



**NORWELL CONSERVATION COMMISSION**

Room 112 / 345 Main Street / Norwell, MA

November 20, 2018 @ 7:30PM

Minutes

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**Present:** Vice Chair Bob Woodill, Ellen Markham, Ron Mott, Justin Ivas, Roy Bjorlin, Agent Nancy Hemingway, and Recording Clerk C. Sullivan  
Marynel Wahl and Bob McMackin were absent.

**CALL TO ORDER**

The meeting was called to order at 7:30 pm by Vice Chair Bob Woodill. The meeting was recorded.

**AGENDA ACCEPTANCE**

*Motion made by Mr. Mott to approve the agenda as recorded. Seconded by Ms. Markham and unanimously voted.*

**EXECUTIVE SESSION** To discuss the purchase, exchange, lease or value of real property, disclosure of which may have a detrimental effect on the negotiating position of the Town.

Ms. Hemingway advised that the Board of Selectmen, after discussions with the Water Department, had voted not to pursue acquisition of land off Mt. Hope Street coming out of Chapter 61A agricultural use. Discussion of further options was tabled.

**COMMISSION BUSINESS**

**New Business**

Ms. Hemingway is working to edit the Commission's questions to the applicant regarding Old Oaken Bucket Estates.

**SUB-COMMITTEE AND PROJECT 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		

**CPC**

Ms. Hemingway advised that CPC would be reviewing Commission grant applications on November 29. The Board of Selectmen has advised CPC they did not support the Commission's request for a \$200K deposit to the Conservation Fund for land acquisition. She asked that Commissioners attend the meeting to discuss the applications.

**Farming**

Mr. Mott advised that a tree was down in Jacobs Field 3. A discussion ensued regarding liability, what work Commissioners could perform directly, and what had to be handled by Trees and Grounds.

**Trail Work Update**

Ms. Hemingway authorized Trees and Grounds to remove a hazardous tree off the Prospect trail entrance to Jacobs. The Commission discussed fire risk from fallen trees and grant opportunities for forestry management. Ms. Hemingway will reach out to Joe Perry, DCR, to discuss further.

The trail crew is down to one worker; this remaining worker will monitor the trails and remove litter, avoiding heavier work, until the Spring.

**MISCELLANEOUS:**

**Bills**

Mr. Woodill read off the following list of bills to be paid:

Christopher Sullivan	Meeting minutes	\$150.00
Chessia Consulting	Curtis Farm lot 7	\$120.00
WB Mason	Office supplies	\$148.02
	Nameplate	\$9.92
EcoTec	Simon Hill (peer review)	\$521.52
	Damon Farm (peer review)	\$586.52

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

**Minutes**

Review of the minutes for the September 18, October 2, October 16, and November 6 meetings was tabled to December 4.

**PUBLIC HEARING:**

**(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

Ms. Hemingway advised that the applicant had requested continuation to December 4. They have not submitted any plans to date.

*Motion by Mr. Mott to continue the matter to December 4, 2018 at 8 PM. Seconded by Mr. Ivas and unanimously voted.*

**PUBLIC MEETING:**

**5 Fieldstone Way / SE52-865 & NCC# 24(07) / Discussion re: Mitigation (cont.)**

Ms. Hemingway advised she had received an email with a draft restoration plan, and asking whether the plan should be filed as a response to a restoration order or as a NoI. Applicant requested continuation to December 4.

*Motion by Mott to continue the matter to December 4, 2018 at 8 PM. Seconded by Mr. Ivas and unanimously voted.*

**PUBLIC HEARINGS / LEGAL DOCUMENTS / VOTES:**

**\*\*\*Legal Documents/Votes \*\*\*Minor Amendments, Reviews \*\*\*Certificates of Compliance \*\*\*Requests for Determination \*\*\*Notices of Intent \*\*\*Enforcements/ Violations**

**354 Cross Street / SE52-1156 & NCC# 36(18) / Raze & Rebuild SFH w/ Septic, Drive, Relocation, Grading NoI / OoC (cont.)** Applicant: Brian Greenberg / Representative: N/A

Mr. Greenburg indicated he would be leaving the raised garden bed area as is. He consulted Brad Holmes about the phragmites on site, and was willing either to excavate them, or plant screening trees along the wetland line and otherwise leave them alone. After a discussion of the costs and requirements of the excavation option, Mr. Greenburg indicated he would leave the phragmites alone

The project was approved, as applicant had addressed the issues previously raised regarding the existing garden beds in the wetland and the removal of trees. At the current time the Commission requires a row of trees in front of the raised bed area. Should the buyer wish to conduct further work an amendment to the OoC or a new filing will be needed for any work in the raised bed area. The following special condition was applied:

Conservation markers to be posted every 25 feet along tree and wetland lines.

*Motion by Mr. Mott to approve the NoI with a short-form OoC and condition as noted. Seconded by Mr. Ivas and unanimously voted.*

Ms. Hemingway will advise the Building Department that an OoC has been issued.

**48 Jacobs Lane / NCC# 38(18) / Site Work & Construction of Nature-Based PlaySpace RDA / DoA (cont.)** Applicant: Chris Jacobs, SSNSC / Representative: Meridian Assoc.  
Chris Jacobs present.

The Commission reviewed the addition of an outdoor nature classroom, including a stage area, railroad tie seating, dirt digging pit, and wildlife observation area. The work would mainly involve the clearing of underbrush (mostly greenbriar). One tree in the area may need to be removed; they will have an arborist examine the tree, and reuse as much of the material as possible if it is taken down.

Ms. Hemingway recommended approval, 2b, pos 5, neg 3, with the installation of conservation markers along the 50 foot buffer.

*Motion by Mr. Mott to issue a Determination of Applicability, 2b, pos 5, neg 3, and condition as noted. Seconded by Mr. Ivas and unanimously voted.*

**41 Accord Park Drive / SE52-1150 & NCC# 30(18) / Parking Area Improvements, Landscaping & Stormwater NoI / OoC (cont.)** Applicant: Robert D. Sullivan, Trustee / Representative: SITEC

Applicant requested continuation to December 18.

*Motion by Mr. Mott to continue the matter to December 18, 2018 at 8 PM. Seconded by Mr. Ivas and unanimously voted.*

**PENDING SUBDIVISION & COMMERCIAL DEVELOPMENT UPDATES:**

Provided in agent's notes.

**PUBLIC MEETINGS:**

**Forest Cutting Applications (cont.):**

**Mt Blue St – Rodriquez – update**

Ms. Hemingway indicated that OADR had neither granted nor denied the motions to dismiss filed by Town Counsel Bob Galvin and DEP, and has asked for additional comments. Ms. Hemingway is working with Attorney Galvin on the Town's response. The Commission briefly discussed the history and filings at the site.

**Barrell Lane (Historic) – part of Curtis Farm Lane – Rodriquez – update**

Ms. Hemingway indicated that DCR has approved the forest cutting plan but not granted Rodriquez access through the wetland. Rodriquez will have to file with the Commission to proceed.

**VIOLATION DISCUSSIONS:**

**Damon Farm (Washington Street) / SE52-802 / Mitigation Plan for Violations**

Maureen Triffone present for Damon Farms, along with Attorney Jeff Tocchio and engineer James Burke of DeCelle, Burke, Sala & Associates.

The Commission reviewed a revised restoration plan that expands the yard area off unit 19 in exchange for a second vernal pool near units 25 and 26.

Mr. Burke noted that they had relocated a silt sock at the request of John Chessia, and replaced winterberry in the replication area with arrowwood at the suggestion of Art Allen, due to concerns regarding pet safety. He had sent plans for the second vernal pool to Art but had not heard back from him. Ms. Hemingway noted that Art may be away from the office, and she didn't think the installation of the second pool would be an issue.

The Commission then discussed a request to release units 9-11 for construction. Attorney Tocchio noted that two of these three units were under agreement, and they would like to start

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construction while weather permits. After a review of the work completed so far and discussion of when all restoration work should be completed, Ms. Hemingway was authorized to release lots 9, 10, and 11 for building subject to the following conditions:

- Restoration work to be completed by end of June, 2019;
- Grading work and excavation of the second vernal pool can start now;
- All work to continue to be monitored by Consulting Engineer Chessia;
- Installation of conservation markers.

Attorney Tocchio requested the ability to request the release of additional units for construction if they should come under agreement. Ms. Hemingway pointed out that the hold on the units was a self-imposed hardship stemming from the original violation; Commissioner Ivas added that such requests could be considered, but that finishing the restoration has to be as much of a priority as pouring new foundations.

*Motion by Mr. Mott to accept the restoration plan, including the expansion of yard area off unit 19 to 15 feet in exchange for a second vernal pool, and to release lots 9, 10, and 11 for building subject to conditions as noted. Seconded by Mr. Ivas and unanimously voted.*

**ADMINISTRATIVE PERMITS & REQUESTS**

**Hanover Mall – National Grid – Bridge Replacement Project**

Ms. Hemingway granted a permit for soil boring off the back access road.

**323 Cross Street**

Ms. Hemingway denied a request for administrative permit regarding a garage within the 50 foot buffer to a stream and BVW. Applicant must file a NoI.

**51 Main Street**

Ms. Hemingway granted a permit for the removal of dead trees along yard edge, as well as four additional pine trees near applicant’s house, in exchange for a 2:1 replacement in kind.

**ENFORCEMENT HEARINGS**

None

**AGENT’S REPORT – PLEASE REFER TO THE COMPLETE WRITTEN REPORT TO THE COMMISSION FOR THIS MEETING FOR DETAILS REGARDING ALL MATTERS ON THIS AGENDA.**

Ms. Hemingway advised that departmental budgets are due by December 11. The Commission discussed funding for a Smart TV out of its own budget rather than submitting a capital funding request.

MAPC recommendations regarding economic development for Accord Park and Queen Anne’s Corner are being discussed at the December 12 Board of Selectmen meeting; Commissioners were asked to attend.

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

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

<i>Next Meeting</i>	<b>December 4, 2018</b>
<i>NEW filing applications due date/deadline</i>	November 20, 2018 @ noon
<i>Legal Notice publication date-Patriot Ledger</i>	November 26, 2018
<i>Revised Information submittal deadline</i>	November 27, 2018 @ noon
<i>Peer Review Info Deadline, CoC Requests, Minor Modification &amp; LP Requests</i>	November 27, 2018 @ noon
<i>Public Information Written Comments</i>	No deadline

**ADJOURNMENT**

*There being no further business, a motion was made by Mr. Mott to adjourn at 9:10 PM. Seconded by Mr. Ivas and unanimously voted.*

I hereby certify that the above minutes were presented and approved by a majority vote by the Norwell Conservation Commission on 3/5/19.

*Marynel Wahl* *Vice Chair*  
 Marynel Wahl, Chairperson

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