



NORWELL CONSERVATION COMMISSION

Room 112 / 345 Main Street / Norwell, MA

May 21, 2019 @ 6:30 pm

Minutes

TOWN OF NORWELL
TOWN CLERK

2019 JUL -2 AM 11:54

RECEIVED

Present: Chair Marynel Wahl, Vice Chair Bob Woodill, Bob McMackin, Ron Mott, Roy Bjorlin, Justin Ivas, Ellen Markham, Conservation Agent Nancy Hemingway, and Recording Clerk C. Sullivan. Mr. Ivas arrived at 6:55 PM and left at 9:58 pm.

CALL TO ORDER

The meeting was called to order at 6:34 pm by Chair Marynel Wahl. The meeting was recorded.

Please refer to the complete Agents Notes to the Commission for summaries and recommendations relating to all agenda items.

AGENDA ACCEPTANCE

The Commission reviewed the proposed agenda and discussed changes and additions. Chair Wahl added discussions regarding 86 Jacobs Lane and the 2019 town meeting.

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

PUBLIC HEARING:

Simon Hill (Off Prospect St.) / SE52-1154 & NCC# 35(18) / Comprehensive Permit for Dev. Project including Roadway, Parking, Retaining Walls & associated Infrastructure NOI / OoC (cont.)
Applicant: Brian Murphy, Simon Hill, LLC / Representative: B. McKenzie, McKenzie Eng.

A continuation request was received at the Conservation Office.

Motion by Mr. Woodill to continue the matter to June 18, 2019 at 8 PM. Seconded by Mr. Mott and unanimously voted.

COMMISSION BUSINESS

New Business

John Hull, follow up to Eagle Scout project

Tabled.

Acceptance of Land Donation (Beach Property, Pine Street)

Ms. Hemingway advised that Town Counsel Bob Galvin discovered some title issues associated with the property; she is waiting for more information. The Commission briefly discussed the property's desirability.

Motion by Mr. Mott to table the discussion. Seconded by Ms. Markham and unanimously voted.

S. S. Natural Science Center: Summer 2019 "Use Schedule" Approval Request

SSNSC Education Director Louise Beaudry has planned several summer programs that will utilize the Jacobs Pond Reservation during the week. Ms. Hemingway will work with her to make sure they don't conflict with other scheduled events and the upcoming pond treatments.

Kopacz – Chapter 61 Withdrawal notice

Ms. Hemingway stated that the Board of Selectmen have approved Mr. Kopacz' request to withdraw the Old Oaken Bucket subdivision lots from Chapter 61 agricultural classification and waived the Town's right of first refusal as to the lots.

TOWN OF NORWELL
TOWN CLERK
MAY 21 2019

Jacobs Pond Weed Treatment – Approval of Contract - asap

The Commission discussed and approved a contract with Solitude Lake Management for the upcoming treatments to Jacobs Pond. Ms. Hemingway noted that this contract does not include follow-up treatments in the fall. Going forward, she will add ongoing pond treatments to the budget as a line item per the request of the Selectmen.

RECEIVED

Motion by Mr. Mott to approve the contract with Solitude Lake Management for weed treatment at Jacobs Pond. Seconded by Mr. Woodill and unanimously voted.

Jacobs Pond West – Funding Discussion – Approval of Contract for July 1

Ms. Hemingway advised that she had sent out six RFQs for the Jacobs Pond West feasibility study funded by CPC and received two responses. The Commission accepted Merrill Engineers' bid of \$14K, as this was the only proposal received that included all the components requested. The contract will be effective as of July 1, the date the CPC funding becomes available.

Motion by Mr. Mott to accept the Merrill bid for the Jacobs Pond West feasibility study. Seconded by Mr. McMackin and unanimously voted.

Bench Donation Offer, Donovan Field

The Commission discussed and accepted a proposed donation of a cedar bench along the Town Pathway near the beehive at Donovan Field.

Motion by Mr. Mott to accept the bench donation as proposed. Seconded by Ms. Markham and unanimously voted.

Town Meeting

Chair Wahl advised that all Commission articles had been approved except for the Simon Hill to Hatch Lots connector trail, which was indefinitely postponed by action on the floor at the meeting. Ms. Hemingway, as a non-resident, was unable to speak to the matter without a motion from a resident allowing her to speak.

Ms. Hemingway indicated she is always willing to speak at town meeting, and asked that a Commissioner move to allow her to speak in similar situations moving forward. Ms. Wahl would also like to ensure that the Commission communicates with every impacted town department and entity. Ms. Hemingway felt this had been done in this instance (the project had originated in Pathway's with Water Commissioner Steve Ivas drafting the first concept plan). She has since talked with Water Commissioner Peter Dillon and Superintendent John McInnis, who indicated that the claim of a deed restriction made by David DiGhetto and seconded by Water Commissioner Steve Ivas was incorrect and did not reflect the position of the Water Department. A signed document which had been submitted to the BoS is available for review if needed.

Ms. Hemingway noted that the Commission has approximately \$16K in the Boardwalk fund plus other available funds; she recommended the Commission consider moving forward with the project without CPC funds, as this could ultimately open up a connection between the Main Street sidewalk, Town Pathway, and Wompatuck State Park. This would involve at least one more public hearing to close the NOI and would require that the Historic Commission be notified.

(Discussion resumed after the hearing for the Shipyard Marker restoration project) with Mr. DiGhetto present. Ms. Hemingway projected a map of the area, indicating that the proposed connector trail was not actually on the parcel of land jointly managed by Conservation and Water. Mr. DiGhetto felt that a Conservation Restriction had been placed on this parcel in a town meeting vote from 2013. Ms. Hemingway stated that the 2013 motion granted joint management of the parcel to Water and Conservation. A CR is a mandatory component of purchase of lands using CPC funds. Through joint agreement of the Water and Conservation Commissions, the land will be jointly managed and any CR will reflect that.

All parties then discussed the need to return to Town Meeting for authorization to move forward. Ms. Hemingway stated this was not necessary as long as the joint management of the parcel is not changing. After further discussion, it was agreed that Ms. Hemingway would follow up with Peter Morin and Attorney Galvin for further clarification if needed.

Old Business

Norwell Farms – High Tunnels Request

Selectman Ellen Allen present. Ms. Hemingway advised that Historic New England had sent her correspondence conditionally approving the installation of two high tunnels on the fields being leased by Norwell Farms, but also noting that area residents had expressed concern about the tunnels.

All parties discussed a condition in the correspondence specifying that the town would be responsible for removing the tunnels if NF stopped using them. At Chair Wahl’s request, Ms. Hemingway will send correspondence to NF specifying that NF is responsible for removal of the tunnels in the event their use, or NF’s lease, ceases. Also discussed was the feasibility of billing NF for the removal of the tunnels in the event they ceased operations. Ms. Allen felt that NF’s existing license as worded made them responsible for removal of the tunnels.

Ms. Hemingway also noted that NF would be appearing before the Commission at the next meeting regarding the placement of water and electric/Internet lines.

Motion by Mr. Woodill to allow the placement of two high tunnels (utilizing recyclable materials) per Historic New England’s approval letter in field 2. Seconded by Ms. Markham and approved by a 5-1 margin, Mr. Mott having voted no.

Discussion of Potential Donation of Land (111 Jacobs Lane)

Ms. Hemingway met with the property owner and his realtor, and has requested an offer in writing. Further discussion was tabled pending a response.

SUB-COMMITTEE UPDATES (OLD & NEW BUSINESS)

| | | | |
|---------------------------|-------------|---------------------|--------------|
| Open Space and 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 Update | N. Hemingway |
| Grants | B. McMackin | Bylaw Subcommittee | R. Woodill |

Open Space & Recreation

Ms. Hemingway advised that CPC funding for rewriting the Open Space plan would be starting on July 1. Selectman Allen inquired if Ms. Hemingway had heard from a candidate interested in joining the Committee; she had not and will follow up. All parties discussed ongoing quorum issues, including reducing the committee size. Ms. Allen thinks the BoS can do this by vote.

Pathways

Selectmen Allen advised that a Boy Scout troop is interested in adding benches to various trails and walkways in town. She will refer these scouts to the Commission for benches along woodland trails, and the Pathways Commission for benches along the pathway. Ms. Hemingway suggested that a bench be added to the braille trail at the Vinal School.

Trail/Signage

Mr. Woodill advised that Highway Commissioner Glenn Ferguson had provided a not to exceed quote of \$2200 for the installation of six street signs to Commission properties.

Motion by Mr. Mott to authorize the expenditure of \$2200 out of the Trails and Signage account for the installation of six street signs. Seconded by Mr. Ivas and unanimously voted.

Farming

Mr. Mott advised that Hornstra's fields had been squared and tilled, and are ready to plant. Trees and Grounds Commissioner Glenn Ferguson is nearly done with the Donovan Connector.

Grants

Ms. Hemingway advised that the Commission had received funding for Municipal Vulnerability Preparedness (MVP) and Hazard Mitigation Planning (HMP) updates.

MISCELLANEOUS

Bills

The following bills were presented for payment:

- \$150.00 – Chris Sullivan 4/23
- \$110.00 – Ellen Markham reimburse for 2 MACC classes.
- \$399.36 – Gatehouse media for legal adds for Stony Brook Cottage and Jacobs Pond Treatment.
- \$65.30 – WB Mason – misc office supplies, highlighters, paper, inkjet cartridges.
- \$19.70 – Meredith Schmid – reimburse for Post Office mailing costs 3 postage receipts for abutter notification proof of mailings and DEP proof of mailings.
- \$1,571.50 – John Chessia – Simon Hill NoI stormwater peer review and meetings 4/1/19-4/25/19.
- \$264.32 – Tree and Grounds for work for Donovan Pathway Connector 5/13/19.

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

Minutes

4/2, 4/23 and 5/6 Tabled.

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.

The matter was continued to June 4 at the previous hearing and mistakenly added to the May 21 agenda.

North River / NCC# 23(19) / Shipyard Marker Restoration Project

RDA / DoA Applicant: Wendy Bawabe, Norwell Historical Comm. / Rep: Caleb Estabrooks

TOWN OF NORWELL
TOWN CLERK
2019 JUL -2 AM 11:55
RECEIVED

Wendy Bawabe and Caleb Estabrooks present. Ms. Hemingway advised that the matter must be continued due to a delay in posting of the legal ad.

The Commissioners had no issues after a brief discussion. The signposts will be driven in by hand-operated post driver for which padding will be provided. Mr. Estabrooks felt restoration of the Norwell signposts would be relatively straightforward.

All parties briefly discussed payment for the legal ad. Ms. Bawabe has reached out to Historical Commission Chair Bob Norris regarding use of CPC administrative funds for the ad; alternatively, the Norwell Historical Society could pay. She will follow up with Ms. Hemingway tomorrow.

Motion by Mr. Woodill to continue the matter to June 4, 2019 at 8 PM. Seconded by Mr. Mott 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

Off Pleasant Street & George Rd. / SE52-997 & NCC # 10{12} / Stormwater Basins

Request for Minor Amendment (cont.) App: Philip Johnson / Rep: McKenzie Eng.

A shift in basin location is required in order to meet the Commission's stormwater conditions. Consulting engineer John Chessia has reviewed the request and has no concerns.

Motion by Mr. Woodill to approve the minor amendment for SE52-997. Seconded by Mr. Mott and unanimously voted.

Jacobs Pond / SE52-1167 & NCC# 13(19) / Pond Treatment of Invasive & Noxious weeds

NoI / OoC (cont.) Applicant: Town of Norwell Conservation / Representative: Solitude Lake Mgmt.

The matter was continued to allow more time for public comment. No public present at the hearing.

Motion by Mr. Woodill to continue the matter to June 4, 2019 at 8 PM. Seconded by Mr. Mott and unanimously voted.

63 Harbor Lane / SE52-1104 & NCC# 30(16) / Lawn Restoration & Parking Gravel

Request CoC (cont.) Applicant: Gregory Webb / Rep.: Jeff Hassett, Morse Engineering

Ms. Hemingway advised that the conditions relating to the mitigation plantings have been complied with, and these plantings require one year verification of survival. She has been in touch with the property owner and Mr. Hassett, and recommends denying the CoC with a notification that the conditions relating to the plantings must be complied with immediately.

Motion by Mr. Woodill to deny the request for COC. Seconded by Mr. Ivas and unanimously voted.

2019 JUN 2 AM 11:55

RECEIVED

676 River Street / SE52-975 & NCC# 20(11) / Septic Upgrade

Request for CoC Applicant: Christopher Shea / **Representative:** David Newhall, Merrill Eng.
Ms. Hemingway advised that this CoC request is for an old septic repair for which the certificate is now needed in order to sell the property. Ms. Hemingway inspected the system and found the location to be very slightly off from that shown on the site plan, but had no concerns.

Motion by Mr. Mott to issue a certificate of compliance for SE52-975. Seconded by Mr. Ivas and unanimously voted.

45-Blockhouse Lane / NCC# 14(19) / Pave Existing Gravel/Dirt Driveway

RDA / DoA Applicant: Roger Lowe / **Representative:** Brendan Sullivan, Cavanaro Consulting

Ms. Hemingway advised that the matter must be continued to June 4 due to a delay in posting of the legal ad. Mr. Lowe provided his phone number so the Patriot Ledger could contact him to arrange payment. The project is for Blockhouse Lane, not #45 Blockhouse Lane.

Applicant wishes to pave an existing gravel/dirt driveway. No material will be removed, and no fill will be used except to level out potholes.

The project was approved with the following special conditions: No driveway expansion, no leveling and no fill beyond that needed to address potholes, runoff to be directed away from the wetland, erosion control to be installed at the grading edge, pre-start-of-work inspection and ongoing monitoring, and installation of two conservation markers on pressure-treated posts between the road and wetland.

The matter will be voted on at the next meeting.

Motion by Mr. Mott to continue the matter to June 4, 2019 at 8 PM. Seconded by Mr. Ivas and unanimously voted.

236 Bowker Street / NCC# 15(19) / Replace Existing Home Foundation

(After-the-Fact) RDA / DoA Applicant: William Stella / **Representative:** Daniel Smith, P.E.

Applicant William Stella present. Ms. Hemingway advised that the RDA is for an after-the-fact foundation replacement, and the matter must be continued to June 4 due to a delay in posting of the legal ad. Mr. Stella advised that the house has now been lowered onto its new foundation. The matter will be voted on at the next meeting. Cinderblock and materials must be removed from the buffer zone.

Motion by Mr. Woodill to continue the matter to June 4, 2019 at 8 PM. Seconded by Mr. Ivas and unanimously voted.

323 Cross Street / SE52-1166 & NCC# 12(19) / Garage, Addition, Workshop, Driveway Reconfig, Drainage, Landscape NoI / OoC (cont.) Appl: Peter Cargill & Elizabeth O'Brien / Rep: Brad Homes, ECR

Mr. Holmes advised that the latest site plan eliminates the previously proposed driveway realignment and patio in front of the house; the stone wall and flower garden in front will remain. All other activity, including the house and garage addition, driveway realignment near the garage, rain garden by the yard drain, workshop in the front yard, and mitigation plantings remain as discussed in the previous meeting.

In response to a query from Ms. Hemingway, Mr. Holmes indicated that applicants had been in discussion with Highway Commissioner Glenn Ferguson about moving the culvert on the lot, but no plans have been finalized. Applicants will have to reappear before the Commission if any culvert work is contemplated.

Motion by Mr. Mott to approve the NoI with conditions as drafted by the Conservation Agent. Seconded by Ms. Markham and unanimously voted.

155 Summer Street / SE52-xxxx & NCC# 17(19) / Attached Garage & Inground Pool

NoI / OoC Applicant: Michael Morse / Representative: N/A

Mr. Woodill read the Notice of Public Meeting. Applicant present; Ms. Hemingway advised that the matter must be continued to allow for receipt of a DEP number.

The proposed activity includes the addition of a garage and pool, with construction anticipated to start in August or September. In response to a query from Mr. Mott, applicant Morse indicated that a pipe extending out to the wetland was an old pipe not currently connected to anything.

Special conditions discussed include a dewatering plan and the restoration of a portion of the existing back yard to wetland buffer, with the restoration area staked off by conservation markers and created prior to any other work on site. Black drain pipes must be removed. Drainage to wetlands is not allowed. The sump pump in the basement and the old tank in the area of the garage are to be removed from the site. The amount of clean up the landowner has already conducted was acknowledged. A revised site plan showing the mitigation area more accurately is required. The matter will be continued and closed at the next meeting.

Motion by Mr. Mott to continue the matter to June 4, 2019 at 8 PM. Seconded by Ms. Markham and unanimously voted.

42 Harbor Lane / SE52-xxxx & NCC# 18(19) / Removal of (29) Trees

NoI / OoC Applicant: Melanie Guiney / Representative: N/A

Mr. Woodill read the Notice of Public Meeting. Applicants Melanie and Matthew Guiney present. Ms. Hemingway advised that the matter must be continued to allow for receipt of a DEP number.

Mr. Guiney advised that they wished to take down multiple trees for safety reasons and to prevent branches from falling on power lines; these would be replaced with native evergreens. Ms. Hemingway advised that the Commission typically requires two replacement trees for every one healthy tree removed, and applicants needed a planting plan that the Commission could review.

Mr. Mott agreed that many of the trees in question were unhealthy and endangering the home, and had no issue with their removal provided mitigation plantings were provided, but Mr. Woodill noted there were many old growth pine trees in town, and was concerned about setting a precedent allowing the removal of all trees within a certain radius of a structure. Ms. Hemingway felt this filing would not set a precedent for areas along woodlands, as most of the trees in question were along the driveway and road and relate to a safety issue. Ms. Guiney added that an arborist had stated that every tree they were proposing to remove had a health or safety issue, and there were other trees in the area that would not be cut. All hardwood trees are to stay unless dead or diseased.

All parties discussed an access easement for applicant's driveway that runs through a neighbor's property. Ms. Hemingway advised applicants would need written permission from the neighbor for any work to be done on their property. A permit from the Commission does not grant any unauthorized property rights.

Mr. Mott noted there were good hardwood trees in the cutting area that should stay, but could sustain root damage if the trees removed were stumped. Ms. Hemingway suggested that the planting plan be designed such that no stumping occurred near these hardwoods; stumps could be removed in the areas where replanting would be done. Mr. Ivas suggested pitch pines for the replacement plantings, as they would not grow tall enough to threaten the house. Mr. Mott added that the power company could potentially address the issue of tree branches falling on power lines.

The matter was continued to allow for receipt of a DEP number. Commissioners will visit the property between meetings.

Motion by Mr. Mott to continue the matter to June 4, 2019 at 8 PM. Seconded by Mr. Ivas and unanimously voted.

256 Circuit Street / SE52-xxxx & NCC# 19(19) / Addition, Pool, Patio & Retaining Wall

NoI / OoC Applicant: Matthew & Karen Foy / Representative: Paul Mirabito, Ross Eng.

Mr. Woodill read the Notice of Public Meeting. Ms. Hemingway advised that the matter must be continued to allow for receipt of a DEP number.

Greg Tansey present for Ross Engineering. The proposed activity includes a home addition, pool, patio, and retaining walls on either side of the pool. All work is in existing lawn area outside the 50 ft buffer, and a dewatering technique is shown on the plan. The pool as proposed is 21 ft from the septic system.

Ms. Hemingway asked that applicants consider shifting the septic-side wall location to protect the septic system liner. Mr. Ivas expressed concern at putting a high wall next to the 50 ft buffer. Mr. Tansey felt the 8 ft wall worked well with the proposed addition; many houses in town had a similar wall, and it would not alter the runoff pattern. Mr. Ivas indicated his concern was the wall would increase the velocity at which runoff entered the buffer zone. All parties discussed ways to reduce the runoff velocity from the buffer-side retaining wall, including a possible stone infiltration trench.

Mr. Woodill felt that a saltwater pool would present a problem so close to the 50 ft buffer; Mr. Tansey did not believe applicants would have an issue with a condition requiring a freshwater pool. Ms. Hemingway also expressed concern at possible encroachment into the 50 ft buffer, by applicants or a future owner, to replace the backyard lost by the pool. Mr. Tansey pointed out that the yard area over the septic system was usable, as it was not a highly raised system.

After further discussion, the Commission requested that applicant provide a cross-section of the proposed retaining walls and additional details regarding drainage through the wall, control of runoff into the buffer zone, construction access, prevention of encroachment into the 50 ft buffer and prevention of pool water entering the buffer during back-flushing. Mr. Mott would also like to see additional detail about the proposed addition.

Motion by Mr. Mott to continue the matter to June 4, 2019 at 8 PM. Seconded by Mr. Woodill and unanimously voted.

19 Mount Blue Street / SE52-xxxx & NCC# 20(19) / Septic Upgrade

NoI / OoC Applicant: Giovana Brandao / Representative: George Collins, Collins Eng.

Mr. Woodill read the Notice of Public Meeting.

Mr. Collins advised that a septic upgrade is needed so the property can be sold. The existing pool and house pre-date the wetland regulations, and the majority of the lot is either wetland or buffer zone. Additionally, he

noted a large amount of runoff draining onto the property from Mt. Blue Street. Ms. Hemingway suggested that applicants consult with Highway Commissioner Glenn Ferguson regarding ways to redirect this runoff away from the property.

2019 JUL -2 AM 11: 55

Mr. Collins worked with Ms. Hemingway to select the site for the new system, which was sited in the only viable location. A construction accessway and some tree removal will be required. The project was approved by the Board of Health last week.

Collins advised that Brooke Monroe, Pinebrook Consulting, had delineated about 3000 sq ft of existing lawn area as wetland; applicants are willing to fence this off and seed with wetland meadow mix. A dewatering plan is provided, and a double silt sock erosion control line will be established.

All parties discussed the relocation of a drainage ditch extending from the road to the back yard. Mr. Ivas suggested that it be filled with crushed stone for filtration and acceleration control. Ms. Hemingway expressed concern at its infiltrating close to the septic system and suggested that it be extended further into the back yard. Mr. Collins felt that its present location through 30 feet of lawn will help to slow and filter the runoff; if the town reduces the runoff coming from the road, the ditch eventually won't be needed.

Mr. Collins agreed to the placement of conservation markers along the flagged wetland area. He and Ms. Hemingway will walk the line to fix their location.

The project was approved, as a septic repair is required and there is no better location for the system. The following special conditions were applied:

Conversion of 3000 sq ft of wet lawn to wet meadow.

Conservation markers to be placed along each point of the wetland line.

Minor amendment allowed if a better design/location is found for the drainage ditch.

Motion by Mr. Woodill to approve the NOI with a short-form OoC and conditions as noted. Seconded by Mr. Ivas and unanimously voted.

101 & 111 Stetson Road / SE52-xxxx & NCC# 16(19) / 9-Lot Subdivision including Roadway & Utilities NOI / OoC Applicant: Mark McSharry, Stetson Road, LLC / Rep: Al Loomis, McKenzie Eng.

Ms. Hemingway advised that the matter must be continued due to a delay in posting of the legal ad; DEP number and abutter notifications are also still pending.

Mr. Loomis indicated that this filing was for the construction of the road and stormwater basins for a nine-lot subdivision. They anticipate approval from the Planning Board shortly, including a waiver as to the 550 ft street length limit. Runoff is designed to be directed primarily into two drainage parcels, with a resulting small disturbance in riverfront area to Copland Tannery Brook. Some lots will require the filing of additional NOIs when they are built.

Ms. Hemingway noted that a stormwater peer review would be needed; consulting engineer Chessia has already been reviewing aspects of the stormwater system for the Planning Board, and the Commissioners agreed to append their review to the PB review for cost efficiency.

Ms. Hemingway requested that applicants provide the square footage of impervious coverage allowable per lot in order to meet the performance standards; Mr. McSharry indicated they had these figures on hand and would break them out. The Commissioners will visit the site prior to the next meeting.

TOWN OF NORWELL
2019 JUL -2 AM 11:55
RECEIVED

Motion by Mr. Woodill to continue the matter to June 4, 2019 at 8 PM. Seconded by Mr. Mott and unanimously voted.

Lot 62, Stony Brook Lane / SE52-1153 & NCC# 34(18) / Single-Family Home
NoI / OoC (cont.) App: Thomas Williams / Rep: Scott Goddard, Goddard Consulting

Applicant has requested continuation.

Motion by Mr. Woodill to continue the matter to June 4, 2019 at 8 PM. Seconded by Mr. Mott and unanimously voted.

Stony Brook Cottage / NCC# 11(19) / Demolition, Removal & Replacement of Run-down cottage with an osprey pole/nest & bench RDA/DoA (cont.) Applicant: Norwell Conservation / Rep: N/A

The hearing was opened and then continued to allow more time for public comment. No public present and no comments received.

Motion by Mr. Mott to continue the matter to June 4, 2019 at 8 PM. Seconded by Mr. Woodill and unanimously voted.

Simon Hill to Hatch Lots (Burnt Plain Swamp) / SE52-xxxx & NCC# 21(19) / Trail Connection
NoI / OoC Applicant: Town of Norwell Conservation Comm. / Representative: N/A

Mr. Woodill read the Notice of Public Meeting.

The hearing was opened and then continued to allow more time for public comment. No public present and no comments received.

Motion by Mr. Mott to continue the matter to June 4, 2019 at 8 PM. Seconded by Mr. Bjorlin and unanimously voted.

PENDING SUBDIVISION / COMMERCIAL DEVELOPMENT UPDATES:

None.

ADMINISTRATIVE PERMITS & REQUESTS:

32 Pond St – Fabricare

Monitoring wells have been installed between Fabricare and Accord Pond; Ms. Hemingway will monitor and update as needed.

National Grid – Power Lines

National Grid is conducting shield wire replacement in town; this activity is considered maintenance and not new work.

86 Jacobs Lane

Commissioner Ivas recused and left the room for this discussion. Ms. Hemingway asked the Commission for feedback on a controversy regarding a refused signoff on an altered site plan that brought grading, patio, and construction right up to a 100 ft buffer with an unconfirmed delineation.

Ms. Hemingway stated in March of 2019, she was asked to sign off on a site plan for a pool outside the 100 ft buffer to a vernal pool. After verifying in the field that the limit of work, as shown in this plan, was about 130 feet from the vernal pool, she signed off on the plan, agreeing that the work as shown therein did not

require a filing with the Commission, authorizing an 8 ft construction zone, and requiring that no work be closer than 120 feet to the vernal pool.

In mid-May, when asked to sign off on the project shed, Ms. Hemingway noted that the site plan submitted to the Building Department had changed significantly from the plan she had signed off on in March, with grading, patio, and construction coming directly up to the presumed 100 ft buffer. Within this buffer NHESP had identified a Certified Vernal Pool approximately 50 feet from the limit of now proposed work.

Ms. Hemingway notified applicant and representative Steve Ivas that the site plan, as updated, could not be approved by a sign-off from the Agent. The project needed to go before the Commission and an RDA or ANRAD would be required. As a result, the Building Commissioner has delayed issuance of a building permit for the project.

In response to a question from Mr. Mott, Ms. Hemingway indicated that the Commission's options were to send applicant correspondence stating that an RDA or ANRAD would be required, or to take a site visit prior to sending such correspondence and decide if they wished to issue an administrative decision. After further discussion including a review of the March and May site plans, Commissioner consensus was to send correspondence to the applicant.

Motion by Mr. Woodill to send correspondence to 86 Jacobs Lane stating that, upon review, an after-the-fact RDA/ANRAD is required for the proposed project. Seconded by Ms. Markham and approved by a 5-0 vote, Mr. Ivas having recused.

PUBLIC MEETINGS:

Forest Cutting Requests - Mt. Blue St & Barrel Lane (Historic) – Rodriquez – Update
Town Counsel Galvin continues to monitor.

VIOLATION DISCUSSIONS:

None

ENFORCEMENT HEARINGS:

None

AGENT'S REPORT

- Hanover Mall – pre-filing meetings have started. The Commission will be kept up to date on progress.

SCIENCE AND REGULATION IN THE NEWS

EDUCATION AND TRAINING OPPORTUNITIES

ADJOURNMENT

There being no further business, a motion was made by Mr. Mott to adjourn at 10:13 PM. Duly seconded and unanimously voted.

I hereby certify that the above minutes were presented and approved by a majority vote by the Norwell Conservation Commission on June 18, 2019.

Marynel Wahl, Chair, Norwell Conservation Commission

