

CONSERVATION COMMISSION

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ENVIRONMENTAL PLANNER
CARLY ROCKLEN

Norwood Conservation Commission October 25, 2023 7:30 P.M.

Present: Stephen Washburn, Catherine Walsh, John Gear, Peter Bamber, Kelsey Quinlan,
Absent: Joseph Pitti.
Also Present: Carly Rocklen, Conservation Planner/Agent

The October 25th, 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.

Public Hearings (7:30pm):

1. **76 Prospect St., Prospect Grove Estates, Notice of Intent**, Norwood No. 2023-06
Applicant: The Marion Group LLC. Representative: Dan Merrikin, Legacy Engineering

Project Description: Proposed residential subdivision including roadway, stormwater infrastructure, and associated earthwork and utilities, in the riverfront area of an intermittent stream.

Mr. Merrikin stated that they had provided the Conservation Commission with a number of documents, including a revised subdivision plan, a revised stormwater report, an analysis regarding work in the intermittent stream preparing zones, as well as a habitat assessment. He stated that the plans that have been presented to the Commission do not contain significant changes, merely minor technical changes. Mr. Merrikin stated that they increased the capacity of some of the catch basin drains to ensure that all the stormwater could get into it, included some trench dams at the site, and added impervious barriers to intermittent locations to prevent groundwater from migrating along the trench itself. He added that the wetland delineation has changed based on a site analysis by Tetra tech. They concluded that there is one wetland area with two intermittent streams at the site. Utilizing a 76 Prospect St. site plan, Mr. Merrikin demonstrated where the intermittent streams and buffer zones are located at the site for the members of the Commission. He stated that the proposed work will occur in areas that are already disturbed and developed. Mr. Merrikin told the Commission that the proposed works would result in the reduction of impervious surface area at the site, from approximately 8% down to 7.6%. They are also proposing to replant these current impervious areas back to a natural condition. Mr. Merrikin stated that it is their view that the proposed works represent an improvement and reuse of the existing site. He asked Ms. Rocklen if she wished to see an even distribution of trees at the site or more open space to facilitate the growth of wildflowers.

Ms. Rocklen stated that she would have to visit the site before she could make a determination.

Ms. Rocklen stated that there was some concern about not having enough time to review the materials, both for the abutters and their consultants. She stated that there were also concerns

expressed regarding the native wildlife at the site, particularly deer and salamanders. Ms. Rocklen said that there were concerns over the stormwater plans.

Mr. Merrikin stated that they checked the site three springs in a row and never found any evidence of salamanders or their eggs.

Ms. Rocklen stated that some expressed concern that the habitat review provided by the applicants did not cover the entirety of the proposed development area, with it only being restricted to the area of the wetlands.

Mr. Hopcroft, of 66 Prospect St., expressed his concern that the stormwater system in the surrounding streets will become overburdened by the new development at 76 Prospect St. He also stated that the surrounding streams could potentially become contaminated from discharge from the site. Mr. Hopcroft stated that the property is an excellent habitat for wildlife, and that this would be disrupted by the proposed development.

Mr. Scott Horsley, a consultant for the abutters, stated that there is a significant amount of stormwater infiltration occurring at the site. He questioned if the municipal system has the capacity to deal with the increased discharge that will come about as a result of the proposed development at 76 Prospect St. He stated, according to the bylaw, there needs to be an analysis of alterations to the site before they can be deemed acceptable.

Mr. Merrikin stated that Tetra Tech has indicated to the Conservation Commission that they have no issues with the site and do not agree with the concerns of Attorney Hill and the abutters.

Ms. DeGeorge, of 11 Myrtle St, questioned the change in wetland delineation at the site and stated that it is taking away an area that does in fact constitute a wetland, as there is a pipe at the location that contains a consistent flow of water. She also noted a lack of information and misinformation regarding the ways in which the wetland will be altered. Ms. DeGeorge also raised the issue of the salamanders that were found at the site and how their existence indicates the presence of vernal pools. She stated that a wildlife study should be conducted by the Conservation Commission, as opposed to relying on the study that had been presented by the developers.

Attorney David Hern objected to the statement that the applicants are providing misinformation to the Conservation Commission. He stated that they are providing information from licensed professionals. He stated that the change to the wetlands delineation at the site occurred roughly 4 months ago and was shown on plans that were filed with the town 3 to 4 months ago. Attorney Hern stated that the claim that this is a late re-flagging by the applicants is not accurate, the re-flagging was a result of the Town's peer-review actor. He added that the salamanders at the site are not classified as a protected species.

Mr. Merrikin stated that the entirety of the current delineation was performed by Tetra Tech, not the product of the applicant.

Attorney Hill asked why the B-series wetland was eliminated from the delineation plan and how can there be no hydraulic connection between BBW and the area next to the pipe which is the B-series wetland. He also asked why the applicant conducted a riverfront analysis under the state regulations as opposed to the bylaw.

Mr. Merrikin responded that water flowing through a pipe does not constitute a water resource area. He stated that Tetra Tech will be able to explain their analysis of the site to the Board at a later date.

Ms. DeGeorge stated that she had corrected herself, instead of 'misinformation', she had meant to say 'miscalculation'.

Mr. Gear asked Mr. Merrikin asked why they used the state standard as opposed to the Norwood bylaw on their site drawings.

Mr. Merrikin replied that there are standards out there that are not in the Norwood Bylaw regulations.

Attorney Hill stated that the analysis should have been conducted according to the Norwood bylaw. He added that the intent of the Norwood bylaw is to be stricter than the state regulation. He stated that you do not need to carve out an exception for degraded land under the bylaw. Attorney Hern responded that every project stands on its own and you have the discretion to relax standards in appropriate cases.

Mr. Bamber asked if the Tetra Tech ruling would be made available to members of the Conservation Commission.

Ms. Rocklen responded that Tetra Tech could not give comment at this time.

Ms. Hopcroft, of 56 Prospect St, stated that there are people working for the town and people working for the developer, and she asked everyone to keep that in mind. She also stated that there has been no commitment from the developer to do a tree survey. Ms. Hopcroft added that she has witnessed an abundance of wildlife in the area.

Ms. Quinlan asked if the Town's engineering department would be able to speak to the concerns regarding stormwater discharging into the current system.

Mr. Merrikin stated that the systems that the abutters were complaining about were specifically requested by the town engineer.

Ms. DeGeorge asked the members of the Board if they had personally seen the area of wetland in question.

The Chair replied that some members of the Commission had visited the site and seen it in person.

Motion: Mr. Bamber made a motion to continue the public hearing to December 6th at 7:30.

Mr. Gear seconded the motion.

Motion passed, 5-0-0 by roll call vote.

2. 1 Technology Way, Notice of Intent, Norwood No. 2023-09

Applicant: Mike Argiros of Alexander Argiros A Trs. Representative: Sam Malafronte, Solli Engineering

Project Description: Replication of an isolated vegetated wetland cleared in violation of the Norwood Wetland Protection Bylaw.

Mr. Malafronte, of Solli Engineering, stated that the only major change that had occurred since the last Conservation Commission meeting was in regard to the conservation easement area that had been commented on by Ms. Jones, the former Conservation Agent.

The Chair enquired about whether native seed mix was being used at the property, as per the request of the Conservation Agent Ms. Rocklen.

Ms. Rocklen stated that some of the plant species featured on the applicant's list are not native species.

Mr. Malafronte responded that they would remove any non-native species from the planting list and would cooperate with the planting requirements established by Ms. Rocklen.

Ms. Rocklen stated that they would like to have the state sign the conservation easement document also, in order to allow the easement to last a greater amount of time beyond the standard thirty-year period.

Attorney Hern responded that they would need time to discuss this with the applicant as it is a significant change to the easement document.

Motion: Mr. Bamber made a motion to continue the public hearing to the next public hearing on November 15th at 7:30pm.

Ms. Walsh seconded the motion.

Motion passed, 5-0-0 by roll call vote.

Wetland Issues and Updates:

1. Norwood High School students interested in building a greenhouse at Endean Park

Four students at Norwood High School presented a power-point presentation before the Commission, proposing the construction of a greenhouse at Endean Park. They envisaged the project to consist of a community greenhouse in which members of the community could grow vegetables and other foodstuffs, a portion of which could then be donated to local food drives. They estimated that the construction of the greenhouse would take approximately 2 months, with construction costs being estimated at \$3,000. They plan on conducting fundraisers to raise the required amount. The proposed greenhouse would be situated on the grounds of the community garden, adjacent to the food orchard.

The Chair commended the students for their presentation skills and expressed his enthusiasm for the project. He did note some concerns about the selection of the food forest as a location for the proposed greenhouse, but otherwise stated that he felt it was a phenomenal idea.

Ms. Walsh stated that a good location for the greenhouse might be beside the existing shed on the site.

Mr. Gear also expressed his approval of the project.

2. Trails Committee CPA application

Mr. Joe Greeley, of the Trails Committee, stated that the purpose of the project is to receive funding from the Community Preservation Act funds for the construction of a series of wetland crossings and boardwalks encompassing the Town of Norwood. He stated that the proposed 'Emerald Necklace' would be approximately 22-24 miles in length once it is completed. Mr. Greeley added that their goal is to provide access to natural areas of the town that had never been seen before. He noted that the Eastern section of the trail network, beyond Route 1, will take approximately 2 to 2.5 years to complete.

Mr. Bamber asked what Mr. Greeley was seeking from the Conservation Commission.

Mr. Greeley responded that they were looking for communication from the Commission, as well as any questions they may have that will help the proposal package to the CPA be as good as possible.

Ms. Walsh asked if the public would be able to access the bridges that are located on airport land.

Mr. Greeley replied that they recently had a conversation with the Chair of the Airport Commission, and he stated that the Chair is confident that the public would not impede airport operations at all.

The Chair stated that there is a clear benefit to establishing these trails/bridges.

Mr. Greeley stated that there has been considerable demand from both residents of Norwood and trail enthusiasts from out of Town to walk on the trails.

Motion: Mr. Bamber made a motion to support the Trails Committee CPA application.

Ms. Quinlan seconded the motion.

Motion passed, 5-1-0 by roll call vote.

3. Proposed constructed stormwater wetlands at Wendy's/BJ's

Mr. Malafronte, representing the applicant, stated that the proposal they intend to formally submit consists of installing a 12-inch layer of new material soil that is going to be planted on top of the gravel.

The Chair asked Mr. Malafronte if the soil dept will impact the volume or capacity of the stormwater wetland.

Mr. Malafronte responded that it would not.

The Chair stated that he does not see any issues as to why this proposal should not proceed.

4. Moderna fire road modification

Ms. Rocklen stated that the fire truck turn radius has been a sticking point in the site plan reviews to date. She stated that they have decided to remove a landscape island over to the grassy edge, so that the fire trucks can turn. Mr. Rocklen said that it is outside of the 100-foot buffer. In terms of the fire road that is there, this is the pervious fire road section. There are some overhanging trees on the fire road that will be trimmed back.

The Chair stated that he felt these changes were reasonable.

5. Reported clearing of vegetation along waterway adjacent to Home Depot on Rt. 1

Ms. Rocklen stated that she had visited the site and that there was indeed cutting taking place along the waterway. She stated that it could continue, but that the small trees must remain in place in order to combat erosion. Ms. Rocklen stated that the company hired to carry out the works intends to put netting down along the banks, as well as seed it.

Mr. Gear asked if they knew they had to contact Conservation prior to conducting any work.

Ms. Rocklen responded that she hopes that they realize that this is a requirement.

Conservation Commission Business:

1. CPC report

2. CPA applications update by Kristen Phelps

Ms. Walsh stated that she was not in attendance for the last CPC meeting and since Ms. Phelps was not in attendance, she would like to wait until the next Conservation Commission meeting to give a CPC update.

3. Review of draft 2024 Conservation Commission Meeting Schedule

The Conservation Commission members discussed the meeting schedule for the upcoming year as well as their own personal availability. The Commission members were satisfied with the schedule, although the possibility to reschedule certain meetings, particularly those that are scheduled close to public holidays, remains open.

4. Minutes from 9/13/23 and 10/4/2023

Motion: Mr. Bamber made a motion to approve.

Mr. Gear seconded the motion.

Motion passed unanimously, 5-0-0 by roll call vote.

5. Agent update

Ms. Rocklen stated that she had applied for the \$10,000 dollar transfer from CPC money to the conservation fund. She stated that Ms. Phelps responded that it had been approved in the past and could be approved again, but that there are questions that they would like Ms. Rocklen to answer. Ms. Rocklen stated that she included some of these questions in the notes. Some of the

questions were: What is the current amount in the conservation fund and have there been any recent expenditures. Ms. Rocklen stated that the current balance is approximately \$104,000, but that they were expecting another \$24,000 to be put in. This consists of the funds from last year's CPC grant as well as \$10,000 which is annually allocated through town meeting.

Mr. Bamber stated that it is useful in order to purchase property when the opportunity arises.

Ms. Rocklen stated that she was discussing potential parcels for future acquisition with Ms. Jones. She also said that she followed up with the issue of the shed at Ellis Pond.

Adjournment.

Motion: Mr. Bamber made a motion to adjourn.

Mr. Walsh seconded the motion.

Motion passed unanimously, 5-0-0 by roll call vote.

The meeting adjourned at approximately 10:10pm.

Next meeting: November 15th, 2023, at 7:30 p.m. via Google Meet & in person.

Respectfully submitted by Thomas Hackett