

**NORWELL CONSERVATION COMMISSION**

345 Main Street / Norwell, MA

**May 17, 2016 @ 7:00 PM – Room 112**

**Final Meeting Minutes**

**Present:** Marynel Wahl, Dave Osborne, Bob Woodill, Ron Mott, Stacy Minihane,  
Agent Nancy Hemingway, Recording Clerk Ellen McKenna  
**Absent** was Bob McMackin

RECEIVED

2016 JUN 23 AM 9:20

TOWN OF NORWELL  
TOWN CLERK

**7:00PM:**

**CALL TO ORDER**

The meeting was called to order at 7:00pm in the Osborne Room by Chair Marynel Wahl.  
Motion; made by Mr. Woodill, seconded by Mr. Mott, to accept the agenda as written.  
Unanimously voted  
Ms. Wahl stated for the record that this meeting is being recorded.

**Vernal Pool presentation**

Guests: Students at Notre Dame Academy, teacher Jana Matthei  
Ms. Wahl welcomed the students and introduced Jana Matthei, their biology teacher at Notre Dame Academy. The annual presentation on vernal pools was given by the group. The presentation began with a video of the data gathering from four different vernal pools. The girls gave a Powerpoint presentation about the definition and reasons to track vernal pools. Two pools were at Wompatuck State Park; the other two were located off Mt. Blue Street. The girls highlighted tracking the different species of animals and amphibians, including egg masses and hatched tadpoles and salamanders.

Ms. Wahl thanked the group for their hard work and the board asked questions about the future of the studies and specific locations. This program is run through a state agency.  
The meeting reconvened after the presentation in Room 112.

**Bee Keeping Request**

**Agent's Notes**

- There is a request from a Bee Keeper to install beehives off the fields at Stetson and Main St farm fields and possibly at the smaller Barstow triangle. This is a similar program to Luke Lamberts. Fatih Uzuner was referred to the office by D. Osborne. He wishes to install 5 boxes at each of the fields.

**Meeting Minutes**

Mr. Uzuner is looking for locations to keep bees in the Town. D. Osborne and F. Uzuner had ID'ed some locations; one on Main St. and one on Stetson field. Mr. Uzuner reviewed each location's pros and cons for the board. He would have a small hobby operation, no trucks. He spoke about his history with bees and beekeeping and interacting with people. The board discussed locations and was in favor of the Stetson area. Mr. Osborne asked about his proposed number of boxes; Mr. Uzuner stated that he would have possibly 20 boxes total. Ms. Wahl asked about Mr. Uzuner's long term plans. He stated that he would sell the bees if he decides to leave the area. Mr. Osborne is OK with licensing 20 hives for one year. All agreed that if Mr. Uzuner decides to leave there will be no problem selling the bees to someone on the bee waiting list. The board would like to approve both locations. Mr. Osborne pointed out that some openings should be cut into the stone walls at the Main St. location, which would be then available for hive placement. John Hornstra leases the field

on Main St., so Con Com will ask him if he has any issues with beehives in the back of the field. Mr. Osborne will also ask his beekeeper friend if he is OK with additional hives in that Main St. location. He invited Mr. Uzuner to come over and walk the property.

**Next Steps:**

All decided that N. Hemingway/or the Farm Liaison will ask Mr. Hornstra for feedback before using the Main St. location. Mr. Uzuner can get started on the Stetson area first. The board will approve a 1 year trial period through a letter permit. Mr. Osborne will oversee cutting back the field on Main St. Mr. Hornstra may be asked to cut back the field borders, discussion ensued about this task. Mr. Osborne, Mr. Mott, and Mr. Woodill will cut a few trial spots for the beekeeper to try around the field on Main St. Pending Mr. Hornstra's agreement, Mr. Uzuner may put 20 boxes in each location.

*Motion; made by Mr. Woodill, seconded by Mr. Mott, to allow Mr. Uzenr to establish beekeeping locations on a one year trial permit basis in Stetson Meadow and Main St., pending field clearances and Mr. Hornstra's permission. Unanimously voted*

**Budget related discussion regarding Police Detail costs and Porta Potty needed for June 5.**

*Motion; made by Mr. Woodill, seconded by Mr. Mott, to be able to spend out of the trail budget a maximum of \$550 for June 5<sup>th</sup>, Conservation Day. 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

**Agent's Notes**

**43 Wildcat Lane / SE52-346 / Septic Replacement**

CoC Applicant: Jack Ryans / Representative: Dena Morgan, Caldwell Banker

- This project is from 1991. The septic mound is at the edge of wetlands and could not be permitted today in the same location but at the time was permitted without any knowledge or identification of where wetlands were on site.
- I reviewed BoH records as well as ours and recommend complete CoC as being consistent with the permit issued.

**Meeting Minutes**

*Motion; made by Mr. Woodill, seconded by Mr. Mott, to approve a CoC, SE52-346 for septic replacement for 43 Wildcat Lane. Unanimously voted*

**Agent's Notes**

**98 Accord Park / SE52-696 & NCC# 30(03) / Construction of 2 Bldgs. (& Violation)**

CoC (cont.) Applicant/Representative: Mike Joyce, Joyce Consulting Group

- This request was made in 2015 and held over a year to allow the bank along the stream to stabilize. It is another request for a project from 2003 for the car dealership holding back-stock for Audi.
- The boulders have remained in place and vegetation is establishing on the gravel bank. While not 75% coverage, that was not required at the time the permit was issued. Photos available. The bank is stable.

- Commission discretion whether to hold another year to allow vegetation to establish or to allow the CoC. While not meeting current standards, it does meet the standards required in the OoC.
- Recommend conditions 29-32 to remain in perpetuity

**Meeting Minutes**

*Motion; made by Mr. Woodill, seconded by Mr. Mott, to grant a CoC, SE52-696 & NCC#30(03) for 98 Accord Park. Unanimously voted*

**Agent's Notes**

**387 River Street / SE52-1039 & NCC# 27(13) / Deck, Fence & Grading**

CoC Applicant: Stephen & Susana Griffin / Representative: N/A

- This was a fence for a dog run within the 50 foot buffer to BVW. The fence was put slightly further into the wooded area than permitted, but is also consistent with use area previously in existence underneath the canopy.
- Photos available.
- While some areas of the yard are not vegetated, this was permitted to allow 5 dogs to run in the back yard... It is unlikely to be completely vegetated at all times.
- The vegetated area at the 50 foot buffer has restored, primarily from natural vegetation but also some plantings. Photos available
- Recommend issuance of a CoC in compliance.
- Recommend conditions 23, 24, 27, 28, 29 remain in perpetuity.

TOWN OF NORWELL  
 TOWN CLERK  
 2016 JUN 23 AM 9:20  
 RECEIVED

**Meeting Minutes**

*Motion; made by Mr. Osborne, seconded by Mr. Mott, to grant a CoC, SE52-1039 and NCC#27(13) for Deck, Fence and Grading for 387 River St. Unanimously voted*

**Agent's Notes**

**25 Cedar Point / SE52-773 & NCC# 34(05) / Dock, Pier & (After-the-Fact) Dog Fence**

CoC Applicant: Mark Bonavita / Representative: Edward Ryan, EJR Landscape Mgmt.

- This project started as a dock and pier installation with conditions that the 50 foot resource buffer not be disturbed. The work dates back to the early 2000's
- Joe Timmons (renters???) clear cut the lower vegetation stories through the 50 foot buffer to the bank of the river resulting in a violation and enforcement order. (trees were left)
- The area was restored at one point with grasses, etc but mowed down again by a subsequent renter.
- The property was sold to a couple who hired EJR to create a naturalized landscape plan which consisted of naturalized wildflower seeded areas, bee/butterfly garden and a stone walkway . The bank was to be heavily planted with bearberry. A modified plan was approved to the original order which allowed wildflower areas as well as the butterfly gardens to naturalize and densely cover the buffer to the river bank. An allowance to cut the flower areas back once a year to prevent woody growth was granted. The remaining area was to not be maintained.
- On site inspection, the area looks to me like mowed lawn still. Ted Ryan is insisting it is naturalized non-landscaped wildflower areas that simply have not grown yet this year. There are no photos from the landowner/landscaper yet showing the area in a naturalized state prior to mowing.

- I have a site inspection scheduled with him for 9AM on Monday. You are welcome to join me. There is also the ability to stop by at any time to look at the area behind the pool fence to the bank to the N. River. I encourage Commissioners to knock on the door over the weekend and take a peek or I can also meet folks there Monday at 5:00.
- I cannot recommend compliance be issued as this is a long outstanding violation issue and in my opinion does not protect the 50 foot no new disturbance zone which was in place at the time of permitting.
- That being said, the Commission has issued CoC's for other projects, requiring less restoration for similar violations, allowing use. The neighboring property for example. This is similar to one of those cases where earlier NCC enforcement decisions were overturned and existing use was considered reasonable (and should have been anticipated) use of land.

I have photos for a virtual site tour during the meeting but encourage you to observe for yourself. Commission discretion, a CoC will be ready either way.

### **Meeting Minutes**

Ed Ryan, EJRLandscape Mgmt., attended to answer questions and gave a history of the project. The work was done a year ago. Ms. Hemingway gave slides of time lapse photos showing the progress. The house is for sale, but has not been inhabited for a year. Mr. Ryan's question is about mowing once a year. The area is all shade, which means that it will be difficult to get anything else to grow other than what is there. Ms. Hemingway thinks it will be a matter of time for the growth to be established, wildflowers, lily of the valley, etc. Discussion about the future of these plantings ensued; the landscaper feels that mowing once a year will result in mostly moss and lily of the valley as it is right now. Wildflowers were probably not the best plan as the plantings utilized were really designed for full sun. Since the house is for sale, going forward, Con Com could require 2 bounds, one at each access gate to indicate no mowing, and that condition is now stated in the CoC that Ms. Hemingway typed up. It will allow mowing once a year.

*Motion; made by Mr. Osborne, seconded by Mr. Mott, to issue the CoC, SE52-773 & NCC# 34(05) / Dock, Pier & (After-the-Fact) Dog Fence as amended for 25 Cedar Point. On-going permanent conditions include the agreed on conservation markers on each gate, facing the home, and a maximum mowing of once per year beyond the gate in the 50 foot buffer. Unanimously voted*

### **Agent's Notes**

#### **15 Mount Hope Street / NCC# 12(16) / Expand Front Porch**

**RDA / DoA Applicant:** Rachel Cronk / **Representative:** Skip Joseph, SRJ Construction

- This is for a deck along part of the front of a home on sonatubes.
- Adjacent resources are Bound Brook Pond, stream, BVW, Conservation Land etc.
- Normally I would handle this as an administrative Letter Permit, however half of the structure lies in a Conservation Easement and requires approval from the Commission.
- I recommend approval (Pos 2B-resources not confirmed as accurate, Pos 5 –local bylaw jurisdiction, Neg 3 – buffer zone will not adversely impact resource) as this is accessory to an existing structure outside the 50 foot buffer.

### **Meeting Minutes**

Mr. Woodill read the legal ad. This will be a farmer's porch on sonatubes. Skip Joseph, Jr. is the contractor, SRJ Construction. Construction would be on the existing lawn, which causes no issues.

*Motion; made by Mr. Osborne, seconded by Mr. Woodill, to approve an RDA/DoA, pos2B, pos5, neg3 for 15 Mount Hope St.. Unanimously voted*

### Agent's Notes

#### 260 South Street / NCC# 13(16) / Septic System Repair

RDA / DoA Applicant: Brian & Jean Kilduff / Representative: Philip Spath, Spath Engineering

- Septic system as far as possible from resource areas, yet still in or at 50' buffer
- Recommend approval (Pos 2B-resources not confirmed as accurate, Pos 5 –local bylaw jurisdiction, Neg 3 – buffer zone will not adversely impact resource) as it is a needed repair and there is no place further from resources to place it.

RECEIVED

2016 JUN 23 AM 9:20

TOWN OF NORWELL  
TOWN CLERK

### Meeting Minutes

Phil Spath, Spath Engineering, stated that this is simply a system repair and redo. Ms. Hemingway had no additional comments. The BOH is considering this plan currently. The proposed location is the only place for the system.

*Motion; made by Mr. Mott, seconded by Ms. Minihane, to approve a RDA/DoA, NCC#13(16) for septic system repair for 260 South Street as presented. Unanimously voted*

#### 66 Bowker Street; Public Meeting w/con Com to discuss invasive species management on Conservation Land

### Agent's Notes

- A violation was reported regarding vegetation cutting on land owned by the town, managed by the Commission. A site visit was taken and I spoke with the owner.
- The current owner, Chris Greely readily acknowledged that he had cut many plants and shifted some stones onto the wall that was already there. He truly believed he was/wants to take care of the wetland. We had a conversation about working with the Commission, the land being town land, needing permits before working in or near wetlands, etc.
- He is amazingly well versed in invasive plants and the need to remove them. He said he had pulled a long list of invasives including buckthorne, phrag, mile-a-minute etc from the area. I am not sure he realized it was town property, he said he had not really thought twice after he saw all the invasives and debris he just started cleaning it up. He also hired people to hand haul lumps of concrete and other material that a previous owner had dumped into the VP there. He is a huge advocate of promoting and preserving native non-invasive species and will be in to speak with the ConCom at the upcoming meeting.
- I asked him if he would consider adopting the conservation land there with a goal of being a steward for the VP and report to the ConCom. He seemed interested.
- At any rate, he will meet with the Commission on 5/17 to discuss the work he did and what happens next. I did not file enforcement as I did not believe that he intentionally violated the regs or caused any harm to the area that would not readily repair itself. Removing invasives by hand can be an improvement. I advocate that we encourage hand pulling of invasives in these areas by resident volunteers.

### Meeting Minutes

The homeowner, Chris Greely, gave an overview of the invasive plants growing on his land, and proposes to manage these by removing them and restoring the existing stone wall. All reviewed the map presented by Ms. Hemingway of the conservation land and certified vernal pool and recorded property line. The homeowner stated that the Oliver maps show property lines in error, and highlighted the area where he removed buckthorn and multi flora rose, which is growing rapidly. He would like to mow and remove the invasive plants by hand from the area on his property. He

proposes to mow out the section and hoe out the remainder. He passed around the survey plan that shows the property line. Mr. Greely would like to maintain current the bio diversity. He would like to put in a split rail fence at the break in the stone wall, as well as native plants like blueberry, elderberry, etc. Per Ms. Minihane, a fence would probably not be allowed, per state regulations.

There are two issues at hand:

Issue 1; invasive control

Issue 2; the vernal pool on land which may or may not belong to the homeowner

All reviewed the vernal pool locations (2 ponds). The invasive plants are mostly close to the road edge. All agreed that invasive species management is terrific. Mr. Greely didn't understand that a permit was needed when he did the plant removal in the fall. The goal is to address the violation and come up with a stewardship plan for plant management. The board will also address the violation for the vernal pool. An after the fact NOI was discussed. He would propose managed plantings closer to the vernal pool that could provide a significant amount of cover. Records show that the back corner of the house is 15 feet off Town property. There is disputed wetland ownership. Mr. Greely is working off recorded meets and bounds at the Registry of Deeds. The deed from Plymouth County will be provided to Ms. Hemingway, who also reminded Mr. Greely of the buffer zones. All asked him questions about his property line, clearing and the stone wall and discussed invasive species control.

The board would like Mr. Greely to come back with an after the fact NOI or a restoration management plan to show invasive species management and proposed replacement plantings of native, non-invasive species of plants. They will also waive the fee. The homeowner doesn't want to do anything chemical, only manual work and mowing.

Mr. Greely was asked to prepare a formal plan with a narrative for the board. No split rail fence will be allowed. The Vernal Pools are certified and within protected Habitat and must not be altered. Mr. Greely will give include his wish list of plants. Mr. Greely will come back to meet with the board once the Restoration Plan or NoI is filed.

### **Commission Business Continued**

#### **Budget Discussion- End of year FY 2016**

Ms. Hemingway reviewed the budget, both revenue and expenses, with the board. The expenses will be about break-even, and revenue is under budget by a large amount, for no specific reason. Ms. Hemingway advised all to review the balances in the CPC project funds. This will be discussed at the next meeting. The last page of the budget handout is all of the Peer Review accounts. 7 accounts were closed out last year. This will be an agenda item for both of the June meetings. May financial numbers will be available for the end of June meeting, which will allow the board to do a year end projection. Out of \$4400 remaining, less than \$1000 will remain available. The funding for Conservation Day will also come out of the Trail budget per the Commission's earlier vote (about \$550).

The Commission reviewed the carry requests for all special funds and voted to request carry overs. N. Hemingway will submit these to CPC and Accounting.

2016 JUN 23 AM 9:20  
TOWN OF NORWELL  
TOWN CLERK  
RECEIVED

**Motion to pay bills**

1. Bills
  - a. Norwell Hardware \$49.88 flagging tape-8 Adopt a trail volunteers, trashbags, chains
  - b. Jeanne Cianciola \$23.80 yellow flagging tape -10- reimburse Ace Hardware
  - c. Nancy Hemingway \$24.81 gloves 12 /bags 12 Adopt A Trail program start up
  - d. ABC - \$29.00 sharpen chains, oil/
  - e. WB Mason - \$62.73 toner, file folders
  - f. Gatehouse Media - \$112.32 – Cornell hearing legal ad
  - g. Chessia Consulting - \$544.50 Curtis Farm Toll Bros Site Monitoring
  - h. Trail Work – Ed - \$297.75+, Dave - \$??, John - \$378+, Mark -\$321.75.
  - i. Global industries - \$67.01- 3, 2 way handheld radios gator/trail/OSHA safety equip
  - j. Travel reimbursement – N. Hemingway – up to \$450.00

*Motion: made by Mr. Woodill, seconded by Ms. Minihane, to pay bills. Unanimously voted*

**Conservation Day**

Conservation Day - There will be lots of activities for all who want to participate. Hot dogs and ice cream trucks will be available and will be parked at the Jacobs lot. Logistics were discussed for vendor trucks and other items. Photos will be done by Anthony. Six artists have been invited to paint the pond, and Ms. Hemingway will pick up artist supplies. There is no rain date. Hours are 8:30-12:30 for the police detail, so it's best to arrive before 8:30. Ms. Hemingway will buy water. The gift certificates will go in a raffle basket. All printed materials are set.

**Minutes - for 1/20/16, 3/15/16 & 4/5/16**

Ms. Minihane had questions on the 4/5 minutes, re: the hunting discussion. Ms. Hemingway will put in Ms. Minihane's edits and also add: the Commission is Not giving out any maps for hunting.  
*Motion; made by Mr. Osborne, seconded by Mr. Mott, to accept the 4/5/16 minutes as amended. Unanimously voted*

3/15/16 minutes:  
*Motion; made by Mr. Mott, seconded by Mr. Woodill, to accept the 3/15/16 minutes. Unanimously voted*

1/20/16 Executive Session minutes:  
*Motion; made by Mr. Mott, seconded by Mr. Woodill, to accept the Executive Session minutes. Ms. Minihane abstained.*

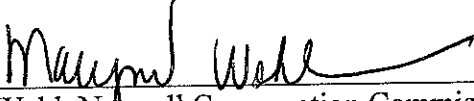
Ms. Hemingway talked about the American Chestnut Foundation search for a field to start restoration forests, and a proposed site visit in the Town, at the location where the beekeeper is planning to set up. They would like to visit the week of June 14-17<sup>th</sup>. The proposed restoration forest would be a small piece of the current forest location. Con Com is interested in meeting with them, so Ms. Hemingway will confirm a meeting time and date. The board requested Wed. June 15<sup>th</sup> around 1pm.

Ms. Hemingway left at this point.

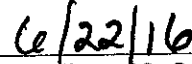
The Commission discussed liaisons. Mr. Mott will be the liaison to Jacobs Farm for this year. He noted that Norwell Farms had paid someone to clear the stone walls.

**Adjournment**

*Motion; made by Mr. Mott, seconded by Ms. Minihane, to adjourn at 10:15pm. Unanimously voted*



M. Wahl, Norwell Conservation Commission Chair



Date -- June 22, 2016

Draft minutes prepared by Ellen McKenna, Final approved minutes per NCC amendments 6/21/16