



## Norton Conservation Commission

70 East Main Street  
Norton, MA 02766

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NORTON TOWN CLERK

Monday, June 9, 2008

7:00 pm

### Attendance

Bob Medeiros (Chairman), Earl Willcott (Vice-Chairman), Kathleen Giblin, Julian Kadish, Ron O'Reilly, Lisa Carrozza and Jennifer Carlino, Conservation Agent.

### Minutes

The meeting started at 7:00 pm.

The members reviewed the draft minutes of **February 11, 2008**. Ron O'Reilly made a motion, seconded by Earl Willcott, to accept the minutes as written. Approved.

The members reviewed the draft minutes of **April 14, 2008**. Julian Kadish made a motion, seconded by Kathleen Giblin, to accept the minutes as written. Approved.

The members reviewed the draft minutes of **April 28, 2008**. Earl Willcott made a motion, seconded by Julian Kadish, to accept the minutes as written. Approved.

The members reviewed the draft minutes of **May 19, 2008**. Lisa Carrozza made a motion, seconded by Julian Kadish, to accept the minutes as written. Approved.

The members reviewed the Bills Payable Sheet (Nextel). Earl Willcott made a motion, seconded by Ron O'Reilly, to pay the bill. Approved.

The members reviewed the Bills Payable Sheet (Nextel/phone). Kathleen Giblin made a motion, seconded by Ron O'Reilly, to pay the bill. Approved.

The members reviewed the Bills Payable Sheet (Nextel). Kathleen Giblin made a motion, seconded by Ron O'Reilly, to pay the bill. Approved.

The members reviewed the Bills Payable Sheet (Mainstream Eng./Tom Sexton). Jennifer Carlino stated Wheaton College gave the funds to pay for this engineer/consultant. Lisa Carrozza made a motion, seconded by Ron O'Reilly, to pay the bill. Approved.

Jennifer Carlino stated CSX violation was scheduled for 7:05pm tonight but had requested an extension until the regular meeting of Monday, July 14, 2008.

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Chris Baker of Baker's Landscaping addressed the Commission regarding the violation for his woodlot on Mansfield Avenue. Bob Medeiros and Earl Willcott recused themselves from the meeting. He stated he had relocated the appropriate logs and piles of woodchips and mulch but needed two weeks more to complete the cleanup and submitted pictures. Julian Kadish asked Mr. Baker if he intended on stabilizing the area after relocating the logs and he replied he intended on putting in a berm of woodchips and mulch. Jennifer Carlino stated the woodlot violation would be scheduled on the June 23, 2008 meeting.

The members reviewed a Request for a Determination of Applicability – **(DET. #920) – William Janczunski – Parcel 263, Lot 9 (map 21) – 11 Pratt Drive** -for proposed plans for a garden, construction of a shed, clearing and moving of a visual barrier within 100 feet of wetlands. William Janczunski described the project to the members. He stated that when the house was built boulders were placed in a line as a visual barrier to depict the limit of work. He stated he would like to go back 15 feet beyond the barrier to install a garden and shed. Jennifer Carlino stated the boulders were placed 65 from the wetlands because the approved plans had the barrier drawn at that location. She said she requested the 50-ft. proposed relocation of the boulders be staked to ensure the boulders aren't placed closer to the wetlands. Julian Kadish made a motion, seconded by Earl Willcott, to close the public hearing. Approved. Julian Kadish made a motion, seconded by Kathleen Giblin, to issue a negative (#3) Determination of Applicability as long as the work is done according to the approved plans. Approved.

The members reviewed a Request for a Determination of Applicability – **(DET. #921) – Richard F. Rossi, Jr. – Parcel 4 (map 11) – 174 East Main Street** - for proposed plans to remove brush and trees within 100 feet of wetlands. Richard Rossi, Jr. described the project to the members. He stated he would like to remove several trees near the wetlands and put an "x" on the trees on the plans to show the trees he will be keeping. He said he will be removing trees that were killed by catapillars. He stated branches from the dead trees were falling on his neighbor's property and was afraid this could cause damage to his shed. Mr. Rossi stated he would like to remove poison ivy and briar patches but did not plan on replanting any trees or making a lawn. Julian Kadish made a motion, seconded by Earl Willcott, to close the public hearing. Approved. Julian Kadish made a motion, seconded by Ron O'Reilly, to issue a negative (#3) Determination of Applicability as long as the work is done according to the approved plans. Approved.

The members reviewed a Notice of Intent – **(#250-808) – Angelo Pasqualino – Parcel 225, Lot B1 (map 17) 16 Johnson Drive** – for proposed plans to move the driveway and change the crushed stone runoff area within 100 feet of wetlands. Bob Medeiros recused himself from the public hearing. Mr. Russell Burgevine, the homeowner, described the project to the members. He stated the gravel driveway was installed incorrectly and he would like to correct it by moving it. Angelo Pasqualino submitted revised plans stating the correction to the driveway would be at the entrance to the common driveway. Julian Kadish had questions regarding the crushed stone area and was told this was to prevent erosion in that area and to filter the water before entering the wetlands. Jennifer Carlino asked Mr. Pasqualino where the sand came from and Mr. Burgevine replied the sand was from the lawn area before the loam was in place. Jennifer Carlino stated she advised Mr. Pasqualino to do an amendment for the project but he chose to do a new application. Earl Willcott made a motion,



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seconded by Kathleen Giblin, to continue the public hearing until the next regular meeting of Monday, June 23, 2008 in order to receive payment for the publication of the Legal Notice for this project. Approved.

The members reviewed a Notice of Intent – **(#250-810) – Scott Pietrusewicz/River Oaks Reserve LLC – Parcel 271, Lot 17 (map 21) – 15 Ellis Road** – for proposed plans to clear and grade within 100 feet of wetlands. Scott Pietrusewicz described the project to the members. He stated the original plans were approved for clearing and grading up to 65 feet from the wetlands and he would like to clear and grade up to 45 feet of the wetlands. Jennifer Carlino stated she would like revised plans showing one limit of work line. Lisa Carrozza asked if there was going to be any grading and Mr. Pietrusewicz stated it was minor grading. Earl Willcott made a motion, seconded by Julian Kadish, to continue the public hearing until the next regular meeting of Monday, June 23, 2008 in order to receive revised plans showing the proposed grading. Approved.

The members reviewed a Notice of Intent – **(#250-809) – Scott Pietrusewicz/River Oaks Reserve LLC – Parcel 266, Lot 12 (map 21) – 5 Pratt Drive** – for proposed plans to clear and grade within 100 feet of wetlands. Scott Pietrusewicz described the project to the members. He stated the original plans were approved for clearing and grading up to 65 feet from the wetlands and he would like to clear and grade up to 45 feet of the wetlands. Julian Kadish made a motion, seconded by Ron O'Reilly, to close the public hearing. Approved.

The members reviewed a Notice of Intent – **(#250-807) – Scott Pietrusewicz/River Oaks Reserve LLC – Parcel 264, Lot 10 (map 21) – 9 Pratt Drive** – for proposed plans to clear and grade within 100 feet of wetlands. He stated the original plans were approved for clearing and grading up to 65 feet from the wetlands and he would like to clear and grade up to 45 feet of the wetlands. Julian Kadish made a motion, seconded by Kathleen Giblin, to close the public hearing. Approved.

The members reviewed a Notice of Intent – **(#250-799) – Bob Campbell/Wheaton College – Parcel 93 (assessors map 17) Off Pine Street – (cont. from the March 24, 2008, April 14, 2008, April 28, 2008 & May 19, 2008 mtgs.)** - for proposed plans to construct a 176-space parking lot with associated walkways, storm water management areas, site grading, lighting and landscaping within 100 feet of wetlands. Present at the public hearing were Bob Campbell, Steve Kelly, grounds manager, and Marc Tisdelle of Hayward-Boynton and Williams, Inc. Mr. Tisdelle submitted revised plans and updated the members on the project. He stated an ORAD had been received in January of this year for this site. He said this application was submitted in March and at that time a consultant, Tom Sexton of Mainstream Engineering, was employed by the commission, but paid for by Wheaton College, to review the application. Mr. Tisdelle stated a comment letter was received from the consultant and replied to by his office. He stated he submitted a comment letter just today to the Conservation office in reply to another letter sent by Mr. Sexton. Mr. Tisdelle stated the major revision to the original plans was the revised on-site storm water plan. He said that originally there is are two watersheds on the site, but had designed the plans for one watershed to come into a detention basin and the other one to come into an underground infiltration basin. He stated that the system was designed before the new regulations were out. Mr. Tisdelle stated that since then, he has implemented water low-impact development techniques into the project which conveys 75% of the impervious runoff on the site. He pointed out to the



members where the three bio-retention areas are proposed and proceeded to describe the storm water system and how it will work.

Mr. Tisdelle proceeded to reply to various comments made by Tom Sexton, consultant for the Conservation Commission. He stated that test pits are provided at all detention and infiltration basin areas and the data is available. In reply to #2 comment, he stated that out of the infiltration basins there are two outlets that can overflow and he has designed a system that consists of 1 low pipe and 1 high pipe which would handle the 2 and 10-yr. flood. He said Mr. Sexton suggested using elbow pipes which he stated would not be as effective and would actually back up during a 100-yr. storm and come out of the catch basin grates. In reply to comment #12, he stated that he could not place the trash rack where Mr. Sexton suggested because a spill prevention device was in front of the outlet structure.

In reply to comment #20, Mr. Tisdelle stated there were areas of the **Operation & Maintenance Plan (OMP)** that Mr. Sexton had comments about. He stated Mr. Sexton had questions regarding the repair and replacement costs for the various stormwater structures on the property and he did not think this information was appropriate at this time. In reply to part C. of the OMP, Mr. Tisdelle stated they added quarterly inspections. In reply to D. of the OMP, Mr. Tisdelle stated this was a Zoning questions and all the persons fertilizing the grounds did have licenses. In reply to E. of the OMP, Mr. Tisdelle stated he added 24-hr. contact per the Public Safety Department. In reply to F. of the OMP, Mr. Tisdelle stated since they are not taking credit for sweeping of the parking lot, he would not have any monthly reports for this, but Wheaton College would do this. Bob Campbell stated that there is a person who does maintain the grounds and parking area every day. In reply to Mr. Sexton's comments 22 & 23 regarding the treatment train for soluble and insoluble effluents Mr. Tisdelle stated he had already explained that for the insoluble effluents there are several Storm-septors in place. Soluble effluents go into the bio-retention areas.

Mr. Tisdelle replied to comment #2 under the **Wetland Resource Area** of Mr. Sexton's letter. He stated that he and Jennifer Carlino had agreed on the walking path to include flat grades and 3:1 slopes and respected the 25-ft. no-touch zone. He stated the slope would be mowed at a maximum of twice per year and the area between the 25-ft. no-touch zone and the wetlands, would not. Mr. Tisdelle replied to comment #3 under the Wetland Resource Area of Mr. Sexton's letter. He stated he revised the plans to show the intermittent stream on the plans. Mr. Tisdelle replied to comment #6 under the Wetland Resource Area of Mr. Sexton's letter. He stated that a Wetland Scientist had prepared a plan for removal of invasive plants during and after construction. He requested a condition be included in the Order of Conditions to state all invasive species and not limiting it to one kind. Mr. Tisdelle stated he had already replied to comment #7 regarding the fertilizer. Mr. Tisdelle replied to comment #8 which was to show where the vehicle storage and refueling area was to be located and he said this would be on the paved abutting parking lot.

Lisa Carrozza explained to Mr. Tisdelle that he was referencing an old EPA regulation allowing soils to be exposed from 14-21 days which was before 2003. She stated the current EPA regulation permits soils to be exposed only up to 14 days without temporary stabilization. She said these comments show up in notes #12 & #16. Lisa Carrozza asked how construction vehicles would be entering the site as the infiltration unit was right in the middle of the entrance. Mr. Tisdelle stated this area is 24 feet wide and the unit would be one of the last things constructed.



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Lisa Carrozza asked what the plan was for the cleaning of the bio-retention areas. Mr. Tisdelle replied the bio retention areas would be inspected quarterly. He said they would be visual inspections and stated that he expects the planting soil mix to be the first thing to clog the retention area. Lisa Carrozza had questions regarding how knowledgeable the inspectors would be in regards to a failing bio-retention area. Julian Kadish asked if there would be any sanding near the bio-retention area insinuating that the bio-retention area would be clogged with sand within a couple of years. Mr. Kelly stated he uses a combination of sand and substitutes for sand i.e. "Ice-Be-Gone", etc. or de-icers. Mr. Tisdelle stated that there is a 1 ½ ft. wide by 2 ft. deep peastone filter with filter fabric wrap under it around the bio-retention area which will catch any sand that flows into the area. Lisa Carrozza requested this information to be included in the O & M Plan.

Julian Kadish asked what type of plants were being planted in the area and if they would have to be removed at some point according to the O & M Plan. Bob Medeiros stated only the peastone would have to be replaced occasionally.

Lisa Carrozza asked what type of curbing would be used on this project and Mr. Tisdelle stated that the curb would be flush with the pavement to prevent erosion between the two except for 2 areas which would have a curb cut.

Lisa Carrozza asked when the project was going to begin and when it was going to be finished. Bob Campbell stated they had hoped to start on June 1<sup>st</sup> which was gone by and be finished by mid-August or about the 20<sup>th</sup>. She asked how often the street would be swept and he replied the best time to do this is between May 17<sup>th</sup> and June 17<sup>th</sup>. Lisa Carrozza stated that in her opinion the best time to sweep the street would be in the spring and this should be done at least twice a year. Mr. Tisdelle said he had read a study which stated that if sweeping is not done monthly, it does no good. Lisa Carrozza disagreed and stated that after winter the streets look terrible and should definitely be swept.

Julian Kadish made a motion, seconded by Earl Willcott, to close the public hearing. Approved. Jennifer Carlino stated there were a couple of minor changes to be made to the conditions. Julian Kadish made a motion, seconded by Earl Willcott to sign and issue the Order of Conditions as amended. Approved. Bob Campbell asked if pesticides could be used to remove Japanese Knotweed as a condition for a previous condition had stated it was not allowed and Jennifer Carlino replied it could be used.

The members reviewed a Notice of Intent – (#250-775) – Riley Lamson, LL Investments – Parcel 6 (assessors map 36) East Hodges Street – (cont. from the May 21, 2007, June 25, 2007, Aug. 13, 2007, September 10, 2007, September 24, 2007, October 22, 2007 November 19, 2007, December 17, 2007, January 28, 2008, March 10, 2008, March 24, 2008 & April 28, 2008 mtgs.) - for proposed plans to construct 2 houses within 100 feet of wetlands and to cross an intermittent stream. Jennifer Carlino stated the applicant had withdrawn the application.

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The members reviewed a request for a Certificate of Compliance for File **#250-727 – Kevin Medeiros – Parcel 271 (map 27) 7 Danielle Street**. Jennifer Carlino stated the project was completed according to the approved plans. Kathleen Giblin made a motion, seconded by Julian Kadish, to issue the Certificate of Compliance. Approved. Earl Willcott abstained from voting.

The members reviewed the draft Order of Conditions for File **(#250-806) – Donald Potvin – Parcel 173-01 (assessors map 35) 59 West Main Street**. Lisa Carrozza made a motion, seconded by Ron O'Reilly, to sign and issue the Order of Conditions as written. Earl Willcott abstained from voting. Approved.

The members reviewed the draft amended Order of Conditions for File **(#250-794) – Duane Knapp/Norton Water & Sewer Department – 63 West Main Street**. Lisa Carrozza made a motion, seconded by Julian Kadish, to sign and issue the amended Order of Conditions as written. Approved. Earl Willcott abstained from voting.

The members commented on Jennifer Carlino's response letter to the perspective buyer for Tweave, Inc. Ron O'Reilly suggested the buyer contact the Town Manager, James Purcell for any information on preserving or increasing employment in Massachusetts. The members signed Jennifer's response letter. Lisa Carrozza suggested adding a sentence that requires the new buyer to demonstrate that they will not impact down stream. Earl Willcott made a motion, seconded by Lisa Carrozza, to have Bob Medeiros, Chairman, sign the letter. Approved.

The members reviewed an Enforcement Order for Tweave, Inc. who had cut and cleared vegetation up to the wetlands without a wetland permit. Lisa Carrozza made a motion, seconded by Ron O'Reilly, to sign and issue the Enforcement Order. Approved.

The members reviewed an Enforcement Order for Elim Housing on Faith Way for dumping debris in the wetlands. Julian Kadish made a motion, seconded by Ron O'Reilly, to ratify Jennifer Carlino's signature. Approved. Earl Willcott abstained from voting.

The members reviewed a letter for Chris Munise at 4 Rumford Road. Julian Kadish read the letter which stated to Mr. Munise that at a previous Conservation Commission meeting he had been given 2 choices; 1. let the area restore itself naturally, or 2. file for a wetland permit to make a play area. The letter stated he had done the opposite and had installed mulch and play equipment within the floodplain and riverfront area without a permit and now has the choice to remove all the mulch and play equipment and let the area restore itself or file for a wetland permit to be filed for the July 14<sup>th</sup> meeting. The letter contained sections of the minutes from the previous meeting. Julian Kadish made a motion, seconded by Ron O'Reilly, to have Bob Medeiros, Chairman, sign the letter.

Jennifer Carlino stated Fred Bottomley owes the Conservation Commission a total of 7,000 sq. ft. of wetland fill for work done at Walker Street, Country Club Way, Norton Country Club and Top Flight Drive. She said that she has requested he close out these files but he has not. She stated that at this point in time Mr. Bottomley has no where to replicate wetlands as all these sites have been sold. She said Mr. Bottomley offered a donation of \$6500 to cover the costs of replicating 7,000 sq. ft. of



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wetlands. Jennifer Carlino stated this amount does not reflect the true cost to replace 7,000 sq. ft. of wetland and asked the members to come up with a reasonable amount for the donation. She stated she already has explained to Mr. Bottomley that this is not a common practice of the Conservation Commission, but would allow the donation this one time only. Bob Medeiros suggested the Commission except the \$6500. Julian Kadish suggested asking Mr. Bottomley for \$10,000 and the members agreed.

Jennifer Carlino stated Mr. George Hill of 139 North Worcester Street requested to be added to the agenda for the next regular meeting of Monday, June 23<sup>rd</sup> to discuss his violation.

Jennifer Carlino stated there was \$541.59 left in the Norton Conservation Commission budget. She said that she was still debating whether or not to go to the Riparian Ecosystems & Buffers conference for The American Water Resources Association which would be held in Virginia from June 30<sup>th</sup> to July 2<sup>nd</sup>. She stated there was a balance of \$541.59 left in the Conservation budget which would cover the cost of the conference only and not traveling expenses. Julian Kadish made a motion seconded by Lisa Carrozza, to sign the Bills Payable sheet for the cost of the conference in the event Jennifer Carlino decides to attend the conference.

Ron O'Reilly made a motion, seconded by Julian Kadish, to adjourn the meeting at 9:15 pm. Approved.

Respectfully Submitted,



Jennifer Carlino  
Conservation Director  
JC/pmb