

## NORWELL CONSERVATION COMMISSION

May 20, 2014 @ 7:00 PM - Room 112

### FINAL MINUTES

Final  
8/5/14

**ATTENDANCE:** Ron Mott, Bob Woodill, David Osborne, Lori Hillstrand and Marynel Wahl.

**Conservation Agent:** Nancy Hemingway

### **AGENDA ACCEPTANCE:**

**Motion:** Bob Woodill moved to accept the agenda.

**Second:** Ron Mott

**In Favor:** All

### **7:00PM: COMMISSION BUSINESS**

#### **SCHEDULED DISCUSSIONS**

**Notre Dame Academy Students, with Jana Loux-Turner, Vernal Pool Certification presentation.**

**Follow up to permit requirement for 497 Mt. Blue St.**

After student introduction, slides showing the researching and gathering evidence to certify a vernal pool (perimeter 155') at 497 Mt. Blue Street/ Lot A/Wompatuck State Park were discussed. This included the certification method, location of the pool and water quality information. Steven Bjorklund brought the pool to the attention of the students and Commission. Biological evidence identified species seen. Students and teacher were then commended by the Commission on their presentation.

#### **Commission Priority Projects, Land Management**

##### **Jacobs Dam -**

David Osborne discussed the Conservation history of the dam for the last seven years. Conservation Commission took control of the water gate *only*. Anything else involving the dam is to be handled by the Selectmen.

Nancy Hemingway said that she was asked by Jim Boudreau to do a feasibility study for an available grant. The Dam Study that was due in 2011 and is now 3 years late.

Bill Grafton feels that due to not owning the dam, we cannot make any decisions for the dam but could offer help to the Selectmen. Ron Mott and Bob Woodill are in agreement. Marynel Wahl said that we should ask the Selectmen to handle this. Lori Hillstrand suggested an email regarding this.

It was decided that Jim Boudreau and Paul Folsham should be invited to attend the next meeting for discussion.

- **Jacobs Pond Vegetation Control**

- Bob Woodill said that the contract is signed and work will begin for the control of vegetation.

- **Jacobs Trails and Pond, Use Policy, Calendar, etc.**

- Nancy Hemingway said that this is on the agenda due to the Boy Scout group camping on the island this weekend. The document was edited by discussion from Marynel Wahl. A calendar will be started to keep permit dates issued. Nancy Hemingway will update the form and email to members.

##### **Spring Commission Managed Lands Update and Priority review and discussion – Green Street**

Nancy Hemingway said that the Recreation Commission owns this parcel and the trails. Shelf this discussion.

**Budget Report and Discussion** – Nancy Hemingway said \$1,500 is left in the Conservation fund after all budgeted expenses. Any suggestions on use for the funds are welcomed

**Conservation Land Update Project** – Mr. Galvin is working on this.

**Violation Sites, Protocols, Commission Policy on Contact** (Requested by Bruce Humphrey) tabled to June 3<sup>rd</sup>.

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**Request from Luke Lambert to move the Donovan Field Bee Hives to Barstow Field.** The crops on Donovan for Hornstra Farms are not suitable for bees. Bob Woodill said that if bees are moved, the Pathways Committee needs to be notified.

**Town Meeting Vote re Main Street Field, licensing the farm use (also Barstow Field needs a license):** Mr. Galvin will put together a license for this and Barstow.

**Brief discussion on CSA request for well test boring:** The CSA will be asked to attend the next meeting for discussion.

## **SUB-COMMITTEE UPDATES**

### **Open Space & Recreation**

**Pathways** – Bob Woodill said that the bid was awarded to G. Lopes.

**Trail/Signage** – Bob Woodill said that it's being working on. Kiosk will be ready next week.

**CPC** – meeting will be held on this Thursday.

## **MISCELLANEOUS**

**Reorganization** – David Osborne said that the Chair will be changed this year. Marynel Wahl said that she would take the Chair position. Bob Woodill offered to be Vice-Chair. This will be voted on during the first August meeting.

**Summer Schedule:** Bill Grafton is proposing 6/3, 6/24, 7/15 & 8/5. Bob Woodill suggests skipping only one meeting. Marynel Wahl suggested leaving them on the calendar and cancels those without a quorum. David Osborne asked that suggestions be sent to Nancy Hemingway.

**Bills:** ABC Equipment-\$69, Norwell Hardware-\$20, Chessia Consulting-\$230, Kiosks-\$3440.

**Motion:** Ron Mott moved to pay the bills.

**Second:** Bill Grafton

**In Favor:** All

**Minutes:** tabled to next meeting.

## **8:00PM: PUBLIC HEARINGS LEGAL DOCUMENTS/VOTES**

\*\*\*Legal Documents/Votes

\*\*\*Minor Amendments, Reviews, COC's

\*\*\*Requests for Determination

\*\*\*Notices of Intent

\*\*\*Enforcements/ Violations

### **170 Bowker Street / SE52-1009 / Proposed House Addition & Garage Request for COC**

**Applicant:** Christine Collins

**Discussion:** Nancy Hemingway said that this was built exactly as proposed and she recommends issuing the COC.

**Motion:** Bob Woodill moved to issue the COC for 170 Bowker Street/SE52-1009.

**Second:** Ron Mott

**In Favor:** All

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**59 Pond Street / SE52-1049 / Construction of Car Dealership**

**NOI (cont.)**

Applicant: Village Euro Motors Inc. / Representative: John Boardman, Hancock Associates – final public comments, review of decision and closure.

**Discussion:** Nancy Hemingway said that this was continued to this date for public attendance and since no one is here, she recommends closing the hearing.

**Motion** Bob Woodill moved to ratify the decision made in the last meeting for 59 Pond Street/SE52-1049 and to issue the NOI.

**Second:** Ron Mott

**In Favor:** All

**21 Birchwood Lane / NCC 9(14) / Pool, Patio & Related**

**RDA**

Applicant: Scott & Amy Kudrick / Representative: Josh Cubero, Terra Verde Landscape

Present: Amy Kudrick and Josh Cubero

**Discussion:** Mr. Kudrick said that they have a revised plan done from the requests made on 4/20/14. The differences from the previous plan were discussed.

Nancy Hemingway went through a virtual site visit presentation for those unable to view the site.

Josh Cubero feels that there is room to restore the grade gradually. Slope is dictated by the septic. The slope will be stabilized with plants as suggested by Steve Ivas. Conservation bounds and re-vegetation of area were discussed and will be shown on a revised plan.

Bill Grafton suggested turning the location of the court away from the 100' vernal pool. New plan with mitigation and repositioning of the pool and court area, with conservation markers indicated, needs to be submitted.

**Commission Polled:** Nancy Hemingway is in agreement with plan modification. Lori Hillstrand is okay with releasing this work without the new plan. Marynel Wahl is also in agreement. David Osborne is okay with the work release before the plan update. Bill Grafton is not satisfied with releasing without the plan. Bob Woodill is fine with the release before the plan is submitted.

**Motion:** Bob Woodill moved to issue a positive 2A under state and local, positive 5 and a negative 3 on the condition that the plans are revised as discussed and meets the approval of the Conservation Agent and the Chairman of the Commission, at a minimal, before issuance of a permit.

**Second:** Ron Mott

**In favor:** Lori Hillstrand, Marynel Wahl, Bob Woodill, Ron

Mott and David Osborne

**Opposed:** Bill Grafton

**22 Birchwood Lane / NCC 10(14) / Pool, Patio & Related**

**RDA**

Applicant: Patrick Murray / Representative: N/A

**Discussion:** Nancy Hemingway said that no one is present for the hearing. This was tentatively approved by four commissioners on site, on April 25<sup>th</sup>.

**Motion:** Bob Woodill moves that we ratify our previous decision of 22 Birchwood Lane/NCC 10(14).

**Second:** Ron Mott

**In Favor:** All

**307 Main Street / NCC 11(14) / Single Family Home & Related**

**RDA**

Applicant: Diamond Development of Duxbury, MA

Present: Steve Bjorklund

David Osborne recused himself. Bob Woodill assumed the position of Commission Chair.

**Discussion:** Steve Bjorklund explained the submitted lot plan. He would like to pull all the asphalt out of the 100' buffer zone and re-vegetate this as lawn area. He will have all surface debris pulled out of the wetland and the brook. The preexisting house was completely in the buffer zone and the new home will be either only 6" into the 100' buffer or may be totally out of the buffer. Any proposal in the future will have to come before the Commission for a NOI.

Bill Grafton asked that two markers be put in front of the tree line.

**Abutter:** David Osborne said that the brook is a straight line and this clearing will benefit the area.

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**Motion:** Bill Grafton motioned for 307 Main Street/NCC 11(14) to issue a positive 2A under the state and local, positive 2B for state and local, positive 5 under local only, negative 3A state and local with the conditions at the markers and with the conditions to allow the applicant to remove the materials found in the back 40 and possibly some blockage material in the drainage area.

**Second:** Lori Hillstrand

**In Favor:** All

Mr. Osborne has resumed the position of Commission Chairman.

**56 Stetson Road / SE52-1053 /Septic System Repair**

**NOI**

Applicant: Cindy Miller / Representative: Darren Grady, Grady Consulting Inc.

**Discussion:** Nancy Hemingway said that there has been a request for continuation.

**Motion:** Bob Woodill moved to continue 56 Stetson Road/SE52-1053 to June 3, 2014.

**Second:** Lori Hillstrand

**In Favor:** All

**Jacobs Lane Block 28, Lot 21 / SE 52-1052 / Single Family Home & Related**

**NOI**

Applicant: Thomas McCafferty

Present: Joshua Bowes for the applicant.

**Discussion:** Mr. Bowes said that they had met on April 15th and the Commission walked the site yesterday. He is here to answer any questions. In answer to a previous question, the lawn area that is in backyard is 6900 sq. ft. Every suggestion requested at the previous hearing of 4/15 is indicated on the revised plan.

**Motion:** Bob Woodill moved to close the hearing and approve the NOI and issue an OOC on Jacobs Lane Block 28, Lot 21/SE52-1052 with the additional condition that the swales be extended to the rain gardens, as shown on the plan.

**Second:** Ron Mott

**In Favor:** All

**Chittenden Landing / SE52-???? / Dock replacement and modification**

**NOI (cont.)**

Applicant: Norwell Conservation Commission /Representative: David Osborne

**Motion:** Ron Mott moved to continue Chittenden Landing/SE52-???? to 6/3/14.

**Second:** Bill Grafton

**In Favor:** All

**707 Main Street / SE52-1047 / Paving & Maintenance of Parking Area w/ Plantings**

**After-the-Fact NOI (cont.)**

Applicant: James Keliher / Representative: Paul J. Mirabito, Ross Engineering Co., Inc.

Present: Paul Mirabito and Greg Pansy

**Discussion:** Mr. Mirabito said that review comments were done by John Chessia but had not yet been reviewed. Because they're in the riverfront area and it is an older site, they are treating this as a redevelopment project as opposed to new development.

Nancy Hemingway said that this was previously allowed to be stone parking and had been paved without any permission. David Osborne and Bob Woodill also feel that this is a new development.

Greg Pansy explained the plan and the paving benefits to eliminate adverse conditions. Replace the existing stone area and put in a porous pavement system and grade so that it is level along the far edge. Dumpsters will be in an enclosed fence. They propose installation of a filtered berm made from porous pavement to disburse and recharge the rainwater.

**Marie Molla- (audience) - 88 Prospect Street** – Said that the town is trying to revitalize the center and feels that this should be approved. She feels that the Commission is just "Nitpicking" on this project.

**Motion:** Bob Woodill moved to continue 707 Main Street/SE52-1047 to 6/3/2014 with John Chessia being present.

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**Second:** Ron Mott

**In Favor:** All

**ENFORCEMENT / VIOLATION HEARINGS and DISCUSSIONS:**

- 29 Prospect Street - David Osborne said that Harry Merrick requested that he and Nancy Hemingway meet with him and there is no other information at this time.
- Nancy Hemingway said that both 10 Mt. Hope and 22 Prospect Street have submitted proposals to resolve issues.
- 10 Mt Hope included a lot and still needs to file the permit application. Trees were being cut in the buffer zone to the pond and he tried to put together a long term planning plan. She said that the Commission may want to meet with him, through a site visit.
- 22 Prospect Street put together a great restoration planting plan which Nancy Hemingway and Ron Mott are satisfied with.

**Motion:** Bob Woodill move that we consider the violation of 22 Prospect Street as satisfied.

**Second:** Ron Mott

**In Favor:** All

**Report on status of communication for**

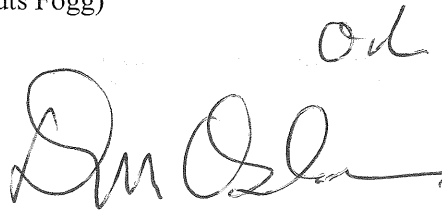
**This is to give the Commission an idea of how many items are worked on.**

- Coordination with Health Dept
- 29 Prospect
- 19 Prospect
- 16 Circuit
- 15 Bridge St
- Mt. Blue Street, Mariano
- 467 River St
- 67 Forest St
- Bulman Marina entrance drive through wetlands

**Report on non-responsive property owners and new violations/concerns**

- Barrell Lane lot 5 –revision of wetland line to BOH
- 40 Turners Lane
- 40 Circuit
- 253 Prospect
- 613 Main St- Verizon (abuts Fogg)
- 134 Main Street
- 24/27 Masthead
- 59/53 Stetson

**AGENTS REPORT**



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

**Motion:** Bill Grafton moved to adjourn at 10:20pm

**Second:** Marynel Wahl

**In Favor:** All

**And other such matters that may be pending before the Commission**

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