

CONSERVATION COMMISSION

STEPHEN WASHBURN, CHAIRMAN
KRISTEN CAPEZIO, VICE CHAIR
PETER BAMBER, TREASURER
JOHN GEAR
HEATHER MILLER
CARLY ROCKLEN
CATHERINE WALSH



ENVIRONMENTAL PLANNER/ CONSERVATION AGENT

HOLLY JONES, MSCI

RECORDING SECRETARY

LORI MCLELLAN

Conservation Commission Meeting March 3, 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 March 3, 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. Endean Trail Maintenance: Request for Determination of Applicability. N2020-13

Applicant: Norwood Conservation Commission

Representatives: Holly Jones & Mark Ryan, Town of Norwood

The project is to conduct maintenance on existing trails at Endean Trails. The trails in two locations are seasonally waterlogged, and the proposed stone dusting and addition of a swale and 12" ductile pipe to allow water to cross under the trail will limit erosion and wear. The stone dust will not exceed the current width of the trails.

Ms. Jones explained that portions of Endean Trail at Coakley Middle School are frequently waterlogged and thus problematic for walkers & the Cross Country Team. The proposed project would include resurfacing of the existing trails using stone dust, creating a rip rap lined swale, and adding a 12" pipe to allow water to cross under the trail which would limit erosion and wear at the two proposed areas to be addressed; Site A and Site B, as shown on the Plans.

Project Site A: Work would occur outside the wetland resource areas with the exception of the intermittent stream crossing where there is a pipe culvert. The project goal would be to create a swale along the side of the trail and a pipe to direct the water underneath toward that intermittent stream rather than allowing it to flow from isolated wetland area across the path to the intermittent stream. No height change was proposed to the existing topography.

Project Site B: Existing conditions & details included flagged wetlands, a utility easement, and asphalt that transitions to a gravel and stone dust path. The project goal would be to add more stone dust to stabilize the area.

Also proposed was the addition of a seating area; benches. Members expressed support for the proposed project, underscored the need for the work, as well as the benefits. Brief discussion was had regarding the details and a suggestion was made to have additional plantings to keep the stone dust in place as well as to absorb water.

Ms. Jones read a public comment, received via email from a resident, into the record. The resident spoke favorably toward any drainage related project. Ms. Jones stated this was a request for a determination of applicability and

suggested issuing a negative determination with certain safeguards/conditions in place such as maintaining the work within the already disturbed path area and including buffer zone plantings to protect the river.

Motion: Mr. Bamber moved for a motion to issue a negative determination with special conditions. Mr. Gear seconded the motion. A roll call vote was taken and the motion passed unanimously, 7-0-0.

2. 49 Maxwell Avenue: Notice of Intent. DEP File No.: 251-0520, N2020-12

Assessor's Map: 19 Black 2, Lot 6B

Applicant: Invest LLC

Representatives: Bill Buckley of Bay Colony Group

The proposed project is the construction of a single family home with associated driveway, utilities, and grading. The grading and driveway are in the buffer zone to a bordering wetland. A small portion of the property is Riverfront Area but no changes are proposed.

Mr. Buckley stated the intent of the project is to construct a single family home. He gave a brief history to the Commission: permitted in 2016 as a single family home with an Order of Conditions, house was never built, and the site work was mostly completed. He stated a portion of the driveway serves the house on Lot 9, also owned by the applicant. The Order of Conditions expired and a Certificate of Completion was never issued. Site was described as having bordering vegetation on the southeast corner that goes 190' where it picks up Purgatory Brook, a line of shrubs, and a 6' high chain link fence surrounding the property. Remainder of the site was stated to have shrubs, a fence, landscaped areas, and a rain garden.

Ms. Jones reported that Mr. Buckley was able to join her for a site visit, and she has no concerns based upon the plan and proposal currently before the Commission. Commissioners raised some concerns about the proposed extension of the driveway and whether pervious pavers could be used. Mr. Buckley said the purpose was to just continue to use what is there and add a little bit more and stated it was constructed this way in order to serve the house to the south which is already owned by the applicant.

Public comments noted concerns for impact on nearby wetlands including the use of fertilizers and chemicals, number of construction and renovation projects being reviewed for permitting within wetland areas and buffer zones, and past practice of single family homes being constructed within the buffer zone of bordering vegetated wetlands. Discussion was had regarding the driveway layout, driveway alignment, and using pervious pavers, and a possible condition of approval that the rain garden be maintained as a feature in the landscaped lawn area.

Motion: Ms. Miller made a motion to close the public hearing and issue an order of conditions that includes the condition to require pervious pavers or something similar within the buffer zone and also a condition requiring the maintenance of the rain garden. Ms. Walsh seconded the motion. A roll call vote was taken and the motions passed unanimously, 7-0-0.

3. 64 Puritan Place: Notice of Intent. DEP File No.: 251-0520, N2020-11

Assessor's Map 16, Block 1, Parcel 71

Applicant: Patrick McDonagh

Representative: John Glossa of Glossa Engineering

The proposed project is the construction of a single family home with associated driveway, utilities and grading, in the buffer zone of a bordering vegetated wetland and the riverfront area of intermittent stream.

Representing the applicant, Mr. Glossa presented a plan for a single family home, driveway, and 2-car garage at 64 Puritan Place. He summarized the property history, drainage problems with the original design of the subdivision as well as runoff from I-95, and the mitigation done to address the issues. The home will be connected to municipal water, sewer, and the drainage system. He referred to the wetland areas on the plan, the intermittent stream which flows under Puritan Place, and stated it is captured in the municipal drainage system. Also noted were: the 50' no build zone, 100' buffer requiring the ConCom filing, 75' wide tree filter zone, and the 100' & 200' riparian zone, and possible damage to the roots during construction.

Discussion was had regarding the 8 trees larger than 6" and 3' above the ground. He stated they wanted to remove 4 of them. Due to concerns regarding the remaining trees being in the filter zone, and their proximity to the house, Miss Ms. Jones suggested changing the proposed location of the house to the south east and the grading changed to protect the tree roots. Mr. Glossa acknowledged that it could be moved an additional five feet. Commission members comments included wanting the house moved as far out from the buffer zone as feasible and new drainage calculations under the new standards to ensure they are sufficient.

Public comments/discussions/concerns included: driveway pitch and flooding onto 58 Puritan Place and a request for landscaping screening along the Lot line, the length of time since the flagging was done (circa 1995, 1997, & 1998 and reviewed by the DEP and the Army Corp of Engineers), dialogue re: tree removal/replacement, and questions regarding the development and sale of the Lot.

Mr. Glossa responded to questions and offered a meeting to accommodate vegetation between the properties. Ms. Jones stated she would consult with DPW regarding runoff from new development.

Motion: Mr. Bamber made a motion to continue in two weeks. Mr. Gear seconded the motion. A roll call vote was taken and the motions passed unanimously, 7-0-0.

Mr. Washburn stated the matter would be revisited at the meeting on March 17, 2021 at a time to be determined.

Wetland Updates and Issues:

1. CoC Request: DEP File No. 251-0515, N2020-03, 640 Pleasant Street – Rear

Ms. Jones updated the Commission on the soil remediation project that was permitted this year at 640 Pleasant St. She stated there was contaminated soil under a paved parking lot behind 640 Pleasant Street and that erosion controls were in place. There were no issues noted and the site was very clean.

Ms. Rocklen inquired about the contamination & effects. Mr. Parker informed the Commission that it contained lead likely from the 1950s. He informed the Commission that they went in, delineated it, and targeted the high concentrated areas. It was then stabilized and removed (to a land fill). There were monitoring wells used which showed that it did not impact ground water.

Motion: Mr. Bamber made a motion to issue a Certificate of Compliance. Ms. Walsh seconded the motion. A roll call vote was taken and the motions passed unanimously, 7-0-0.

2. CoC Request: DEP File No. 251-0518, N2020-08, UAVE, 937 University Avenue

Ms. Jones gave the Commission an update stating that the order of conditions was issued in December for work that already had been done in the buffer zone of a bordering vegetated wetland which the Commission found out about through the State Attorney General; consent agreement. The order of conditions approved a plan showing updated storm water for the site which was developed to ensure that all the storm water was remaining on site. The as-built did not match the plans that were approved in December: there is a portion of the wall, on the side of the road closer to the wetlands, which curves instead of being straight and is about 8' closer to the wetlands than what was shown on the approved plan. The storm water basins are of a different construction than shown on the plan. Ms. Jones met with DPW and project engineers to evaluate the constructed storm water basins to ensure they met the same standards as the ones that had been permitted. Ms. Jones received from Mr. Fabbri and the project engineers some responses to questions that she had and they indicated that the basins were equivalent to the ones that were permitted. Monday's inspection showed that due to the construction during the winter months that the ground around the basins was not fully stabilized, there was some erosion occurring around the entrances of the basins, and some clean-up work needed to be done in the spring once the ground is unfrozen to address some of the voids and fully finish off the areas around the basins. Ms. Jones stated that the building inspector is holding off on the Certificate of Occupancy (CO) until a Certificate of Compliance is issued.

The Commission, Ms. Jones, and Mr. Fabbri discussed the issues, areas of concerns, and construction difficulties: project not built to the plan, concrete blocks settling due to basins being constructed in January when the ground was

frozen, wall segments and precast concrete blocks not being able to connect (only so many degrees of an angle that you can get out of them to make them connect), applicant not requesting a modification when it was found that a construction issue would cause a deviation from the approved plan (applicant responded that they would have to excavate the wall back which he felt would have been more disruptive than the slight deviations in the as-built vs what was designed), clean-up and areas to be addressed.

Mr. Washburn expressed frustration and concern with the state of the project as constructed, specifically the differences in the basin, the wall, outstanding pavement, and the clean-up. He disagreed with Mr. Fabbri's "field call" and suggested an alternative product might have worked. Multiple members expressed that the area of contention was due to the problem not being brought to the attention of the Commission when the issue arose.

Motion: Mr. Bamber made a motion to deny the request at this time and come back. Ms. Miller seconded the motion. A roll call vote was taken and the motions passed unanimously, 7-0-0.

Ms. Jones asked if the Commission would be comfortable with the Building Inspector issuing a temporary CO. The Commission opted not to provide a recommendation for or against the CO.

3. Correspondence: Request for Adjudicatory Hearing for Superseding DoA for MBTA RoW

Ms. Jones stated there was no action required by the Commission and gave a brief explanation/update. This was an update on the MBTA and Keolis request for Determination of Applicability reviewed at the last meeting when DEP issued a superseding determination.

MBTA & Keolis have requested an adjudicatory hearing from DEP to contest the superseding order.

Conservation Commission Business:

1. Edean Orchard Food Forest update:

Ms. Jones stated if the grant is awarded, the work would have to be done in the same year the grant is received.

Grant information, budget, and timeline details are in the file share for the Commission members to review.

Mr. Negron is considering sheet mulching the orchard, regardless of the grant, possibly the Sunday of March 14th, which would be beneficial to the trees regardless of whether the other work happens. He is requesting the Commission's "blessing". Mr. Washburn spoke favorably toward the plan. Discussion was had and questions posed regarding details, specifics, timetable, plan schedule, and managing of the project. The Commission asked that they speak to Mr. Negron in two weeks for a Q&A before making a decision regarding the sheet mulching.

2. CPC Report: Ms. Walsh said she would provide an update at the next meeting.

3. Conservation Agent's Report:

Ms. Jones confirmed a special 3rd meeting on March 31st with the Neponset River Watershed. In a separate announcement, she said that they would have a Conservation Intern available for the summer.

Ms. Miller stated there was a group in Town that worked with the DPW to organize a rain barrel order & distribution program. Great American Rain Barrel website: [Norwood - The Great American Rain Barrel](#)

4. Minutes: February 3, 2021 Minutes

Motion: Mr. Bamber made a motion to continue to the next meeting. Ms. Walsh seconded the motion. A roll call vote was taken and the motions passed unanimously, 7-0-0.

Motion: Mr. Bamber made a motion to adjourn. Ms. Gear seconded the motion. A roll call vote was taken and the motions passed unanimously, 7-0-0.