

## CONSERVATION COMMISSION

STEPHEN WASHBURN, CHAIRMAN  
CATHERINE WALSH, VICE CHAIR  
JOHN GEAR  
PETER BAMBER  
KELSEY QUINLAN  
JOSEPH PITTI



ENVIRONMENTAL PLANNER  
CARLY ROCKLEN

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### Norwood Conservation Commission October 4, 2023 7:30 P.M.

**Present: Stephen Washburn, Catherine Walsh, John Gear, Peter Bamber, Kelsey Quinlan, Joseph Pitti.**

**Present: Carly Rocklen, Conservation Planner/Agent**

The October 4<sup>th</sup>, 2023 meeting was held remotely using Google Meet and in person at the Norwood Senior Center, 275 Prospect St. The meeting was called to order by the Chair, at 7:30 p.m. followed by a roll call and inforamatory announcement to attendees regarding meeting procedures.

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#### Public Hearings:

1. **10 Forbes Dr., 0 Upland Rd., 1 Moderna Way, Request for Determination of Applicability,** Norwood No. 2023-20 Applicant Moderna Therapeutics. Representative: Greg LaCroix, PARE  
Project Description: Removal of specific dead, diseased, or precariously growing trees within and outside of jurisdictional areas, that represent a potential hazard.

Mr. LaCroix stated that the applicant was seeking an RDA in order to remove 29 trees throughout the Moderna campus, with 3 of the trees having already been removed as they posed an immediate threat. He added that 26 are still standing but are growing in such a way that surrounding property/persons are at risk. Mr. LaCroix stated that trees in wooded areas would be kept at a ten-foot height to provide habitat for wildlife, while trees in lawn areas would be cut at the base. Vines growing on trees in the wooded areas would be removed to mitigate the dissemination of bittersweet seeds.

The Chair asked Mr. LaCroix if the yellow points on the project plans represented the trees that were to be cut. Mr. LaCroix responded that the green points on the plan marked trees that were both within the buffer zone and the Riverfront Area, blue points are trees within just Riverfront Area, and yellow points are trees that are just within the buffer zone. He added that the area to the Northwest of the site, to the left side of the brook, would be the area where the tree removals would largely take place.

The Chair asked if a path passed through this area. Mr. LaCroix stated that it was an access road, but a walkway passes to the side of it.

Ms. Rocklen stated that she visited the site with Ms. Holly Jones, who mentioned that if you trim the trees at 10 feet and then drop the rest of the tree in place, one can reduce the amount of habitat disturbance that takes place. She added that the dead wood adds ecological value.

Mr. LaCroix stated that while bittersweet vine was not addressed in the original RDA, they were happy to condition any determination to include mitigation efforts.

**Motion: Mr. Bamber made a motion to close the public hearing and to issue a negative Determination of Applicability.**  
**Mr. Gear seconded the motion.**  
**Motion passed, 6-0 by roll call vote.**

**Wetland Issues and Updates:**

- 1. Endicott St., Applied Plastics, Lot 55 (lot next to 25), Request for Certificate of Compliance,** Norwood No. 2012-16, DEP No. 251-0446.  
Applicant David Ring and Nailing, LLC, Representative Brian Donahoe of Goldman Environmental Consultants.

Ms. Rocklen stated that she had conducted a site visit with Mr. Donahoe, and that the only question that arose in the course of the visit was in regard to the maintenance of the earthen dam, as well as the constructed stormwater wetlands. She stated that Mr. Donahoe mentioned that Applied Plastics had the understanding that the Town of Norwood would be taking care of this maintenance. However, Ms. Rocklen added that Mr. Mark Ryan of the DPW was unaware of this understanding. She intends to meet with Mr. Ryan to discuss this issue. Ms. Rocklen stated that Applied Plastics has achieved what they had originally set out to do regarding their site and that it is now up to the Town to decide how to go about maintaining the stormwater wetlands and the earthen dam, which are all on Conservation Commission property.

The Chair asked if this would include the maintenance and replacement of filter cloth and gravel.

Ms. Rocklen added that it would and also would include the mowing of the dam and the removal of the woody stems growing out of the sides of the dam.

The Chair stated that these are tasks that the Commission should coordinate with the DPW.

Mr. Donahoe stated that when this proposal was put together, it was done for the Town as an MS4 project, designed to collect stormwater in the constructed wetland. He stated that he was happy to help Ms. Rocklen and the Commission with matters pertaining to the maintenance of vegetation on the dam.

**Motion: Mr. Bamber made a motion to issue a Certificate of Compliance.**  
**Ms. Walsh seconded the motion.**  
**Motion passed, 6-0 by roll call vote.**

- 2. Wetland violation – Ellis Pond – 16 George Willett Pkwy – Construction of a pad for a shed too close to the pond resource area.**

Mr. Bamber and Mr. Gear recused themselves from the discussion, due to being close neighbors of Mr. Pindel.

Mr. Pindel, the owner of the shed, stated that the shed had become structurally unsound in its previous position and intended to move it to the pad as a result.

The Chair had asked what kind of surface the shed was previously situated on.

Mr. Pindel responded that it was just on dirt.

Ms. Rocklen, with the use of the Town Assessors map website, demonstrated that the distance between the edge of the property and the water's edge was approximately 30 feet, while the distance between the water and Mr. Pindel's house is roughly 70 feet. The Buffer Zone of the resource area extends to 100 feet, and the non-buildable area is 25-50 feet from the resource area, parameters in which the shed lies.

The Chair asked Mr. Pindel how big the pad was. Mr. Pindel responded.

Ms. Walsh asked if the shed was back on the pad. Mr. Pindel responded it was not.

Ms. Rocklen stated that the possibilities are to keep the pad where it is with a waiver from the local bylaw or remove the pad. She stated that if it was beyond the 100-foot line it would be beyond the Buffer Zone, but it would put the shed to the front of the house. If the waiver, section 10 of the Wetlands Protection Bylaw Regulations, were enacted it could reduce the no-build zone by a half for certain minor projects.

Mr. Pindel added that the pad was gravel not concrete.

The Chair stated that a shed was there for a significant amount of time and not much water was permeating the ground anyways. He stated that Ms. Rocklen has offered a way forward and that a waiver could be issued for a project of this small scale.

Ms. Rocklen read aloud Section 10 of the Norwood Wetlands Protection Bylaw Regulations, which states that to avoid a regulatory taking and to facilitate peaceful enjoyment of residential property, the Conservation Commission can grant a waiver to one or more of the requirements of Section 3, performance standards, for: A. undisturbed buffer area, B. the Conservation Commission can reduce the No Build Area of the Buffer Zone by a half for certain projects. If a waiver is provided the onus is on the applicant to prove that the project will not impact wetland resource areas.

The Chair stated that having the buffer takes Mr. Pindel out of the NBA zone but leaves him within the 100-foot zone. The Chair asked Ms. Rocklen how this impacts the applicable regulations.

Ms. Rocklen stated that an RDA could be submitted.

Ms. Quinlan stated that she believes that Mr. Pindel does not have any better options and believes that the waiver is the best way forward.

Ms. Walsh agreed.

Mr. Pitti asked if it was just a basic stone mixture without chemicals. Mr. Pindel confirmed that there were no chemicals in the pad.

**Motion: Ms. Quinlan made a motion to grant the waiver as described by Ms. Rocklen to have the applicable buffer zones.**

**Ms. Walsh seconded the motion.**

**Motion passed, 4-0-2, by roll call vote.**

### **3. Wetland violation – Ellis Pond – Yard waste dumping along water's edge.**

Ms. Rocklen, with the aid of pictures, stated that she observed yard waste piled at the edge of the water while following the dirt path that leads from the parking lot at the dam, along the wooded bank. She stated that it is not clear which home the yard waste pile corresponds to. Ms. Rocklen stated that it primarily consists of twigs and grass.

Mr. Bamber asked how far from the water the waste pile was situated. Ms. Rocklen responded that it was right on the edge. She added that yard waste has the potential to add nutrients to the water, which is environmentally damaging.

Mr. Gear asked if it would be worthwhile to draft a letter for the purpose of educating homeowners on this issue.

The Commission members were in favor of this suggestion.

Ms. Quinlan asked if the waste was situated on private or Conservation property.

Mr. Bamber added that Conservation land stretches approximately 20 feet from the water's edge.

### **4. Guild Pond – Pond management option via Water & Wetland, LLC.**

Ms. Rocklen asked the Commission if they had received the memo from Water & Wetland LLC regarding the potential to use sonar to treat aquatic plants. She added that they were thinking of using a foliage herbicide for exotic invasives on the bank of the pond. Ms. Rocklen was of the opinion that the foliar herbicide along the bank was not necessary, and that the treatment of the aquatic plants should gain precedence.

Ms. Rocklen stated that she was in contact with the contractor and had posed the question to them of what the ideal state of the pond would be if this treatment plan were adopted.

The Chair stated that the opinion of the community surrounding the pond was of paramount importance. He added that he was very curious how to proceed in such a way that input from the community could be incorporated into future plans for the pond. The Chair added that he does not see much activity around the pond and that its full potential is not being realized in its current state. He stated that he had hoped to see some sort of CPC application for a renewal study or a more holistic approach to bringing life back to the pond. The Chair stated that vegetation management was a huge component and a necessary first step of everything he just described.

Mr. Bamber stated that he remembers the pond being filled with stumps from decades ago, and that if fishing and other aquatic activities were to take place, a vegetation management plan would be of the utmost importance in order to improve visibility and safety.

The Chair stated that the Commission should engage with someone from the Sportsman's Club regarding the pond.

Ms. Walsh stated that it would be a good idea for the Commission to inquire about a possible CPC application for funds to reinvigorate and restore the pond.

Mr. Pitti stated that the Commission should be mindful of the increased level of rubbish and other common negative impacts of increased foot traffic to bodies of water such as Guild Pond upon restoration.

The Chair asked Ms. Rocklen to reach out to the Sportsman's Club so that more active conversation could be had regarding the pond.

#### **Conservation Commission Business:**

##### **1. CPC report**

Ms. Walsh stated that there was no update regarding the CPC report.

##### **2. Food Forest/Town Orchard**

Ms. Rocklen stated that there were 3,000 dollars of DPW funds available to buy woody plants, but that a conversation should be had about what is actually needed at the orchard before these funds are availed of. She stated that this should entail the development of a site map of what plants are already there and their condition.

The Chair recommended that they take GIS plans and update them to include information such as plant species, DBH data, etc.

Ms. Rocklen stated that she will meet with Mr. Mark Negron on October 22<sup>nd</sup> to discuss possible next steps.

Ms. Quinlan asked how many plants had been installed. Ms. Rocklen responded that 55 plants had been installed in one of the more recent planting sessions.

Ms. Rocklen stated that her plan was to visit the site, record the location of the different plant species, and to display this data on a map of the site.

The Chair agreed with this proposal.

Ms. Rocklen drew the Commission's attention to some of the events taking place at the orchard, such as the "What to Pull/What to Plant" workshop with Shannon Borucke of the BFFC that was held on September 16<sup>th</sup>. On September 30<sup>th</sup>, the Wild Edible and Medicinal Plant walk took place. On the 28<sup>th</sup> of October the "What is a Food Forest?" workshop will take place with Orion Kriegman of the BFFC. On November 11<sup>th</sup>, the Food Forest/Town Orchard will conduct a "Pruning" workshop with potential IPM application with Shannon Borucke of the BFFC.

### **3. Agent update**

Ms. Rocklen stated that on September 23<sup>rd</sup> a cleanup took place at Cooper Park in conjunction with NepRWA. She added that it was a very successful and enjoyable event that saw a significant amount of rubbish collected from the park. She added that she also attended a plant and soil workshop. On October 28<sup>th</sup> the MACC conference will take place.

### **Adjournment.**

**Motion: Mr. Bamber made a motion to adjourn.**

**Mr. Pitti seconded the motion.**

**Motion passed unanimously, 6-0 by roll call vote.**

The meeting adjourned at approximately 08:36 pm.

Next meeting: October 25, 2023 at 7:30 p.m. via Google Meet & in person.

*Respectfully submitted by Thomas Hackett*