

CONSERVATION COMMISSION

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PETER BAMBER
JOHN GEAR
HEATHER MILLER
CATHERINE WALSH



**ENVIRONMENTAL PLANNER/
CONSERVATION AGENT**

HOLLY JONES, MSCI

SENIOR ADMIN. ASSISTANT

LYNN MARCHAND

**Conservation Commission Meeting
May 19, 2021
7:30 P.M.**

Present:

**Stephen Washburn -Chairman, Kristen Capezio -Vice Chair, Peter Bamber -Treasurer,
John Gear, Heather Miller, Carly Rocklen, and Catherine Walsh**

Also Present: Holly Jones, Environmental Planner/Conservation Agent.

Please note the May 19, 2021 meeting was held remotely using GoToMeeting software pursuant to Governor Baker's March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A §18, and the Governor's March 15th Executive Order imposing strict limitations on the number of people that may gather in one place. Although no in-person attendance of members of the public occurred, the town of Norwood made every effort to ensure that the public can access the proceedings in real-time via technological means.

The meeting was called to order by Chairman Stephen Washburn at 7:30 p.m. followed by a roll call.

Public Hearings:

1. Request for Determination of Applicability: LaSalle Conservation Land behind Father McAleer's Playground, N2021-04

Applicant: William Doyle

Project: A Scout project to build a viewing platform adjacent to a wetland on the trail behind Father McAleer's Playground in the buffer zone.

Mr. William Doyle presented his proposed project to the Board and showed a picture of a similar platform that he envisioned building. He stated it would be a place for people walking the trails to sit/rest and enjoy the wildlife. He said he would solely be responsible for the cost for tools, cost of materials, and construction.

The Commission asked questions regarding exact location, endangered species in the area, project timeline, excavations and depth, promotion of use, and maintenance plan. Mr. Doyle described the location as the widest part of the trail before the overhanging trees and shrubs. An aerial photo was shown. He said his timeline was June or July of this year, could possibly do a write-up to promote its use, and said he and his Dad were always around for future maintenance. It was also suggested that it could be a service project for the Boy Scouts Troup 44. Mr. Doyle said they would use old telephone poles for footings, as an anchor for the platform, with a 3' depth.

The Conservation Agent, Ms. Jones added that they had seen people picnicking in the area close to the proposed location of the platform and it would be a good use of the area with fairly minimal impact to the adjacent wetland. She said the only mapped habitat (of endangered species) in Norwood were by the airport.

Mr. Doyle stated he would be responsible for removing everything if the materials didn't meet the expectations.

Motion I: Mr. Bamber made a motion to approve it.

A brief discussion was had regarding the Motion language to make a negative determination of applicability with conditions.

Motion I amended: Mr. Bamber made a motion for a negative finding.

Ms. Walsh seconded the motion. A roll call vote was taken and the motions passed unanimously, 7-0-0.

The Chair encouraged Mr. Doyle to reach out to Mr. Greeley on the Trails Committee and Ms. Jones as they could provide a lot of support. Ms. Jones stated she would get the paperwork within the next few days and then would

coordinate with Mr. Doyle to ensure the placement will be the least impactful for the wetlands, that excavation would not go into the wetlands or the pond.

New item not foreseen the Chairman more than 48 hours in advance of the meeting:

1. Potential violation: 61 Endicott St./Norwood Commerce Center

While conducting an inspection of 70 Endicott St for a potential violation, Ms. Jones observed tree cutting happening around the pond and fence installation along the edge of the road that surrounds the pond. She spoke with the gentlemen on site, explained this would need to be permitted through Conservation, and they ceased work immediately. There were 3 small pine trees that were cut where the fence was going and 2 larger dead trees that were cut due to being potential hazards.

Mr. Kevin Houliker of Winsmith Mill addressed the Commission. He apologized for the disturbance and stated he thought they had a permit to install the fence. He explained that there had been a problem with kids skating on the pond. Ms. Jones suggested that the Commission consider this a violation which could be addressed through the enforcement order process in order for them to replace the trees and finish the fence installation.

Commission members commented and asked questions regarding fencing and wildlife access, what (wildlife) uses the water body/pond, dead trees value to the environment, and best location for the replacement trees. It was stated that would be room under the fence for (short) wildlife, that the pond was an old fire pond, the location of the fence would be around almost the entire pond, and next steps to be taken. Ms. Jones said a formal order was not needed and she would provide direction via a letter for replacing the trees with a native species on appropriate locations on the property, in a less dense tree area. She added that there was no significant disturbance coming from the fence.

Motion: Mr. Bamber made a motion to forgo a formal violation and request that Mister Houliker and the folks at Winsmith collaborate through Ms. Jones to perform a 2:1 replication of native species and with some sense of where they would go regarding currently densely populated areas verses areas that may be more needing of trees. Ms. Walsh seconded the motion. Motion passed unanimously, 7-0 by roll call vote.

2. Potential violation: 70 Endicott St.

**per the Chairman, this was discussed after the Norfolk County Mosquito Control District presentation.*

Complaint was received of potentially hazardous material in the berm of the condominium complex. Ms. Jones said the resident, while pulling weeds, found debris in the soil; shaved metal scraps, wire, pipes, tile, and plastic. She informed the Commission that there was a previous Order of Conditions circa 2006, which required addressing historical contamination through the State and Federal Processes. Contamination included various metals like Chromium, and Lead as well as asbestos, and some oil-type contaminants. Some of the soil, which was low enough in contaminants, was reused on the site. Ms. Jones added that in the Order of Conditions, it was required that only clean fill be used on site and that it was specifically spelled out that it must be free of debris such as wire, and that all graded areas needed to be covered with 6" of clean loam and then seeded. She said a Certificate of Compliance was issued for the site but they did not have continuing conditions so enforcement ability was unclear. Ms. Jones felt that the enforcement would be easier through DEP and BOH.

Commissioner Bamber gave a brief history of the property; former scrap metal location until circa 1992, in approximately 2002, PCB, Mercury, and Lead were found and removed via the EPA, and then the property was bought and condos were built. Mr. Gear said the scrap metal location scrapped/ground a lot of electronics and electrical components.

Ms. Jones said she would be visiting the site the following day with the DEP strike force, would keep the Commission apprised of their recommendations, and give them an update at the June 2nd meeting.

Presentation:

1. **Norfolk County Mosquito Control District (NCMCD)** [Norfolk County Mosquito Control](http://norfolkcountymosquito.org)
(norfolkcountymosquito.org)

Caroline Haviland and Kaitlyn O'Donnell provided a PowerPoint presentation to the Commission. They stated the district encompasses 25 Towns in Norfolk county and has been in operation since 1956. NCMCD practices integrated mosquito management as a way of controlling a pest species, reducing costs in agriculture, and reducing disease risk using different types of control methods based on biology and ecology of the pests to better target the insect. Additional information was provided including surveillance of mosquitoes and diseases, different life stages of the mosquitoes, public outreach and education events, source reduction and water management, and some exemptions of ConCom jurisdiction of the Wetlands Protection Act, spraying, cleaning, and mapping.

Board members discussed and asked questions regarding GIS mapping, pesticides, effects of wildlife, removal of mosquito breeding grounds, mosquito-born diseases,

Conservation Commission Business:

1. **Regulatory updates:**

Ms. Jones said she drafted regulations and standards for intermittent riverfront area including a lengthy explanation of how to evaluate an alternative analysis. A majority of the language used was taken from the Town of Sturbridge, MA. She reminded the Commission that the public hearing to begin discussion of the wetland regulations was on the last Wednesday in June. She said she would email a copy to the Commission members for them to read and so they could provide feedback.

Trails and land update:

Ellis Pond Dam: Ms. Jones stated she was able to meeting the contracted engineers for their bi-annual inspection and is awaiting a draft report from them which would be done in approx. one month. The last inspection was in 2019. She said the last report contained recommendations like make sure the grasses are holding in place, that you're removing vegetation, as well as reporting things like superficial cracks and a recommendation to repair them.

University Ave: Ms. Jones engaged Mr. Greeley to help organize and enlist the assistance of the Trails Committee to pull invasive species from the area on University Ave. There are two tentatively scheduled days (one day in May and one in June).

Mill Pond Dam/MVP update: MVP grant has been submitted about a week ago for the Mill Pond Dam removal, with the Town as the applicant.

Pavilion: tentatively scheduled to go up the week of June 14th.

74 North Ave: Ms. Jones stated that potentially the owner of 74 North Ave was encroaching on Town property. He has been contacted and is amenable to cleaning up the debris, moving his pool, and pulling his fence back to the property line as determined by Mark Ryan.

Saint Street Lot: First public meeting is slated for tomorrow at 7:00 via Zoom. It has been posted as a conservation commission meeting to avoid a potential OML violation if there is a quorum of members that attend.

1. **CPC report:**

Ms. Walsh updated the Commission stating that the Community Preservation Committee met on May 12th. She said they were introduced to the new Assistant Town Planner, Sarah Bouchard. Toni Eosco announced that she would be

stepping down and Cheryl Doyle would be joining the CPC. Ms. Walsh stated that Planning Director, Paul Halkiotis gave a presentation on the creating of a CPC Administrator. She announced that there was currently enough funds in their budget for a 15 hour a week administrative support position. The bulk of the discussion was on the concept of a needs assessment, and strategic plan for the Community Preservation Act. She described the future direction stating they would strategize in June regarding future housing projects and to get people thinking about a pipeline of projects. Ms. Walsh said the carillon project is up and running and the bells would be playing on July 4th. She said the painting was being completed. The next meeting was scheduled for June 9th.

2. Agent update

Ms. Jones introduced the new Administrator and Office Manager, Lynn Marchand for Conservation, Planning, and Zoning. She said that Lynn would be doing the Conservation Commission Minutes going forward.

Ms. Jones said she had received feedback from the state and they were heavily encouraging communities to adopt their new Model Bylaw as soon as possible in order to continue participating in the Flood Insurance Program. However, because the Charles River Watershed Firm maps would be ready next year, the state suggested waiting to adopt the new Model Floodplain Bylaw until the Charles River Watershed Firm maps were available. The stormwater bylaw is also being delayed to rework stormwater as a standalone bylaw. She also mentioned that a decision will have to be made regarding who will be the stormwater authority and she asked the Commission to start thinking if they would be interested in taking on that role. Ms. Jones commented that it would give them the ability to create stand-alone regulations.

3. Minutes: March 3, 2021 Minutes

Motion: Mr. Bamber made a motion to approve the March 3rd Minutes. Mr. Gear seconded the motion. Motion passed unanimously, 7-0 by roll call vote.

Ms. Capezio asked to have discussion on the next agenda regarding Norwood Day and how the Conservation Commission could be represented.

Motion: Mr. Gear made a motion to adjourn. Ms. Walsh seconded the motion. Motion passed unanimously, 7-0 by roll call vote.