands**

RDA / DoA (cont.) Applicant: Paul Jevne / Representative: John Zimmer, S. River Environmental

**Meeting Minutes**

Applicant has requested continuation to March 21 to allow for a site walk and revisions.

*Motion by Mr. Osborne to continue the matter to March 21 at 8 PM. Seconded by Mr. Ivas and unanimously voted.*

**159 Stetson Road / NCC# 9(17) / Septic System Upgrade**

RDA / DoA Applicant: Jerry Griffiths / Representative: Greg Morse, Morse Engineering

**Meeting Minutes**

Mr. Woodill read the notice of public meeting. Jeff Hassett was present for Morse Engineering.

Mr. Hassett reviewed the site plan and noted that the majority of the lot is wetland. He reviewed the Board of Health revisions, location of estimated habitat and noted that is within lawn. The property has a failed septic system that needs repair; the new system will be located as far away from the wetland as physically

possible and no trees will have to come down. They will provide an erosion control barrier to prevent runoff into the wetland.

Ms. Hemingway agreed that the new system is as far from the wetland as possible but disagreed with the delineation. She recommended approving the project but not the delineation. See the Agents notes.

*Motion by Mr. Woodill to approve the RDA on a pos 2B, pos 5, neg 3 but not accept the wetlands delineation shown. Seconded by Mr. Osborne and unanimously voted.*

**20 Meadowbrook Road / NCC# 10(17) / Septic System Upgrade**

RDA / DoA Applicant: David McKay / Representative: Greg Morse, Morse Engineering

**Meeting Minutes**

Mr. Woodill read the notice of public meeting. Jeff Hassett and applicant Dave McKay were present.

Mr. Hassett discussed the property and site plan, and noted the wetlands were delineated by Brad Holmes. He stated that the new septic tank will be installed further away from the wetland than the existing system.

Commissioners discussed the accuracy of the flood zone shown on the plan. Ms. Hemingway stated that the flood zone and resource data on the plan should be updated, and the Commission discussed the additional conditions necessary for approval. See the Agents notes.

*Motion by Ms. Minihane to approve the RDA subject to conditions that the plan be revised to accurately show the flood zone based on FEMA elevation (conversion needed so the same datum is as the rest of the site plan elevations), and noting that a waiver has been granted as to work within 50 feet of a local resource area to BLSF. Seconded by Mr. Woodill and unanimously voted.*

**Circuit Street (Bl. 69, Lots 25 & 26) / SE 52-1109 & NCC # 1(17) / Jurisdictional Wetland Delineation**

ANRAD / ORAD (cont.) Applicant: Thomas Tuffo / Mark Raimondi / Rep: Paul Shea, IEC

**Meeting Minutes**

Applicant has requested continuation to March 21 to allow for a final review and site visit.

*Motion by Ms. Minihane to continue the matter to March 21 at 8 PM. Seconded by Mr. Woodill and unanimously voted.*

**Island View Circle (Bl.72, Lot 57) / SE52-1110 & NCC# 7(17) / Single-Family-Home**

NoI / OoC Applicant: Brian Nihill / Representative: John Cavanaro, Cavanaro Consulting

**Meeting Minutes**

Mr. Woodill read the notice of public meeting. John Cavanaro and applicant Brian Nihill were present.

Mr. Cavanaro gave a history of the property, summarized the site plan, and discussed adjacent resources. He stated that most of the construction work can be done outside the 50 foot no-disturb buffer. Ms. Wahl asked whether mitigation would be required for the driveway and fill. Ms. Hemingway replied that this would depend on the wetland impact and whether it's land subject to flooding.

Ms Hemingway noted that the delineation provided was very close to two previous ones done for the property. She recommended that trees along the 50 foot buffer be flagged, that no construction materials be stockpiled in the road, and that Commissioners do a site walk to view the trees in the buffer area. See the Agents notes. Mr. Canavaro suggested that they stake out the buffer and do the walk before installing the siltation barrier.

Motion by Ms. Minihane to approve the OoC long form subject to conditions that (i) the limit of work be flagged in the field and trees reviewed by the Commission or its representative to avoid impacts to the root zone; (ii) there be no stockpiling within the 100 year flood plain, 50 foot buffer zone, or other resource; and (iii) conservation markers be installed along the 50 foot resource buffer to BVW. Seconded by Mr. Mott and unanimously voted.

**Lot 62, Stony Brook / SE52-1111 & NCC# 8(17) / (After-the-Fact) Jurisdictional Wetland Line**

**Delineation**

(After-the-Fact) ANRAD / ORAD Applicant: Tom Williams / Representative: Scott Goddard, Goddard Consulting, LLC

**Meeting Minutes**

Applicant has requested continuation to March 21, as the visit to review the site plan's delineation is not scheduled until late next week.

Motion by Mr. Ivas to continue the matter to March 21 at 8:00 PM. Seconded by Mr. Mott and unanimously voted.

**PUBLIC MEETING:**

Mount Blue Street (Bl. 4, Lot 17) – Forest Cutting Submittal (Rodriguez)  
No new information. The site is being watched. I am expecting a permit/review from DCR at any time.

**Meeting Minutes**

Ms. Hemingway has heard nothing new and the site is being monitored. The land owner has to file with Commission if he wishes to farm on the site.

**ADMINISTRATIVE REQUESTS**

Bowker St 260 lot E - Request for minor change (Administrative) permit.  
Norwell Estates – Update  
Wildcat OSRD – Update  
Tiffany Hill – Stormwater Review (Chessia) – plans are out to Chessia, update at the next meeting.

**VIOLATION DISCUSSIONS**

358 Mt. Blue Street

**ENFORCEMENT HEARINGS**

None

**AGENTS REPORT partial**

- The trail crew requested 2 additional weedwackers.
- The Donovan Farm Field clearing discussion and guidance regarding whether we should have the wetland delineated so we can move forward with the NoI. DEP will not accept loss of wetland on a non-agricultural field without a site plan. Neither would the NCC from any other applicant.
- Discussion of the Donovan to the Pathway connector? There are funds available and Glenn is willing and able to tackle the initial phases now. Discussion requested.
- Pre-Application material for Kopacz has been submitted. Comments are due by March 16. NCC is encouraged to review the density of proposed lots.
- The CRs for Barstow and Harrow are out to DCR for approval.
- The Galerucella beetles for Jacobs are ordered and should be in Mid-April.

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- Recreation has requested use of Jacobs Pond for their kayaking program on the weeks of July 10 and August 7.
- The Fishing Derby is Sat, May 13.
- 140 Longwater is proposing a 2000 sq ft expansion.
- The spring trail walk list in your packets.
- National Grid has sent out the 2017-2018 Transmission Vegetation Maintenance Notification notice.
- Donna has asked for a listing of all signatories authorized to approve bills and sign vouchers for each department before April 4. Your signatures are needed. The NCC can appoint one member to review, approve and sign the bills for the NCC. Authorization to spend still requires a quorum vote of the Commission.

#### **Meeting Minutes**

The Commission broadly discussed approval/signature authority for bills and vouchers.

*Motion by Mr. Ivas to require a quorum vote in public meeting for all bills and vouchers. Seconded by \_\_\_\_\_ Unanimously voted.*

Ms. Hemingway requested authorization to purchase two additional weed whackers for the trail crew.

*Motion by Mr. Mott to authorize expenditure out of the general budget of no more than \$900 for two weed whackers. Seconded by Mr. Woodill and unanimously voted.*

#### **SCIENCE AND REGULATION IN THE NEWS EDUCATION AND TRAINING OPPORTUNITIES**

Please refer to the complete Agents Notes available in the Conservation Office. Notes included in the minutes are partial.

#### **Adjournment**

*Motion by Mr. Mott to adjourn at 10:07 PM. Seconded by Mr. Woodill 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.

  
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Marynel Wahl, Chairperson