



NORWELL CONSERVATION COMMISSION

Room 112 / 345 Main Street / Norwell, MA

October 15, 2019 @ 7:00PM

Minutes

TOWN OF NORWELL
TOWN CLERK

2019 NOV 20 PM 1:39

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

CALL TO ORDER

The meeting was called to order at 7:01 pm by Vice Chair Bob Woodill. The meeting was recorded.

AGENDA ACCEPTANCE

The Commission reviewed the proposed agenda and discussed changes and additions.

Motion by Mr. Mott to approve the agenda as posted. Seconded by Mr. Ivas and unanimously voted.

COMMISSION BUSINESS

New Business

Citizen Comments

Carleton Property Update

Selectman Demong was unable to attend. It appears that most of the property will fall under Commission management. Ms. Hemingway summarized Ms. Demong's earlier comments that the Carleton Committee proposed turning most of the land and trails to the Commission. The Commission would be in favor of managing the land and trails.

CPC Applications

Ms. Hemingway had prepared draft applications for review for the projects discussed at the October 1 meeting. The Commission discussed each briefly.

Conservation Fund Replenishment

Ms. Hemingway advised that she simplified the language from last year, removing any references to land purchases.

Motion by Mr. Mott to accept the application as written. Seconded by Mr. Ivas and unanimously voted.

Hatch to Wompatuck Connector

Trees & Grounds Commissioner Glenn Ferguson will provide an estimate next week, but advised Ms. Hemingway that he thinks the project will have traffic and safety concerns, and be more costly than it first appears. After a brief discussion of routes the connector could take and the

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possible need for an easement from Hornstra Farms, the Commission decided to table the application until the Wompatuck parking lot/trail connection project is completed.

Wildcat Parking

Mr. Mott discussed sketch plans of two options for a parking lot that he had provided. The first plan was for a six-space lot (with one handicap space) requiring some tree removal and the filing of an RDA. The second plan was for a 12-space lot (one handicapped space) requiring a Notice of Intent. Mr. Mott indicated he was still waiting for a cost estimate from Glenn Ferguson, but felt the six-space lot would be about one-third the cost of the twelve-space lot. Commission consensus was in favor of the six-space lot.

Motion by Mr. Ivas to accept the application specifying a six-space parking lot, with cost to be determined by Mr. Ferguson. Seconded by Mr. Mott and unanimously voted.

Masthead Feasibility Study

Ms. Hemingway noted that this application was rejected by CPC last year, but that a feasibility study is needed before any improvements could be made to the property. Resources, property limits, soils, hydrology would all greatly impact any possible uses. Mr. Mott commented that any project at Masthead would be costly, and the options for parking were limited. Ms. Hemingway pointed out that she continues to receive inquiries about the property from the public asking when the designated use voted on at Town Meeting (public access to the North River) would occur, and suggested that the Commission visit the property to come up with ideas. Commission consensus was to table the application until next year, when other projects would be finished.

Motion by Mr. Mott to table the Masthead feasibility application. Seconded by Mr. McMackin and unanimously voted.

Mr. McMackin asked about the status of John Hornstra's proposal to put cattle in the field he leases by Jacob's Pond, and the possibility of submitting a CPC application for the fencing. Mr. Mott will talk to Hornstra, but felt it was probably too close to the application deadline to come up with a plan.

Ms. Hemingway briefly noted that reimbursement for the Commission's payment of the Laurelwood back taxes and the Stony Brook cottage demolition were ineligible for CPC funding. She will request reimbursement and funding, respectively, through town meeting articles.

Cross Street Flower Farm Irrigation Request

Ms. Hemingway advised that Nikki Bartley, CSFF, had requested permission to allow the addition of two spigots to the proposed greenhouse as a minor amendment, noting that the Commission had already agreed in principle to this in previous discussions. The Commissioners agreed the request should be granted.

Motion by Mr. Ivas to grant the request to add spigots to the proposed greenhouse. Seconded by Mr. Mott and unanimously voted.

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Old Business

Donovan Field Labyrinth

Mr. McMackin inquired about the possibility of submitting a CPC application to hire a landscape architect to help design the flower field/labyrinth. Ms. Hemingway suggested that initial costs be paid for out of the Conservation Fund. Once a concept was visible and viable, CPC funds could be sought for permanent design and implementation of the project.

Ms. Hemingway advised that the Norwell High School Art Department has expressed interest in putting in a simple art installation when the field gets planted. Brad Holmes has advised that about one third of the field can be planted with the seeds currently on hand.

Mr. McMackin has reached out to Peg Norris, of the Beautification Committee, who would like to discuss the project at their November 6 meeting. Ms. Hemingway will attend along with Commissioners McMackin and Mott. All parties briefly discussed the timing and logistics of planting and harvesting, as well as what kinds of flowers to plant.

Signage / Uniform Public Land Use Policy

Tabled

SUB-COMMITTEE UPDATES

Open Space & Recreation

This initiative has been tabled until after the holidays. The Committee will regroup in January.

Farming

Mr. Mott advised that the walls at Hornstra's field by Jacobs Pond had been cleared, and Donovan is pending.

Carleton Property

Ms. Markham advised that the Board of Selectmen has given John Haskins a contract to clear the stone walls at the Carleton Property

MISCELLANEOUS

Bills

The following bills were presented for payment:

- Chessia - \$137.00 – George/Pleasant peer review
- Chris Sullivan - \$150.00 – minutes 10/1/19
- Marynel Wahl - \$200.00 – AMWS annual conference for MW and NH
- Brad Holmes - \$450.00 – invasive removal Jacobs Pond with Norwell HS – 4 hrs

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

Cost Estimates

Ms. Hemingway advised that she needs more details from Merrill Engineers regarding their estimate for the Jacobs Pond Dock CoC; she also needs more time to research funding options for this and the PARE Phase I dam inspection.

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Motion by Mr. Mott to table discussion of the quotes until the next meeting. Seconded by Mr. Ivas and unanimously voted.

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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.

8:00PM: PUBLIC HEARINGS LEGAL DOCUMENTS/VOTES

*****Legal Documents/Votes ***Minor Amendments, Reviews, CoC's**

*****Requests for Determination ***Notices of Intent ***Enforcements/ Violations**

Please refer to the complete Agent's notes for details to the Commission for all items on the agenda.

1775 Washington Street & Mill Street / SE52-1176 & NCC# 31(19) / HANOVER MALL REDEVELOPMENT – In Norwell - construction of a Theater w/ Parking. Stormwater Drainage & Utilities NoI / OoC (cont.) Applicant: Lloyd Sova, PREP Property Group Rep: Brandon Li, Kelly Eng.

A continuation request has been submitted by the applicants.

Motion by Mr. Ivas to continue the matter to November 5, 2019 at 6:30 PM. Seconded by Mr. Mott and unanimously voted.

41 Arrowhead Drive / NCC# 48(19) / Replace existing shed with detached Garage
RDA / DoA Applicant: Michael Murphy / Representative: Paul Mirabito, Ross Associates

Ms. Markham read the Notice of Public Meeting. Mr. Mirabito advised that the property was the subject of a Notice of Intent for a house addition several years ago. The new owner is proposing to remove an existing shed and replace it with a garage. The garage width and location has been approved by the North River Commission; it is located slightly within the 100 ft buffer in order to meet setback requirements from the property line.

A new driveway leading into the garage will be added, and an existing concrete driveway will be removed and replaced with grass resulting in a reduction in impervious in the buffer zone. Mr. Mirabito did not have the exact figure, but all parties agreed that the work would result in a slight decrease in impervious surface.

Motion by Mr. Mott to close and issue a Determination of Applicability, pos 2B, pos 5, neg 3. Seconded by Ms. Markham and unanimously voted.

The Decision will be prepared for the next meeting for signature.

302 Summer Street / SE52-1181 & NCC# 44(19) / Confirmation Wetland Line Delineation
ANRAD/ORAD (cont.) Appl: Genevieve & George Davis / Rep: Nick Leing, Grady Consulting

Mr. Leing advised that the matter concerns an ANRAD for a lot located on the Scituate line. He located the flags were reviewed by Art Allen, Ecotec, Scituate's peer review. He had adjusted several flags. Ms. Hemingway had requested wetlands located on abutting property ANR'd from this lot be shown along with the buffer zones. This is reflected on the revised site plans. Another offsite wetland is shown but is not verified and is close enough for the purposes of this filing. Ms. Hemingway had attended the site walk.

Lisa Marsh, 306 Summer, asked if there were any pending projects on the lot. Mr. Leing indicated that currently there were none. Mr. Ivas advised Ms. Marsh that if a project is proposed that impacts the buffer zone, there will be another filing with the Commission and she, as an abutter, would be notified.

Motion by Mr. Ivas to issue an Order of Resource Area Delineation approving the delineation for 302 Summer Street as modified by Art Allen, of Ecotec with the offsite wetlands noted as not confirmed. Seconded by Mr. Mott and unanimously voted.

181 Pleasant Street / SE52-1182 & NCC# 45(19) / Pool, Patio, Fence, Grading & Landscaping

NOI / OoC (cont.) Applicant: James Lamparelli / Rep: Steven Wry, Land Planning, Inc.

Mr. Wry indicated that the subject property was a 17-acre lot with an existing single-family home and delineated wetland in the rear. They are proposing to install an in-ground pool in the back yard, in existing lawn/landscaped area, by the existing patio. The pool would be heated by an underground propane tank up against the house, and its installation will require grading of a small portion inside the 50 ft buffer. They are proposing to install conservation markers at the edge of the lawn.

Commissioner Ivas commented that normally he would be concerned about encroachment into the 50 ft buffer by future owners, but the stone wall in back seems to provide adequate protection; Commissioners Mott and Woodill concurred. Mr. Ivas also noted that if a salt water pool were installed, the water should be tanked and transported offsite. In response to a follow-up question from Mr. Lamparelli, Ms. Hemingway indicated that chlorinated pool water could be discharged safely after 3-4 days.

The project was approved with the condition that conservation markers be installed, and any salt water be tanked and transported offsite.

Motion by Mr. Mott to approve the Notice of Intent with a short-form Order of Conditions and special condition as noted. Seconded by Ms. Markham and unanimously voted.

23 Farrar Farm Road / SE52-xxxx & NCC# 46(19) / Septic System Repair

NoI / OoC Applicant: Michael Kelly / Representative: Scott Fanara, City Consulting

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Ms. Markham read the notice of public meeting. A continuation request was submitted by the applicant.

Motion by Mr. Ivas to continue the matter to November 5, 2019 at 8 PM. Seconded by Mr. Mott and unanimously voted.

South Street (Bl. 63, Lot 1) / SE52-xxxx & NCC# 47(19) / Installation of Temporary Bridge for Nat'l Grid work NoI / OoC Applicant: Dawn Travalini / Rep.: Dan Herzlinger, TRC Co.

Ms. Markham read the notice of public meeting. Commissioner Ivas recused and left for the duration of the hearing. Dan Herzlinger, TRC, present along with Dawn Travalini, Environmental Scientist for National Grid.

Mr. Herzlinger advised that this filing was for the placement of a temporary mat bridge over Third Herring Brook, behind the Hanover Mall property, to allow for work on a structure on the eastern bank of the brook. The main impacts will be the removal of trees to allow for placement of and access to the bridge. In their most recent site plan, they have reduced the number of trees to be removed; the trees would be cut flush to the ground, leaving the root structures intact. There would be no excavation on either riverbank. The bridge would be in place December and January, during what Herzlinger characterized as a low-flow period for Third Herring Brook. National Grid is considering building a permanent access bridge in the proposed mat bridge footprint.

Ms. Hemingway asked why the proposed temporary bridge was not placed in the footprint of the existing, deteriorating access bridge (see complete notes to the Commission). Mr. Herzlinger indicated that in the required alternatives analysis, they considered (1) accessing the structure from Route 3, which was ruled out due to safety concerns and the need to remove a guard rail; and (2) using an old access road from South Street, which ran parallel to Route 3. This was ruled out due to the need for extensive clearing, including the removal of stone walls, and the lack of access rights for three properties the road passes through. Given the inflexible schedule for the line outage in December, there is not sufficient time to secure the necessary easements in time, but they may consider this as an alternative to installing a permanent access bridge.

With respect to using the existing bridge footprint, Ms. Travalini indicated that National Grid's engineers did not believe the bridge foundation could hold the mats safely or bear the weight of the heavy equipment needed to access the structure. She also indicated that there were boulders as well as larger trees in this area that would have to be removed to sufficiently widen the right of way.

Ms. Hemingway noted that the regulations and burdens of proof regarding coldwater fisheries was significantly higher on applicants, and requested an alternatives analysis from National Grid specifically addressing the option of utilizing the footprint of the existing access bridge. Mr. Herzlinger stated that they would still need to disturb the location where they propose to place

the temporary bridge in order to remove the existing bridge. Mr. Mott felt the bridge work could be done by crane located in the mall parking lot; Ms. Hemingway added that bridges had been installed over wider streams in town using this technique.

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The matter was continued to allow for a site visit by all parties on October 24. Ms. Hemingway requested a supplemental alternatives analysis from National Grid, as well as DEP confirmation that Chapter 91 or other permitting will not be required.

Motion by Mr. Mott to continue the matter to November 5, 2019 at 8 PM. Seconded by Ms. Markham and approved by a 3-0 margin, Mr. Ivas having recused.

Osborne Field (Main Street) / SE52-xxxx & NCC# 43(19) / Clean BVW/Storm Swale & Extend Foot Path NoI / OoC (cont.) Applicant: Glenn Ferguson, Hwy. Dept. / Rep: BETA

A continuation request was made to gather the missing information.

Motion by Mr. Mott to continue the matter to November 5, 2019 at 8 PM. Seconded by Ms. Markham and unanimously voted.

16 Circuit Street / SE52-1159 & NCC# 40(18) / Installation of a Pool & Fence NoI / OoC (cont.) App: Kevin McKinnon / Rep: Darren Grady, Grady Consulting

Nick Leing, Grady Consulting, requested a continuation on behalf of applicants. The required plantings have been made, but additional survey work is needed before the NoI can be finalized.

Motion by Mr. Ivas to continue the matter to November 19, 2019 at 8 PM. Seconded by Mr. Mott and unanimously voted.

George Rd. & Pleasant St, Lot 7C / SE52-997 & NCC# 10(12) / Change to Site Layout & Infiltration Basin Major Amend. to OoC (cont.) Applicant: K & E Construction / Rep: Austin Chartier, McKenzie Eng.

Mr. Chartier noted that the lot and project has been under review by consulting engineer John Chessia. An order of conditions for a 5 lot development of 6 single-family homes (including one already constructed) was issued in 2014 and included the required stormwater compliance design.

The owner of lot 7C (now #25) is a quadriplegic, they have redesigned the house as a single-story house at more than triple the approved footprint and added subsurface infiltration basins to handle the increased runoff.

Ms. Hemingway noted that Mr. Chessia has suggested that the Commissioners observe the existing and proposed conditions in the field, in relation to the two surrounding stormwater basins on the lot. The larger back basin has had historical impact from high groundwater running toward the larger basin. Based on high groundwater levels and existing water issues, she is not sure the project, as proposed, is feasible for this particular lot. The ability of the proposed

in ground infiltrators to handle the increased square footage of the house, in an area of high groundwater requires evidence and soils evaluation. She noted that for this site, the previous Commission decision involved reasonable vs maximum use. The modifications for this lot also include the two stormwater basins associated with the larger development. (please refer to notes to the Commission).

Commissioners Mott and Ivas agreed that the project as amended may not be suitable for the constraints of the lot. The matter was continued to allow for a site visit after the upcoming storm; applicant will stake out the site in advance. Ms. Hemingway suggested that Mr. Chartier relay Commission feedback to the applicant for their consideration.

Motion by Mr. Mott to continue the matter to November 5, 2019 at 8 PM. Seconded by Ms. Markham and unanimously voted.

ADMINISTRATIVE PERMITS & REQUESTS:

None

PENDING SUBDIVISION / COMMERCIAL DEVELOPMENT UPDATES:

Damon Farm (Washington Street)

Ms. Hemingway advised that applicants have requested a follow-up site visit, which she will schedule with John Chessia and Art Allen.

PUBLIC MEETINGS:

None

VIOLATION DISCUSSIONS:

Please refer to notes.

ENFORCEMENT HEARINGS:

None

AGENT'S REPORT

A special town meeting has been scheduled for February 10, 2020. Refer to Agents notes for complete details.

SCIENCE AND REGULATION IN THE NEWS

Refer to Agents notes for complete details.

EDUCATION AND TRAINING OPPORTUNITIES

Please refer to the Agents Notes available in the Conservation Office.

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<i>Next Meeting</i>		November 5, 2019
<i>NEW filing applications due date/deadline</i>		October 22, 2019 @ noon
<i>Legal Notice publication date-Patriot Ledger</i>		October 28, 2019
<i>Revised Information submittal deadline</i>		October 29, 2019 @ noon
<i>Peer Review Supplemental Info Deadline, CoC</i>		October 29, 2019 @ noon

Requests, Minor Modification & LP Requests		
Public Information Written Comments		No deadline

ADJOURNMENT

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

I hereby certify that the above minutes were presented and approved by a majority vote by the Norwell Conservation Commission on November 19, 2019.

Marynel Wahl
 Marynel Wahl, Chair

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