

Monday, April 8, 2013

Attendance

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

David Henry (Chairman), Scott Ollerhead and Chris Baker were absent.

Minutes

Ron O'Reilly called the meeting to order at 7:08 pm.

The draft minutes of **November 19, 2012** were tabled to the next meeting of Monday, April 22, 2013 due to a lack of quorum.

The draft minutes of **December 17, 2012** were tabled to the next meeting of Monday, April 22, 2013 due to a lack of quorum.

The draft minutes for the Executive Session of **December 17, 2012** were tabled to the next meeting of Monday, April 22, 2013 due to a lack of quorum.

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

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

The members reviewed a Notice of Intent – (#250-904) – **Fadi Henine – Parcel 32 (Assessor's Map 19) 41 Charlotte Avenue – (cont. from the March 25, 2013)** - for proposed plans to demolish an existing dwelling and construct a single-family house within a 100-year floodplain and within 100 feet of Winnecunnet Pond.

Document List

1. WPA Form 3 – Notice of Intent
2. Plan entitled "Proposed Site Plan in Norton, Massachusetts, 41 Charlotte Ave., Scale- 1"=20', prepared by CS Kelley, Land Surveyors, signed and stamped by Christopher S. Kelley and dated April 4, 2013.
3. FEMA Map showing locus
4. NHESP Map

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The applicant, Fadi Henine, explained to the members that he has submitted revised plans to add information requested by the Conservation Agent. He stated that the visual barrier and the 100-foot buffer zone has been added. Jennifer Carlino noted that the floodplain compensation area has been added. She noted that there were two areas of elevation 72 feet that were going to be impacted but the amount of disturbance for only one area was noted on the plan. Lisa Carrozza stated that compensation is shown for elevations of 72 feet, which is already in the flood zone. She said compensation should be shown for the elevation of 73 feet which is above the flood zone area.

Jennifer Carlino stated a draft Order of Conditions was included with the agenda. She said that #8 would be revised to state that a revised plan will have to be submitted before work starts. Julian Kadish made a motion seconded by Lisa Carrozza, to close the public hearing. Approved. Lisa Carrozza made a motion, seconded by Julian Kadish, to accept the Order of Conditions as amended. Approved.

Notice of Intent – **(#250-905) – Wells Fargo Home Mortgage – Parcel 99-02 (Assessor's Map 21) 10 Park Lane – (cont. from the March 25, 2013 mtg.)** - for proposed plans to repair/replace a septic system within 100 feet of a wetland.

Jennifer Carlino stated that the applicant phoned to say he would not be able to attend tonight's meeting. She noted that the filing fee for this project has not been paid.

Lisa Carrozza made a motion, seconded by Julian Kadish, to continue the public hearing until the next regular meeting of Monday, April 22, 2013. Approved.

The members reviewed a Request for a Determination of Applicability – **(DET. #992) – Laurie Mendoza - Parcel2 (Assessor's Map 8) 18 Richardson Avenue** – for proposed plans to remove an existing well and install a well within the 200 ft. Riverfront Area.

Document List

1. Plan entitled "Potable Well/Resource Area Exhibit Plan, 18 Richardson Avenue, Norton, MA, prepared by Waterman Design Associates, Inc., Scale: 1"=60' dated October 26, 2012.

Bob Ayer of Clear Water Pump and Well Service, Inc. described the project to the members. He stated that he had already drilled the well without a valid permit and is now trying to rectify the violation.

Jennifer Carlino noted that the well is right at the 200-ft. mark from the Riverfront area. Lisa Carrozza asked if the area was stabilized and Jennifer Carlino replied it is not. Mr. Ayer stated that the previous well was shallow and infested with snakes.

Lisa Carrozza made a motion, seconded by Julian Kadish, to close the public hearing. Approved. Lisa Carrozza made a motion, seconded by Julian Kadish, to issue a negative Determination of Applicability (#3) as long as the work is done according to the submitted plans. Approved.

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Abbreviated Notice of Resource Area Delineation– (#250-898) – **Campanelli Thorndike Norton, LLC - Parcels 61 & 76 (Assessor's Map 11) 274 East Main Street – (cont. from the March 25, 2013 mtg.)** - for verification of the Resource Areas.

Jennifer Carlino noted that a letter was received today from an abutter, Oren Sigal, 28 Coddling Road. Ron O'Reilly read aloud an email received from Mark Mananello requesting to continue the public hearing to the next regular meeting. Michele Simoneaux made a motion, seconded by Julian Kadish, to continue the public until the next regular meeting of Monday, April 22, 2013. Lisa Carrozza abstained from voting. Approved.

Jennifer Carlino noted that Notice of Hearing for the Notice of Intent application for this project inadvertently was not advertised, but would be advertised for the next public meeting of Monday, April 22, 2013.

Notice of Intent – (#250-888) – **Turtle Crossing, LLC – Parcels 4 & 22 (Assessor's Map 2) – Newland Street – (cont. from the February 25, 2013 mtg.)** - for proposed plans to construct 7 buildings, 8 garages, driveways, parking, utilities and associated grading within 100 feet of wetlands.

Jennifer Carlino stated that there has been communication between the new buyer and the new bank. She said she requested information as to who is authorized to request an extension, who is the correct applicant and who would be the person to attend the meetings. She stated she received a letter from the bank's attorney stating that the bank would be the only party having authority at this time and would be the only contact at this time. She said the bank is requesting a continuance to the May meeting to decide who the applicant will be (after the P & S Agreement is signed) and what they want to do with the project as proposed. Lisa Carrozza made a motion, seconded by Julian Kadish, to continue the public hearing until the next regular meeting of Monday, May 20, 2013. Approved.

Discussion: Bay Road Heights Appeal

Jennifer Carlino stated that she has not received a letter requesting to be placed on the agenda to discuss removing or rewording some of the conditions in their Order of Conditions. She asked that this information be sent before April 16th if they want to be on the agenda for the April 22nd agenda. She said she advised them that they would have to include in the request letter the conditions they want to remove or reword. Michele Simoneaux noted that since this will be an amendment to the Order of Conditions, abutters will have to be re-notified of the public hearing.

The members reviewed the draft Order of Conditions for the Notice of Intent – **(250-903) - Timothy McCarthy- Parcels 721-02 & 721-03 (Assessor's Map 3) 241 Mansfield Avenue** – for proposed plans to install a drainage swale and detention basin within 100 feet of Norton Reservoir. Lisa Carrozza had a question on condition #28 which read "Snow shall not be pushed or stockpiled in any portion of the storm water management system." She asked if the storm water management system was subsurface or at grade and Jennifer Carlino replied it was a standard detention basin.

She said there is a swale along the edge of the parking lot where the snow might be dumped that leads to the detention basin. Lisa Carrozza asked what could be done to prevent dumping snow that would lead into the detention basin and Jennifer Carlino replied the commission could require a barrier be installed at the top of the slope. Lisa Carrozza suggested adding a sentence to condition #28 to request that a permanent barrier be placed at the top of the slope along the easterly edge of the gravel parking lot between the parking lot and the storm water basin. The members agreed. Lisa Carrozza made a motion, seconded by Julian Kadish, to issue and sign the Order of Conditions, as amended. Approved.

Violations:

Norton Mobile Home Estates, 157 Mansfield Avenue
12 Forest Lane
241 Mansfield Avenue
6 Rumford Road
45 Crane Street
418 Reservoir Street

Jennifer Carlino stated no new information has been received for the above violations.

#250-552 – Arrowhead Village - COC letter – Jennifer Carlino stated that she did get an estimate from the original engineer for the project to complete the As-Built plan and submit a Wetlands Restoration Report. She said the estimate is in the amount of \$5,100 and there is \$5,109 of bond money in escrow. Michele Simoneaux made a motion, seconded by Julian Kadish, to pull the bond and have the engineer complete the As-build plan and submit a Wetlands Restoration Report. Approved.

New Business –

Jennifer Carlino suggested continuing the following items to the next meeting:

Watershed Policy –

DEP Regulatory Reform –

Reservoir Update –

Alder Road Violations –

#250-882 – Pheeny's Island Update

Norton Founders Day Picnic –

Bike Trail –

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Report from Staff –

Site Visits – Jennifer Carlino asked the Commission members if they wanted to schedule their on site inspection for 274 East Main Street before the public hearing for the project. Michele Simoneaux suggested listening at the public hearing first.

Waterbodies Committee update

Open Session (topics not reasonably anticipated 48 hours in advance.)

Michele Simoneaux made a motion, seconded by Julian Kadish, to adjourn the meeting at 7:58 pm. Approved.

Minutes Approved by Committee on: _____
(Date)

Respectfully submitted,

Signature:

(Name)

Chairman, _____