

CONSERVATION COMMISSION

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



**ENVIRONMENTAL PLANNER/
CONSERVATION AGENT**
HOLLY JONES, MSCI

ADMINISTRATOR/OFFICE MANAGER
LYNN MARCHAND

**Conservation Commission Meeting Minutes
January 19th, 2022
7:30 P.M.**

Present (remote): Stephen Washburn, Catherine Walsh, Carly Rocklen, Peter Bamber, Heather Miller

Present (in person): John Gear

Also Present (in person): Holly Jones, Environmental Planner/Conservation Agent.

The January 5, 2022 meeting was held in person (TownHall Rm. 24 and remotely using GoToMeeting software. The meeting was called to order by Chairman Stephen Washburn at 7:30 p.m. followed by a roll call.

Conservation Commission Policy:

1. Potential buffer zone mitigation policy

Ms. Jones reviewed the reason for the discussion of a potential policy change and presented a draft based on another guidelines from the Towns of Framingham, Wellesley, and Weston. The policy would allow building in no-build zones on previously developed property in exchange for a gain in previously developed no-disturb zones

Mr. Washburn expressed concern that it could potentially damage or soften sensitive protected areas and could be abused by applicants. Mr. Bamber said he was opposed to modification in the no-disturb/no-build zones because Norwood has very little green space. Mr. Gear, Ms. Miller, Ms. Rocklen, and Ms. Walsh also expressed their opposition and did not see it as a benefit to the town.

Mr. Washburn asked to have a follow-up conversation on this topic. Ms. Jones it would be a public hearing and could add it to the agenda for their next meeting on Feb 2nd.

Public Hearings:

1. 87 Plantation Circle Notice of Intent No. 251-0531 N2021-14

Applicant: Daniel Cook Representative: Mitch Maslanka, Goddard Consulting, LLC

Project Description: The addition of a 2-story garage, back deck, and front and rear porches within buffer zone to bordering vegetated wetlands.

The Chair read the public hearing into the record. Mr. Daniel Cook noted that the 100 square foot no-build area and plan based on Commission's discussion tonight would not be possible and asked Ms. Jones what she would suggest as a path going forward. Ms. Jones suggested a continuance if they wanted to submit a plan outside of the buffer zone otherwise it would not be approvable.

Mr. Cook asked if the Commission could do an Order of Conditions that required modification to the plan so construction would not go into the no-build zone.

Discussion was had and the Commission wanted to see the plan before issuing an Order of Conditions.

CONSERVATION COMMISSION

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



**ENVIRONMENTAL PLANNER/
CONSERVATION AGENT**
HOLLY JONES, MSCI

ADMINISTRATOR/OFFICE MANAGER
LYNN MARCHAND

Ms. Jones said she would be more comfortable with having the revised plan presented at a meeting for the Commission to review. Mr. Cook said he would update the existing plan.

Motion: Ms. Walsh made a motion to continue (the public hearing to the next meeting) at a time to be determined.

Mr. Bamber seconded the motion.

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

2. 106 Access Rd Notice of Intent No. 251-0533

Applicant: Michael Colomba Representative: Gabriel Padilla

Project Description: Addition to a commercial building in the buffer zone of a bordering vegetated wetland.

Mr. Gabriel Padilla presented the Commission a revised plan showing the proposed restoration location of the large trees that were cut in the wetland area by the abutting neighbor and the new proposed plantings as well as the types; 5 red Maples, 5 White Pines, 15 Sweet Pepper Bush, & 15 Highbush Blueberries.

Ms. Jones noted that one of the conditions should that no equipment should enter the wetlands.

The Chair opened the floor to public comment. Mr. McDonald, the neighbor that had cut down the trees, addressed the Commission stating he did not authorize the contractor to cut down trees outside of his property line. Commission members spoke favorably of the proposed plan and other elements as presented.

Discussion was had regarding the maintenance and protection of the plantings and that plantings should be done by hand. .

Motion I: to close the public hearing on 106 Access Rd.

Ms. Walsh seconded the motion.

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

Mr. Walsh said he would entertain a motion to issue the Order of Conditions that included Ms. Jones language about the maintenance of the plantings.

Motion II: Mr. Gear made a motion to as stated.

Ms. Walsh seconded the motion.

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

3. Ellis Gardens Playground off of Codman Rd. Request for Determination of Applicability N2022-01

Applicant: Zacchariah Gorine

Project Description: Create a trail connecting two portions of existing trail to create a loop. Trail creation will consist of clearing vegetation, route marking, and placing bog bridges in wet areas.

The Chair read the project description into the record. Ms. Jones stated she walked the two connecting portions of the trail. She stated that Mr. Gorine is proposing to connect the two trails in order to create a full loop by clearing and marking two sections and installing bog bridges in the wetland areas.

Mr. Gorine was present and distributed a handout that Ms. Jones showed on the screen for remote Commissioners, and he described the project details. He asked about pressure treated vs. non-pressure treated wood and the Commission's thoughts on this. Mr. Gear said the impact is negligible and doesn't leach out of the wood. Ms. Jones said she felt that she should walk the site again with Mr. Gorine and suggested a site visit by Commissioners.

Mr. Washburn said he supports non-destructive improvements to passive recreation and access.

CONSERVATION COMMISSION

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



ENVIRONMENTAL PLANNER/
CONSERVATION AGENT
HOLLY JONES, MSCI

ADMINISTRATOR/OFFICE MANAGER
LYNN MARCHAND

Mr. Rocklen asked if there were wetlands, vernal pools, amphibian migration paths that needed to be considered. Ms. Jones said she had not been there in the spring but she did not note or signs that there may be.

Mr. Washburn asked about any significant mature tree removal. Mr. Gorine said that Ms. Jones had presented alternatives to any tree cutting.

Mr. Gorine reviewed an overhead view of the site with the proposed trail highlighted. Discussion was had regarding mulching and it was decided to bypass rather than mulching. Commissioners expressed an interest in seeing the site. Discussion was had regarding coordinating a site visit at noon on Saturday, January 22nd. Ms. Jones said she would send out the notice.

Motion I: Ms. Walsh made a motion negative determination of applicability with no large tree cuts, no permanent fill, and a site visit to determine the best route for the path. Mr. Gear seconded the motion. Motion passed unanimously, 6-0 by roll call vote.

Potential Violations:

1. 235 Ridgewood Drive and 106 Access Rd—tree cutting in a bordering vegetated wetland

Ms. Jones said she checked with DEP and any remediation has to occur onsite. She said she received a restoration plan from Mr. McDonald to plant arborvitae.

Mr. John McDonald addressed the Commissioners regarding the 11-12 trees he contracted to have removed. He said a majority of them were rotted. He commented on previous damage he's had to his property and structures from rotted trees and branches during storms. He proposed planting arborvitae. He stated that he was unaware that it was a delineated and protected area.

Mr. Washburn counseled Mr. McDonald on how it could have been handled.

Ms. Rocklen asked about the type of Arborvitae. Mr. McDonald said he would be planting American Arborvitae which he believed are indigenous to the area and provide oxygen year-round.

8:43 Ms. Miller left the meeting.

Ms. Jones said it was a reasonable idea but her concern was that the trees removed were very large and Arborvitae are smaller. She suggested confirming the number and size of trees being planted.

Mr. McDonald said plantings should be planted about 3 1/2' apart, area is approximately 80' across, roughly 7 Arborvitae were proposed. Mr. Washburn said it would be a 3:1 tree count replacement.

Ms. Jones modifying the enforcement order to require planting of 15 new native trees outside of the protected wetland resource area.

Motion I: Ms. Walsh made a motion to require planting of 15 new native trees outside of the protected wetland resource area. Mr. Gear seconded the motion.

Motion passed unanimously, 5-0 by roll call vote Ms. Miller was absent.

Discussion was had regarding the property boundary concern and Mr. Gear explained that it outside the purview of the Commission. He clarified that each property was addressed separately in terms or restoration and the Commission could not get involved in any property or legal disagreements related to one party or the other in regards to the boundaries.

2. 1400 Washington St. –unpermitted fill and clearing

CONSERVATION COMMISSION

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



ENVIRONMENTAL PLANNER/
CONSERVATION AGENT
HOLLY JONES, MSCI

ADMINISTRATOR/OFFICE MANAGER
LYNN MARCHAND

Ms. Jones updated the Board stating the property as a landscaping yard and that an enforcement order was issued in December that included the requirement to present a plan to the Commission at this meeting, to be prepared by a wetland scientist, to remove the fill and delineate the resource areas.

She called Mr. Copponi to ask if he had a plan. He stated that he reached out to wetland scientists, but had not heard back. Ms. Walsh asked about next steps. Ms. Walsh said the Commission could either extend period to provide plan, issue a warning with a deadline date, or could fine the property owner.

Commissioners recommended issuing a deadline, to the next meeting, to provide a plan and address the Commission. Ms. Jones said she would communicate with the applicant as described.

Conservation Commission Business:

1. Stormwater Bylaw

Ms. Jones provided information to the Board stating:

This bylaw is required by our MS4 permit from the EPA, and the draft came from NepRWA and was approved by the EPA. The biggest, most recent change to the bylaw is that we are thinking that instead of the ConCom who was initially going to administer this bylaw (and thus review permits for stormwater for projects outside of wetlands jurisdiction as well), the town's Engineering Department should be the stormwater authority and issue permits for land disturbance & stormwater connections—we would still approve stormwater for projects near wetlands via our bylaw & Mass Stormwater handbook.

Basic background: Norwood has an "MS4 permit" under the clean water act for our stormwater system to discharge to surface water bodies. As part of this we are required to have a local bylaw exercising some kind of review of all construction projects of a certain size—not just ones near wetlands. This law is to make sure that large construction and redevelopment projects (larger than 5000 sf) have review to ensure they are doing appropriate stormwater treatment and control. Larger projects would require public hearings. The law also provides a mechanism to require the disconnection of "illicit connections" to the stormwater system. There are certain forward looking provisions about limiting potential pollutants to the MS4 system such as requiring use of tar free asphalt sealants or picking up pet waste.

March 14th is the next potential Town Meeting. There would need to be a public hearing in February with the Selectmen to recommend it to Town Meeting. DPW would be the stormwater authority. DPW would provide review memos to Conservation for stormwater related issues but DPW would also review larger projects outside of the wetland bylaw. It does not change the Commissions' authority.

MOTION: Mr. Bamber made a motion to approve the stormwater bylaw Article and recommend to send it to the Board of Selectmen for the Warrant. Mr. Gear seconded the motion.

Motion passed unanimously, 5-0 by roll call vote

2. FY 2023 Budget

She reviewed what the Commission routinely spends funds on and asked if they wanted to increase their request for funds related to land management activities for the 2023 budget.

Ms. Washburn asked about how to integrate Ms. Rocklen, the Commission Treasurer, into this process.

Ms. Jones said she and Ms. Rocklen can work together regarding how much money they have and how much they're spending in order to update the Commission. Ms. Walsh felt that Ms. Jones and Ms. Rocklen should work together to understand the details of the budget and Ms. Jones can pay the invoices as they come in.

CONSERVATION COMMISSION

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



ENVIRONMENTAL PLANNER/
CONSERVATION AGENT
HOLLY JONES, MSCI

ADMINISTRATOR/OFFICE MANAGER
LYNN MARCHAND

Mr. Bamber said he felt they should maintain the ongoing projects, Commission is kept informed so they could determine priorities, and to continue to have Mr. Halkiotis, Ms. Rocklen, and Ms. Jones discuss ongoing projects and funds needed to maintain.

3. Endean Orchard Subcommittee update

Ms. Jones discussed the ph of the soil for the orchard.

Discussion was had regarding lime; timing of application, amount, cost, mitigating runoff, area and amount of lime to add to create an ideal and even ph level.

MOTION: Ms. Walsh made a motion to approve the approximately \$200 expense to procure the lime material. Mr. Gear seconded the motion.

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

4. CPC report

Ms. Walsh noted that the committee met on Jan 12th. Mr. Mazzucco was there to answer questions regarding the Town Hall renderings and reports/uploads. Two meetings scheduled, presentations from the proponents, hybrid at Senior Center, encourage commissioners to attend, Jan 26th and Feb 9th.

Ms. Jones said she would forward the meeting invite to the Commissioners.

5. Correspondence: suggestion of 150 trees for 150th anniversary

Ms. Jones recommended the Commission facilitate the plantings. Ms. Jones said she was going to touch base with DPW for potential tree locations. Mr. Washburn asked about sponsorship of trees and noted that Progress Norwood has a strong social media presence. Ms. Jones said she could also reach out to landscapers to get a cost for the Town purchasing the trees. Ms. Walsh talked about tags or bricks related to the trees and partnering with the Planning Board, CPC, BOS, and Trails Committee.

Mr. Washburn suggested the first step be reaching out to DPW regarding locations and potential support of this proposed project. Ms. Jones said she would reach out to DPW and also speak to Facilities regarding putting trees on the school grounds.

Add to next Conservation agenda for further discussion.

6. Agent update

Ms. Jones gave an update on the dam removal; the access road is in and staging is being set up, with water diversion set to start potentially later this week. Access road is laid. Staging areas are being set up over sensitive ecological areas. Bypass channel for the water to clear the area by the dam so they can start the dam removal itself and then creation of the new stream.

Ms. Jones said she is working on a grant application with CPC and town staff on a CPC application for Cooper Park, in particular whether there is appetite for financing this partially from the town's general budget. There are also a couple of grant applications in the works for that, many thanks to Joe Greeley for assistance in that. Public Hearing for CPC is on January 26th for the park.

Ms. Jones said she is working on the stormwater bylaw with the BOS having a public hearing likely on Feb 1st. She said she will be giving a talk at the Library, with Kerry Snyder, NepRWA advocacy director, on February

CONSERVATION COMMISSION

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



**ENVIRONMENTAL PLANNER/
CONSERVATION AGENT**

HOLLY JONES, MSCI

ADMINISTRATOR/OFFICE MANAGER

LYNN MARCHAND

10th, which be available on Zoom and Norwood Community Media. She noted that she is continuing to work on the budget.

MOTION: Mr. Bamber made a motion to adjourn.

Mr. Gear seconded the motion.

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