



## Norton Conservation Commission

70 East Main Street  
Norton, MA 02766

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JAN 16 2009

NORTON TOWN CLERK

Monday, December 8, 2008  
7:00 pm

### Attendance

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

### Minutes

The meeting started at 7:00 pm.

The members reviewed the minutes of **November 10, 2008**. Lisa Carrozza made a change to one of the public hearings. Ron O'Reilly made a motion, seconded by David Henry, to accept the minutes as amended. Kathleen Giblin abstained from voting. Approved.

The members reviewed the Bills Payable Sheet (ConCom vehicle sticker). Ron O'Reilly made a motion, seconded by Lisa Carrozza, to pay the bill. Approved.

The members reviewed the Bills Payable Sheet (Mainstream Eng., Inc.). Ron O'Reilly made a motion, seconded by Lisa Carrozza, to pay the bill. Approved.

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

The members reviewed a Notice of Intent – **(#250-830) – Michael Riha – Parcels 686 & 687 (assessors map 3) 40 South Lakeview Road – (cont. from the October 20, 2008, November 10, 2008 & November 24, 2008 mtgs.)** - for proposed plans to construct a garage and an addition to an existing dock including a ramp and related grading within 100 feet of wetlands. Michael Riha updated the commission on the project and submitted revised plans. He stated that he had shortened the dock which originally had a 14-foot dock and now there is only 8 feet of work.

Mr. Riha stated that he had previously requested a permit for a garage, but because of an easement on the property, he changed it to a permit for a shed. He said that this project will allow for a new all-pervious driveway. Jennifer Carlino asked Mr. Riha if he had made all the revisions discussed at their previous meeting to include performance standards. He said he had not because he had a problem with number three (habitat), but he would do so as soon as possible. Lisa Carrozza suggested installing erosion control at the existing footing and the top of the bank and Mr. Riha stated he would install the silt fence. She asked Mr. Riha if he intended on removing the existing dock and he replied that he would be.

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Lisa Carrozza asked Mr. Riha if he intended on pouring the cement footings by hand or if he was having it trucked in. He replied he would be mixing and pouring the cement himself. Lisa Carrozza asked him if he had hit ground water when doing the test pit and he replied that he had at 3 feet. She suggested that he dewater when he is pouring the cement footings and he stated he would out of the 25-ft. limit of work area and back onto the grass through a filtration system. He said he would put this in writing. Earl Willcott asked Mr. Riha to try and get all the required information to Jennifer Carlino before the next meeting in order to finally close this public hearing. Kathleen Giblin made a motion, seconded by Ron O'Reilly, to continue the public hearing until the next regular meeting of Monday, December 22, 2008. Approved.

The members reviewed a Notice of Intent – (#250-820) – **John C. Kelly, Advantage Construction, Inc. – Parcel 83 (assessors map 25) 10 Commerce Way – (cont. from the September 22, 2008, October 20, 2008 & November 10, 2008 mtgs.)** - for proposed plans to construct a commercial building with associated driveway, parking areas, loading area and storm water management facilities within 100 feet of wetlands. Lisa Carrozza recused herself from the public hearing. Representative for the applicant, Mark Dibb, P.E. of CA Architectural Design and Engineering, LLC updated the commission on the project. He stated that, as a result of meeting with the Planning Board, 8 parking spaces would be eliminated.

Mr. Dibb stated he had his response letter to Jennifer's comments and asked to quickly read his comments as follows:

### Regarding the ENF application:

1. he stated the ACEC line has been removed from the submitted plans.
2. he stated he had included the SWPPP with his original letter to Jennifer Carlino.
3. he stated that the #1 infiltration basin has been re-located so that the top of the basin is more than 50 feet from the wetlands.
4. he stated that the bottoms of the infiltration basins are at elevation 72.5 and the groundwater is at 70.5 which was confirmed by a witness, ground water elevation was confirmed by a survey done in the spring for the pond elevation as well as by some mottling in test pit #3.
5. he stated access is provided for each basin as requested.
6. he stated that erosion control blankets have been added to the plans as well as details regarding the sideslopes on infiltration basin #2.
7. he stated that the cemented layer shown on the test pits will be removed and the calculations within the Storm Water Management Report will show this.
8. he stated that he has added the elevations for each outlet elevation, basin elevation and crest elevation. He stated each storm event is also shown in a table form.
9. he stated he has provided details for the emergency overflow structure and weir.
10. he stated he has provided the planting specs for the bioretention area and added the maintenance to the Operations & Maintenance Plan which are provided on the landscape plan included with this letter.
11. he stated he has provided the elevations for the bioretention area within the details.
12. he stated he has modified the rip rap in the wetland flag Q37.



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13. he stated that in regards to Jennifer Carlino's letter of September he offers the following comments:

- a. the Spill Prevention and Response section included with the Long-Term Pollution Prevention Plan is included with the SWPPP that is included with this letter.
- b. the snow management plan is included with the SWPPP included with this letter.
- c. the Illicit discharge is included with the SWPPP included with this letter.
- d. The pre-and post-development watershed plans have been revised.

Earl Willcott asked Mr. Dibb if there was only one bio-retention basin proposed and Mr. Dibb stated that it was. He stated all of the other treatment requirements are met by the other basins. He said this was only an added step of treatment.

Jennifer Carlino asked Mr. Dibb why he had to apply to MEPA and he replied because the project was within an ACEC area. She stated typically the public hearing will not close until a Secretary's Certificate is received. She asked Mr. Dibb if he was finished with Planning Board and he replied that there were a couple of minor outstanding issues to resolve.

Ron O'Reilly made a motion, seconded by Chris Baker, to close the public hearing. Approved.

The members reviewed an Abbreviated Notice of Resource Area Delineation – (#250-829) – **Mark D. Dibb, P.E./CA Architecural Design & Engineering, LLC – Parcel 116 (assessors map 24) & Parcels 84-01, 86 & 92 (assessors map 25) Commerce Way – (cont. from the October 20, 2008 & November 10, 2008 mtgs.)** - for verification of the wetland resource area delineation. Lisa Carrozza recused herself from the public hearing. Mark Dibb, P.E. of CA Architecural Design and Engineering, LLC updated the commission on the project. Mr. Dibb stated he was going to continue the public hearing. He stated that he was trying to co-ordinate the resource areas on this property with the resource areas submitted by the Flatley Company on the same property. He said he would like Jennifer Carlino to walk the property with Wetlands Preservation Inc., the consultant, to inspect the wetland flags. Mr. Dibb requested a continuance of the public hearing until the first meeting in January. Kathleen Giblin made a motion, seconded by David Henry, to continue the public hearing until the regular meeting of Monday, January 12, 2009. Approved.

The members reviewed a Notice of Intent – (#250-832) – **Thomas Palanza – Parcel 2 (assessors map 22) 1 Power Street – (cont. from the November 10, 2008 & November 24, 2008 mtgs.)** - for proposed plans to construct a church, new parking and storm water management system within 100 feet of wetlands. Bob Rogers of Tibbetts Engineering and representative for Palanza Design updated the commission on the project. He stated that at the last meeting he had responded to Jennifer Carlino's comments as well as Walter Amory's comments. He said that it was decided at the end of that meeting that he would have to eliminate a row of 30 parking spaces between the parish center and the wetlands in order to increase the separation from the detention basin and the wetlands. He said he had removed the 30 parking spaces and moved everything 18 feet closer to the parish center and then added 15 spaces back south of the parish center. He stated that he has had a couple of phone conversations with Walter Amory after making the revisions and Walter Amory suggested a couple of minor detail revisions.



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Mr. Rogers stated that he submitted his latest plans dated December 4, 2008 to the Conservation office last Friday, December 5, 2008 and overnighted them to Walter Amory last Thursday, December 4, 2008. He said that because the detention basin was moved closer to the parish center, he would have to go before the Board of Health since the detention basin is now located closer than 50 feet to the septic system, and he stated there is a note on the plan referencing this. Mr. Rogers stated he would like the Order of Conditions to include a condition requiring him to correct the situation with the Board of Health by moving a couple of trenches.

Jennifer Carlino noted that, by comparing the two plans, the limit of work has not moved. Mr. Rogers stated he moved the detention basin but did not move the limit of work to reflect this. He said he will make the revision. Kathleen Giblin asked if Walter Amory was ok with the revised plans and Mr. Rogers stated he was. Jennifer Carlino stated Walter Amory was reviewing the project only for the storm water portion and not the wetlands portion. Mr. Rogers stated he would be submitted the final revised plans tomorrow which would reflect the revised limit of work line and be stamped by a Professional Engineer. Kathleen Giblin made a motion, seconded by Chris Baker, to close the public hearing. Approved.

The members reviewed a Notice of Intent – **(#250- ) – Bob Campbell/ Wheaton College – Parcels 14K & 14-10 (assessors maps 17 & 23) – 26 East Main Street – (cont. from the November 24, 2008 mtg.)** - for proposed plans for site work and storm water management associated with a building within 100 feet of wetlands. Jennifer Carlino stated that Bob Campbell has requested a continuance of the public hearing to the next regular meeting. Kathleen Giblin made a motion, seconded by Lisa Carrozza, to continue the public hearing until the next regular meeting of Monday, December 22, 2008. Approved.

The members reviewed a Notice of Intent – **(#250-831) – Town of Norton – Parcels 28 & 525 (assessors map 10) Reservoir Street/Falls Road – (cont. from the October 20, 2008 & November 10, 2008 mtgs.)** - for proposed plans for repairs and modifications to the Norton Reservoir dam within multiple wetland resource areas. Jennifer Carlino stated the applicant has requested a continuance of the public hearing to the next regular meeting. She stated that she will be meeting with the engineer, Pare Corp. this Thursday and the Town Manager to review the contract and invoices. David Henry made a motion, seconded by Kathleen Giblin, to continue the public hearing until the next regular meeting of Monday, December 22, 2008. Approved.

The members reviewed the draft Order of Resource Area Delineation for the Abbreviated Notice of Resource Area Delineation – **(#250-835) –William Bucklin – Parcel 42(assessors map 29) – Meadowbrook Lane** – for verification of the wetland resource areas. Julian Kadish made a motion, seconded by David Henry, to issue and sign the Order of Resource Area Delineation. Ron O'Reilly abstained from voting. Approved.

Jennifer Carlino noted that Scott Goddard had sent a letter to DEP granting permission for an extension of their decision for John Scott Blvd. Jennifer Carlino noted that Mr. Goddard does not have the authority to grant the permission.

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Jennifer Carlino noted she would be on vacation from December 24, 2008 until Monday, January 5, 2009.

Jennifer Carlino noted that the construction company of Revoli has been leaving erosion and sediment at various locations in town due to a water line and MA Highway project. She stated she has spoken with Keith Silver/Highway Superintendent about this matter. She said Keith stated he would speak to Duane Knapp and request that they stabilize all sideslopes in town where they are working. Jennifer Carlino suggested the Commission speak to Duane Knapp/Water superintendent regarding his contractor Revoli and request that they fix several erosion control areas in town to include So. Washington St., Pine St. and West Main Street. She stated that the Water Department does not have to apply for a permit to repair/replace the existing water line, but it is their responsibility to use erosion control and maintain it throughout the project. Lisa Carrozza stated that, in her opinion, all work involving water connecting to the drinking water in town should be permitted because of staging & erosion. It was the consensus of the board members to request the Water/Sewer Commission attend the next regular meeting of Monday, January 12, 2009.

The members reviewed a request for a partial Certificate of Compliance filed by **Perry DiMascio and Stan Feck of Perry & Feck LLC** for file **#250-811 - lot N3, parcel 379 (map 4) 4 Feck Way**. Julian Kadish made a motion, seconded by Chris Baker, to issue the partial Certificate of Compliance as long as the applicant posts a \$4,000 bond with the Town Treasurer to ensure final vegetative stabilization of exposed soils on this lot. Approved.

The members reviewed a request for a partial Certificate of Compliance filed by **Perry DiMascio and Stan Feck of Perry & Feck LLC** for file **#250-742 – parcel 150 (map 4) Essex Street (Autumn Park)**. Ron O'Reilly made a motion, seconded by Julian Kadish, to issue the partial Certificate of Compliance as long as the applicant posts a \$2,825 bond with the Town Treasurer to ensure final vegetative stabilization of exposed soils on this lot. Approved.

The members reviewed a request for a Certificate of Compliance filed by **Duane German** for File **#250-631 – parcels 80 & 80-02 (map 26) West Main Street**. Jennifer Carlino stated the project was completed according to the approved plans. Julian Kadish made a motion, seconded by David Henry, to issue a Certificate of Compliance. Approved.

Ron O'Reilly made a motion, seconded by Julian Kadish, to adjourn the meeting at 8:45 pm. Approved.

Respectfully Submitted,



Jennifer Carlino  
Conservation Director  
JC/pmb