



Norton Conservation Commission  
70 East Main Street  
Norton MA 02766

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NORTON TOWN CLERK  
2011 SEP 23 P 3:28

Monday, August 22, 2011

Attendance

David Henry (Chairman), Ron O'Reilly (Vice-Chairman),  
Julian Kadish, Lisa Carrozza and Jennifer Carlino, Conservation Agent

Chris Baker and Michele Simoneaux were absent.

Minutes

David Henry called the meeting to order at 7:00 pm.

The members reviewed the Bills Payable Sheet (Herbert Church). Lisa Carrozza made a motion, seconded by Julian Kadish, to pay the bill. Approved.

The members reviewed a request for a Certificate of Compliance for File #250-309 – **James & Diane Olson – Lot 88 - Parcel 121 (Assessor's Map 28) 15 Eileen Road**. Jennifer Carlino stated the project has been completed according to the approved plans. Lisa Carrozza made a motion, seconded by Ron O'Reilly, to issue the Certificate of Compliance. Approved.

The members reviewed the draft Amended Order of Conditions – **File #250-857 – GPT-Norton Glen LLC, c/o Equity Properties Management Corp. – Parcels 50-71 (map 5) & 23-27, 61-62 (map 6) Norton Glen Road**. Lisa Carrozza suggested revising condition #43 by omitting "During construction of the sewer line". She suggested adding a maintenance condition. Julian Kadish suggested adding a condition requiring **that if new erosion areas develop, the management company will re-construct, maintain and manage the stone trenches**. Lisa Carrozza made a motion, seconded by Julian Kadish, to sign and issue the Amended Order of Conditions as amended. Approved.

The members reviewed the final draft of the Conservation Plan and Administrative Review Fee Schedule. Julian Kadish suggested wording the "Re-inspect wetland boundary Fee" to read "Hourly rate of \$125.00 (up to \$1,000.00)". Lisa Carrozza made a motion, seconded by Julian Kadish, to accept the Fee Schedule as amended. Approved. The members suggested submitting a copy with the Town Clerk and regular engineers as well as posting the fee schedule on the website.

Jennifer Carlino asked the members if they had any suggestions or changes to the Request for Determination of Applicability (RDA) Application Checklist. They agreed that DEP, F.I.R.M, NHESP should be spelled out.

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Jennifer Carlino asked the members if they had any suggestions or changes to the Abbreviated Notice of Resource Area Delineation (ANRAD) Application Checklist. Lisa Carrozza suggested adding to the checklist the name of the newspaper in which the legal ad will be published and who is responsible for the payment of the legal notice ad.

Jennifer Carlino asked the members if they had any suggestions or changes to the Notice of Intent (NOI) Application Checklist. Lisa Carrozza had a few suggestions as follows:

She suggested that in the sentence under **PLANS** -----“Distances to structures from the wetland and from erosion control”---, she would like the word erosion changed to sediment. She suggested changing the second next sentence “Erosion control, with erosion control details” to “Erosion and sediment control, in plan view and detail”.

She stated that the name of the newspaper in which the legal ad will be published should be on the checklist as well as who is responsible for the payment of the legal notice ad.

She suggested that under “Other items that must be included -----“, changing the sentence “Erosion and sedimentation details, narrative, NPDES permit application and Storm water pollution prevention plan (SWPPP) to “Erosion and sedimentation details, narrative, Storm water pollution prevention plan (SWPPP) **including Notice of Intent to the EPA**. (thus, removing the words NPDS permit application).

Ron O'Reilly made a motion, seconded by Julian Kadish, to accept the revised checklists and Fee Schedule, effective immediately upon filing with the Town Clerk. Approved.

Jennifer Carlino noted that the violation on Freeman Street was actually number 121 Freeman Street and not 123 Freeman Street. She said she will send the owner a violation/enforcement letter.

Jennifer Carlino noted that there is a violation at 41 East Hodges Street a second time. She said that the wetlands are only 14 feet from the corner of the garage and approximately 30 to 40 feet has been cleared. Lisa Carrozza made a motion, seconded by Ron O'Reilly, to have Jennifer Carlino send a violation/enforcement letter to the owners. Lisa Carrozza submitted several pictures of the property as shown on “Google Earth” which were not too clear.

Jennifer Carlino submitted a letter she had sent to Melissa Taylor at EPA dated August 10, 2011. Ron O'Reilly stated that the EPA had changed the level of clean-up since their original meeting.

Jennifer Carlino submitted a letter dated August 9, 2011 she had sent to the Board of Selectmen stating that the Conservation Commission has required that Bay Road Heights LLC pay to have a peer review of their proposed 40B project on Bay Road.

She noted that the on-site MEPA meeting will be this Wednesday. She said she has a “draft” MEPA letter with her comments which states that the project description shows the property as 31.26 acres of which only 11 acres are priority habitat and need to be mitigated. Jennifer Carlino says this does not add up and they need to explain this.



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Jennifer Carlino stated that she commented in her letter that the applicant is claiming that 5.1 acres is wetlands and 1.6 acres is upland habitat and will be placed into a Conservation Restriction. She said that the applicant is claiming to place a Conservation Restriction on Lot 12, but this lot contains an existing house with the remainder of the property a lawn with an old cart path. The commission should not take this as a Conservation Restriction.

Lisa Carrozza asked Jennifer Carlino if the Commission's comments and questions from the Notice of Intent letter were included in her ENF letter and she replied that they were. She stated that it is very important to include in the letter to MEPA that the applicant is required to pay for the Conservation Commission's peer review and storm water review.

Jennifer Carlino stated that the 9.2 acres of off-site mitigation for Rare Species Habitat should take place in Norton as actual habitat protection. She said that the recording of the Conservation Restriction and the land transfer should take place before the construction of the houses.

Jennifer Carlino stated the Alternative Analysis is incorrect. She said that she had emailed the Canoe River Aquifer Regional Protection Plan to the applicant who, in their letter to MEPA, stated there is no protection plan. She stated that the applicant had stated that there are no historic resources. She said the applicant stated there is no Master Plan nor Open Space Plan which are posted on-line.

Jennifer Carlino noted that Pare Corporation had done an Inspection Report for the Chartley Pond dam and one of the follow-up inspections for the Norton Reservoir dam. She said she and Ron O'Reilly were present for the Chartley Pond dam inspection. She stated that Pare Corp. suggested to do the masonry repairs but the water has been too high. Jennifer Carlino stated there are two sides of the dam that need masonry repair and asked if she should put the one side out for bid. Jennifer Carlino stated the work has to be done when the dam walls are dry. Lisa Carrozza suggested doing both sides at once to save money. Ron O'Reilly stated he could lower the dam if necessary before October. Jennifer Carlino stated the work is down pretty deep.

Jennifer Carlino said she would find out how much money is remaining after the inspections are done and put it out for bid next spring, with work starting next fall. Lisa Carrozza suggesting putting the work out for bid now in two phases to begin the process. Jennifer Carlino agreed to do the bid. She noted that the funding for the Norton Reservoir dam repairs will be included on the annual Fall Town Meeting.

157 Mansfield Avenue Update

The Commission members agreed it with be ok to wait until after Labor Day for the Notice of Intent filing but immediate stabilization work on the slopes must be done. They stated that the Notice of Intent and erosion control must be submitted by September 12<sup>th</sup>.

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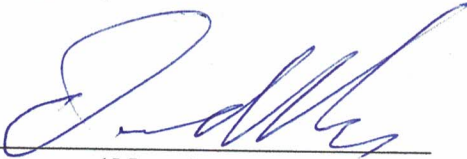
Lisa Carrozza made a motion, seconded by Ron O'Reilly, to adjourn the public meeting at 8:00 pm.  
Approved.

Minutes Approved by Committee on:

9/12/11  
(Date)

Respectfully submitted,

Signature:

  
(Name)

Chairman, Conservation Commission