

**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**  
**November 15, 2023**  
**7:30 P.M.**

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

**Absent: Stephen Washburn.**

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

The November 15<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 informatory announcement to attendees regarding meeting procedures.

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**Public Hearings (7:30pm):**

1. **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.

Attorney David Hern, representing the applicant, stated that he wished to discuss the easement agreement document with the Conservation Commission, which he has been working on with the Town Council. He stated that the Town Council is satisfied with the contents of the document. He added that the easement document establishes the obligations of the property owner in regard to maintaining the vegetated wetland and the drainage channels at the site. Attorney Hern also stated that the document gives the Conservation Commission the authority to go in and conduct inspections if there has been a deficiency in action on the part of the property owner. He stated that they removed any reference to the public having an easement. Attorney Hern said that they wished to make it clear that this was private property. He stressed that the easement has been granted to the Town of Norwood, but that the Conservation Commission will still have authority and rights. Attorney Hern stated that the easement creates a permanent arrangement which covers the property in question.

Mr. Gear asked if the easement would follow the title.

Attorney Hern replied that it would, adding that the easement is perpetual unless stated to be otherwise. He described easements as giving other people the right to use your property for a benefit.

Mr. Gear asked if an easement could only be dissolved by both parties.

Attorney Hern replied that this is correct.

Ms. Rocklen asked if the easement would expire in 30 years if a state signature was not received.

Attorney Hern responded that restrictions expire, but not easements.

Ms. Rocklen asked what the difference was between conservation restriction and easement.

Attorney Hern replied that an easement does not have to involve conservation land, while conservation restrictions are a dedication of a particular parcel of land for purposes related to what conservation commissions are concerned with, such as wetlands or open spaces.

Attorney Hern stated that in his experience, the State is not interested in smaller parcels of land as they are not big enough.

Ms. Rocklen stated that she was satisfied with the contents of the easement document.

Mr. Casey Burch, an engineer of Soli Engineering representing the applicant, stated that there have been no modifications to the document since the last submission.

Ms. Rocklen stated that the Conservation Commission in a previous meeting had mentioned shifting the shape of the easement, but that in a response back it was noted that this was not an option.

Mr. Burch replied that the property owner wished to keep the proposed easement shape the same. However, the area still encompasses the total easement area required.

Ms. Rocklen stated that she had requested native seed mixes, but that there is one seed mix in use that is not native.

Mr. Burch replied that this would be rectified.

Mr. Bamber asked if they would need a formal response back from the Town Council.

Ms. Rocklen replied that David DeLuca of the Town Council was ok with it.

**Motion: Mr. Bamber made a motion to approve the easement as submitted, along with the proposed adjustment on the sole use of native seed mix at the site.**

**Mr. Gear seconded the motion.**

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

#### **Wetland Issues and Updates:**

##### **1. Proposed constructed stormwater wetlands at Wendy's/BJ's: 1420 Boston-Providence Hwy**

Mr. Burch stated that they were working on the suggestions Ms. Rocklen had proposed at the previous Conservation Commission meeting. He added that their landscape architect produced some comments, which are still in draft form. Mr. Burch stated that he was seeking a friendly enforcement order from the Conservation Commission. They will submit Ms. Rocklen's responses and modifications to the plans in conjunction with the order.

Ms. Rocklen explained that the applicant is changing the function of the storm water feature and the storm water wetland.

Mr. Burch stated that there is groundwater in the basin at all times, which is approximately 9 inches in height following every rainstorm event. He said that they were proposing to create a pocket wetland with the use of material and floats.

Ms. Rocklen stated that she is in favor of this proposal.

**Motion: Mr. Bamber made a motion to issue an enforcement order to rectify the stormwater issues.**

**Ms. Quinlan seconded the motion.**

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

## **2. Dumping of fill was observed at Cooper Park**

Ms. Rocklen stated that Ms. Jones noticed the dumping of fill in the park, and that she intended to investigate the issue herself with a site visit.

Ms. Quinlan asked what the fill consisted of.

Ms. Rocklen replied that it was primarily construction debris. She stated that she would follow up on the issue and report back to the Conservation Commission at the next meeting.

Mr. Bamber asked if it would be possible to get the DPW to erect a 'No Dumping' sign at the park.

The Commission voiced their approval of Mr. Bamber's suggestion.

## **3. Proposed application of IPM at 11/18 Food Forest event**

The Chair stated that she had reviewed the application and she found it to be reasonable.

Ms. Rocklen stated that an event will be taking place on Saturday the 18<sup>th</sup> of November. Shannon Borucke of the Boston Food Forest Coalition will be conducting a class on how to prepare a food forest for the winter, including pruning techniques and methods for deterring insects. Ms.

Rocklen wished to ask the Conservation Commission if the use of pesticides would be acceptable.

The Chair stated that she would support the use of them, given that they are only being used in a limited quantity.

The Commission agreed to advance with the use of the pesticides in the short term, but to reconvene at the next meeting to adopt a more coordinated approach.

### **Conservation Commission Business:**

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

The Chair, Ms. Walsh, stated that they had a meeting the week prior and that all the draft applications are now in. She added that they have sent letters to all the applicants asking for additional information and requirements.

#### **2. Minutes from 10/25/23**

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

**Mr. Gear seconded the motion.**

**Motion passed, 4-0-1 by roll call vote.**

#### **3. Agent update**

Ms. Rocklen stated that she conducted a site visit of 76 Prospect St to discuss with Dan Merrikin what to plant in the restoration area. They developed a planting plan appropriate for the site. She also stated that she received a response from Tetra Tech regarding 76 Prospect St, and that they would be in attendance at the next Conservation Commission meeting.

Ms. Rocklen said that she visited the Norwood Gardens/Pine Tree Forest trail system with the Trails Committee and was impressed with the site.

Ms. Rocklen conducted a site visit of the Moderna Campus and was happy to see that native species were being planted in abundance as part of the planting plan established for the property.

The CPA application is due on Friday, the 17<sup>th</sup> of November, which if accepted would allow the transfer of \$10,000 into the conservation fund. This would allow for the purchase of land in the future, or for maintenance work on land already purchased with CPA funds.

Ms. Rocklen stated that a pruning workshop would be taking place at the Food Forest on Saturday. She stated that she was working on an outreach program to get more people involved.

**Adjournment.**

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

**Mr. Gear seconded the motion.**

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

Next meeting: December 6th, 2023, at 7:30 p.m. via Google Meet & in person.

*Respectfully submitted by Thomas Hackett*