

Monday, October 21, 2013

### **Attendance**

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

Chris Baker was absent.

### **Minutes**

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

The members reviewed the Bills Payable Sheet (Allegra Print). Scott Ollerhead made a motion, seconded by Ron O'Reilly, to pay the bill. Approved.

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

The members reviewed the Bills Payable Sheet (Home Depot). Scott Ollerhead made a motion, seconded by Ron O'Reilly, to pay the bill. Approved.

The members reviewed the Bills Payable Sheet (Chartley Landscape). Scott Ollerhead made a motion, seconded by Ron O'Reilly, to pay the bills. Approved.

The members reviewed the Bills Payable Sheet (AMWS). Scott Ollerhead made a motion, seconded by Ron O'Reilly, to pay the bills. Approved.

Discussion: Allen Orsi – Pare Corporation – Spillway design.

Mr. Orsi stated that Pare Corporation has been contracted by the Commission to do the spillway replacement project to modify the Norton Reservoir in order to comply with State regulations. He noted that it came to the attention of the Conservation Department that there are water control limitations according to the Town's deeded rights for the property.

Mr. Orsi stated that originally it was proposed to protect a portion of the embankment against overtopping and meeting spillway discharge requirements but that would raise the water level about 4 feet above the current operating level. He said that the Deeded Water Rights for the reservoir allowed the height to be raised only 1 foot or the Town could be sued for trespassing.

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Mr. Orsi stated that this issue has changed the process for repairing the spillway. He noted that in order to obtain the state required capacity, a big open channel will have to be constructed where the existing spillway is and install large gates that can be opened as needed.

Jennifer Carlino noted that another alternative suggested by Town Counsel was to apply for "Emminent Domain" to allow for the level to be raised to 103' elevation.

Julian Kadish commented that the water level has risen above the allowed level many times but is lowered quite quickly each time. He said that the Town has never been sued in the past and he doubts it will ever be in the future because of the level of the water. Jennifer Carlino stated that the Town abides by the requirements listed in the deed to avoid the risk of a law suit. Julian Kadish asked Mr. Orsi if the new design was more or less expensive and Mr. Orsi replied that it was approximately 200% more expensive.

Lisa Carrozza asked if the state grants exemptions in these kind of situations and Mr. Orsi replied that they sometimes do but an IDF (Imposed Design Flood) Study would have to be submitted.

Mr. Orsi commented that Pare Corporation has been communicating with the Office of Dam Safety and they are opposed to the IDF Study.

Julian Kadish commented that there is a great number of houses below the dam to consider. He noted that doing an IDF Study could cause more damage than risking a law suit to the Town.

Mr. Orsi replied that, as Jennifer Carlino stated, now the facts are known, as stated in the Deed, he cannot be legally negligent in the process of repairing the spillway at the dam.

Ron O'Reilly asked if there were any other dams that would be releasing large amounts of water and Mr. Orsi replied that there are 6 or 7 other big dams farther up stream that would be releasing water as well.

Julian Kadish asked what the damage would be by allowing the spillway repair design to allow the water level to rise approximately one foot above the amount noted in the deed.

Bob Kimball spoke about past instances of high water levels at the various bridges and rivers in Town and noted that these areas should be considered when considering raising the water level in the Norton Reservoir.

A question was asked if the dam was strong enough to handle any more water elevation and Mr. Orsi replied it was.

Julian Kadish suggested that, if funds were made available, a computer activated system could be installed to operate the gates at the dam.

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Lisa Carrozza stated that the home owners on the reservoir would have to sign off on allowing a raise in the elevation of the reservoir.

Mr. Orsi replied that no matter what is allowed or happens, any water coming into the reservoir has to leave.

The members agreed to have Pare Corporation attend the next meeting of Monday, November 4, 2013.

The members reviewed a Request for a Determination of Applicability – **(DET. #998) – Indy Johar – Parcel 62 (Assessor's Map 6) 5 Fairlee Lane** – for proposed plans to construct a lawn within 100 feet of a potential vernal pool.

Document List

1. WPA Form 1 – Request for Determination of Applicability.
2. Plan entitled “Subsurface Sewage Disposal System Plan for Indy Johar, prepared by Yarworth Engineering Company, Inc., Scale 1”=30’, signed and stamped by Christopher D. Yarworth and dated August 7, 2013 with **Latest Revisions:** September 11, 2013.
3. Several photos of the site.

Chris Saunders of Yarworth Engineering described the project to the members. He stated that the applicant is proposing to construct within 100 feet of a vernal pool. He pointed out the area that the applicant proposes to make into a lawn and the area that the applicant only wants to clear. He said the lawn will encroach into the buffer zone about 15 feet.

Jennifer Carlino commented that originally the applicant had proposed to encroach into the buffer zone 25 feet. She noted that approximately 50 feet from the vernal pool into the buffer zone has no understory and clearing right up to that point would have an impact on the vernal pool species. She said the applicant is now encroaching only 15 feet into the buffer zone. She noted that there will be a small strip of ground cover for any of the critters going to and from the vernal pool.

Jennifer Carlino noted that there will be a post and rail fence visual barrier at the limit of work. Chris Saunders commented that the limit of work will be staked in the field.

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

The members reviewed a Notice of Intent – **(#250-911) – Birch Croft Development Group LLC – Parcel 172 (Assessor's Map 27) 10 Dean Street** – for proposed plans to repair/replace a septic system with associated grading within 100 feet of wetlands.

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Document List

1. WPA Form 3 – Notice of Intent
2. Plan entitled “ Sewage Disposal Plan for #10 Dean Street in Norton, MA”, Scale 1”=20’, prepared by RIM Engineering, signed by Ralph I. Maloon and dated August 15, 2013. (sheets 1 & 2)

Ralph Maloon described the project to the members. He stated that there is a brook that runs along the side of the property and he said he has decided to call it a river. He noted that it does have a bank and it never stops flowing.

Mr. Maloon stated that he has kept the septic system as far away from the wetlands as possible. He noted that a portion of the system will be located approximately 57.7 feet from the wetlands. Lisa Carrozza asked what the existing system is and he replied it is a cesspool. Mr. Maloon commented that the proposed system will include a pump which will be located 4 feet above the ground water.

Julian Kadish made a motion, seconded by Scott Ollerhead, to close the public hearing. Approved.

The members reviewed a Notice of Intent – **(#250-912) – Jeffrey & Nancy Bramwell – Parcel 137 (Assessor’s Map 31) 35 Dean Street (post facto)** – repair/replace septic system within 100 feet of wetlands.

Document List

1. WPA Form 3 – Notice of Intent.
2. Plan entitled “Upgrade of Subsurface Disposal System at 35 Dean Street, Norton, MA, prepared by BDO Engineering, signed and stamped by David A. Oberlander and dated September 25, 2013.
3. Several color pictures of the property.

David Oberlander described the project to the members. He stated that Goose Brook is right next to the driveway and the sewage was running down the driveway into the Brook. He noted that this was an emergency repair and an Emergency Certificate was issued. He said that the work is done and the grass is growing. He commented it was hard to locate the system totally out of the buffer zone of the wetlands.

Julian Kadish made a motion seconded by Lisa Carrozza, to close the public hearing. Approved.

Scott Ollerhead made a motion, seconded by Julian Kadish, to ratify the signature on the Emergency Certificate for **File #250-912**. Approved.

The members reviewed a Notice of Intent – **(#250-888) – Turtle Crossing, LLC – Parcels 4 & 22 (Assessor’s Map 2) – Newland Street – (cont. from the September 23, 2013 mtg.)** - for proposed plans to construct 7 buildings, 8 garages, driveways, parking, utilities and associated grading within 100 feet of wetlands.

Document List

1. WPA Form 3 – Notice of Intent
2. Stormwater Report
3. Plans entitled “Turtle Crossing Comprehensive Permit Application Local Initiative Program, Newland Street, Norton, MA, prepared by Level Design Group and signed and stamped by Nicola Facendola dated April 12, 2012.
4. Turtle Crossing Comprehensive Permit-Local Initiative Program, AM2/Parcels 4 & 22, Newland Street, Norton, Massachusetts, Off-Site LP Sewer Line dated March 5, 2012. (Scale 1”=40’)
5. Letter dated July 24, 2013 from Jennifer Carlino to Dustin DiNunzio.
6. Letter from Level Design Group dated August 29, 2013. (Response to BSC Group)
7. Letter from Level Design Group dated August 29, 2013. (Response to BSC Group)
8. Letter from Level Design Group dated September 3, 2013 (Response to Jennifer Carlino’s letter of June 28, 2012).
9. Letter from Level Design Group dated September 5, 2013 with submittal of revised plans dated February 25, 2013, revised Site Plans dated August 29, 2013, modified Notice of Intent, revised Stormwater report August 29, 2013.
10. Comment 10-5-13 site inspection letter by Jennifer Carlino.

Present at the public hearing was Dan Campbell of Level Design Group who apologized for missing the on site meeting for October 5<sup>th</sup>.

He said he did receive comments from Jennifer Carlino and he did stake out the remainder of the buildings and he said he retied all the original wetland flags. He said there were no changes to the plans since the last meeting. He noted he had received a response letter from MEPA stating no significant alterations to the original ENF.

Jennifer Carlino asked Mr. Campbell to go over his response letter dated September 3, 2013 from BSC Group.

**Discussion ensued as follows:**

**#1 - The project received the Secretary's Certificate in 2007 based upon a different site design. This project appears to require a Notice of Project Change under MEPA. The Conservation Commission strongly suggests that you begin this process immediately since we do not close the public hearing until the new Certificate is issued.**

**#2 - Also, there are several items within the Secretary's Certificate that do not appear to have been addressed by this proposed plan. Please submit a response to Secretary's Certificate and how your proposed project adheres to the recommendations.**

Mr. Campbell stated both items, #1 and #2 have been done. A Notice of Project change has been applied for and materials have been mailed in accordance with MEPA requirements to all required departments including the Commission. He further stated that the main point of the certificate was

greater protection through improved stormwater and wildlife mitigation. This mitigation most importantly to provide a larger corridor to the Canoe River of undeveloped area where housing was originally proposed. This was taken at face value that larger buildings further away, as stated in the certificate are a primary goal.

**Regarding the NOI application**

**#3 - Please revise page 1. All first and last names should be included in the application.**

Mr. Campbell noted that the applicant is the Listed LLC, not an individual. Jennifer Carlino replied that the signature cannot be read. Mr. Campbell stated he was the representative for the applicant.

**#4 - Please revise page 2.**

There are 2 parcels listed but only 1 book and page reference. The parcels were listed under the same book and page at the last transfer.

**#5 -Please revise page 2. Based upon the Order of Resource Area Delineation (ORAD), the Conservation Commission has determined that the project will alter bordering vegetated wetland at the building, access drive, driveways and garage locations. All wetland resource areas should be illustrated as described in the ORAD. Also illustrate the wetlands on all plan sheets. Please quantify the amount of alteration of bordering vegetated wetland and add to page 2. Provide a written description of compliance with performance standards for bordering vegetated wetland.**

Mr. Campbell noted that due to the extensions this is not the case on this property and has been addressed as such.

**#6 - Please revise page 4. The date of the NHESP Priority Habitat map must be included.**

Mr. Campbell noted that the date of the revised map has been added.

**#7 - The fee transmittal form should include the first and last names. The category is 3, not 2, but the correct fee appears to have been submitted.**

Mr. Campbell stated that there are no first and last names, the applicant is the LLC listed. The form has been modified for the new applicant.

**#8 - The narrative states that all work is proposed within the western portion of the site and the eastern 15 acres closest to the Canoe River will be left undisturbed. Other comprehensive permit projects and all projects along the river have provided a conservation restriction or donated the rear parcel as part of the Canoe River Greenbelt project. Please consider this donation/conservation restriction on the rear undisturbed acreage. A draft deed or conservation restriction can be submitted to you for review. Also, public access to the pond and the rear of the property should be provided, even if limited, ie. 2 parking spaces and a gate to block ATV access to the rear.**

Mr. Campbell replied that the area is proposed, in accordance with the Comprehensive Permit Issued, to remain undisturbed unless a modification of the permit is authorized. He noted that the rear of the property will be left undisturbed and submitted a copy of the Comprehensive Permit. Lisa Carrozza asked if the applicant would be willing to put a Conservation Restriction on the rear property and Mr. Campbell replied that he is not. He said that at present this rear parcel is deemed "passive recreation" property.

**#9 - The narrative states that no structures are within the minimum 25-foot no disturbance zone; however, it appears that a portion of Building 1 is within the 25-foot area. Please review the No Disturbance Zone Policy for the full language and consideration to be given by the Commission. The 25 feet is a minimum setback and a no disturbance zone, not simply a no build zone. It also discusses no disturbance of any kind including grading. Please revise the plans to remove all activity outside the minimum 25-foot no disturbance zone. Areas that are currently altered can be restored with the planting of vegetation.**

Lisa Carrozza asked if the submitted plans she was looking at reflected the same wetland boundaries as the ORAD that was issued and Mr. Campbell replied they were not but in fact the plans that were submitted to the ZBA. He said that this plan was submitted with the previous ANRAD that was submitted to the Conservation Commission. Lisa Carrozza asked the members if the plan should depict the existing conditions at this time. Jennifer Carlino asked if the Riverfront Area was shown on this plan and she replied it was not. Lisa Carrozza asked Mr. Campbell if he thought he should give a revised plan to the ZBA and he replied it was not necessary as long as the project itself has not changed. Lisa Carrozza asked Jennifer Carlino to follow up with the ZBA on this matter.

Mr. Campbell noted that the 25' No-Build Zone was waived in the Comprehensive permit approval. The project seeks to maintain the no-build buffer to the maximum extent practicable while meeting the main goal of condensing the overall footprint of the project. Mr. Campbell commented that behind one garage there is extensive grading and it is within the 25' No-Build Zone. He said that an extensive amount of grading was eliminated as a result of BSC Group's comments. He said building 1 has been moved further away from the wetlands as well.

Jennifer Carlino read aloud the following from the ZBA Turtle Crossing, LLC June 18, 2012 Modification to the Comprehensive Permit;

On page 5, a Motion was made as follows; On June 18, 2012, Member Rota moved and Member Reynold seconded that the Board vote to impose: 1) a no touch buffer zone of 10 feet around the drainage basins; 2) a no touch buffer zone of 25 feet for areas that abut a wetland; and 3) a no touch buffer zone of 20 feet for all other areas..... and on page 12, Condition #25 - There shall be a no touch buffer zone of 10 feet around the drainage basins; a no build buffer zone of 25 feet for areas that abut a wetland; and a no touch buffer zone of 20 feet for all other areas, with the "no touch" requirement not to include any necessary construction, maintenance, repairs or replacement of the drainage basins, provided that the activity is approved by the Conservation Commission and performed in accordance with its requirements.

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Mr. Campbell replied that on page 20 under **Conservation Commission Policies:**, it states “Waive 25; no disturb zone requirement. Granted.” Jennifer Carlino stated that this has to be a mistake as the conditions specifically outline the Conservation requirements to be followed. She stated that the Conservation Commission has the power to enforce the Mass Wetland Protection Act. She said she will have this issue clarified by the ZBA.

Lisa Carrozza stated she would like to discuss each separate area that is within the 25-foot no-touch zone.

Mr. Campbell pointed out an area at the drainage pipe located at the entrance on the existing cart path to the left. He noted the work will be about 3-feet into the 25-foot no-touch zone. Lisa Carrozza asked why the pipe cannot be pulled back out of the no-touch zone. Mr. Campbell replied that it was a requirement of the ZBA to change the sidewalk to the other side of the driveway which changed the location of the proposed pipe.

Jennifer Carlino asked if sediment control was noted on the plans and Mr. Campbell replied it is noted on the Grading Sheet of the plans.

Lisa Carrozza suggested moving building 1 at an angle away from the slope. Mr. Campbell agreed to do this.

Mr. Campbell pointed out the area behind one of the garages where there is extensive grading proposed. Jennifer Carlino replied that a visual barrier with a sign should be installed behind the garage. It was agreed a visual barrier would be installed from building 1 north to the 9<sup>th</sup> car garage. Mr. Campbell stated that the bank of the pond has been flagged.

Lisa Carrozza asked Mr. Campbell if there was any way to consolidate the scour protection measures, the rip rap outlets and he replied not without raising and putting additional soil on the site. Lisa Carrozza suggested having one or two points of access instead of just leaving it entirely open.

Lisa Carrozza asked about buildings 6 and 7. She asked what the residents will be walking into when walking out onto a sidewalk behind the buildings. Mr. Campbell replied there is a 5:1 slope and the vegetation will not change. Lisa Carrozza stated to Mr. Campbell that she was convinced that the areas behind buildings 6 and 7 will be destroyed eventually because the residents will obviously want a little back yard. Discussion ensued on possible ways to shift the buildings to allow for larger back yards. Mr. Campbell commented that by shifting a couple of the buildings, the parking areas would encroach further into the wetlands.

Mr. Campbell stated that by shifting the buildings, the project would then become more detrimental to the environment. Discussion on the possibility of shifting the buildings. Lisa Carrozza asked Mr. Campbell what type of vegetation was proposed behind the buildings and he replied the areas would be left to grow back natural.



**#10 - The narrative discusses the use of hay bales. The Conservation Commission does not allow hay bale use. Please remove all references to hay bales with the application, plans and SWPPP.**

Mr. Campbell replied that the narrative has been modified accordingly to utilize Straw Wattles in place of the Haybales.

**Regarding the Plans**

**#11 - The wetland boundary illustrated on plans submitted with the NOI are not consistent with wetland boundary submitted with the ANRAD (DEP 4250-887). They are also not consistent with the determination by the Conservation Commission as detailed in the ORAD. Please submit revised plans that illustrate the approved wetland boundaries on all plan sheets, revise the NOI pages to quantify impacts to wetland areas and provide a written description of compliance with performance standards for altered wetlands.**

Mr. Campbell stated that the wetland lines are now consistent with the approved lines on all revised plans.

**#12 - Please label all of the identified potential vernal pools on the plans.**

Mr. Campbell replied that the PVP has been added as appropriate to areas on the **Existing Conditions** plans, VP has been added to the certified pool as requested by BSC.

**#13 - Reduce the amount of impervious surfaces. At a minimum the access road around the buildings can be made a one-way to reduce pavement and to move the limit of work outside the minimum 25-foot no disturbance zone.**

Mr. Campbell stated that due to fire department requirements under the Comprehensive permit there is no ability to limit the overall pavement on the site. The plans have been limited to the extent practicable due to the other requirements within Town.

**#14 - Plans do not show a limit of work on grading/utility sheets. Please add.**

Mr. Campbell said that due to the size of the project it is impractical to add the limit of work line to all plans. He said that he did add the erosion control to the grading/utility sheets. He said the plans are a set and will be utilized as such, there are notes clarifying the limits.

David Henry asked about the utility easement which leads to an abutter's property. Mr. Campbell replied that during the Comprehensive Permit process with the ZBA, the abutter asked to have a tie-in at this area in case he wanted to develop his land one day and then he would be able to tie into the utilities. He stated that the Water Department requested that this be done to avoid having to dig into the pavement at some point in the future.

**#15 - Plans illustrate grading and construction in and near areas identified as turtle nesting areas (sheet C2.0). Please relocate all activity out of identified turtle nesting areas, particularly Building 1 and its associated parking. Also, describe any shading impacts associated with the building and garage construction that may change the sunlight availability, temperature of the soil; and access to identified turtle nesting areas.**

Mr. Campbell stated that the area adjacent to Building 1 has grown over and shows no signs of turtle activity during the last season. Jennifer Carlino stated that she inspected the site today and found nests in several areas. She showed the picture at the meeting. Mr. Campbell replied he would check the site again. He noted that a mixture of low growing grass seed has been planted to allow any turtles to navigate without a problem. He said this area is depicted on the plans.

**#16 - The proposed box culvert for animal migrations is an important feature. Literature describes the necessity for features that funnel wildlife into the culvert to prevent them from entering roadways. The detail provided shows wing walls and retaining walls but the plan does not. Please add funneling features to the ends of the culvert. The catch basin frames are proposed to allow sunlight and air into the culvert. Please explain the decision-making process for their location. Will sunlight reach into the center of the culvert at the catch basin frames current location? Is there a detail that can demonstrate this? What is the openness ratio?**

Mr. Campbell replied that originally a full open grate was proposed along the top of the culvert but the Town was concerned with the maintenance of the culvert and the design was changed. He said a grate could be placed at the middle of the culvert if the commission would like to allow sunlight to get in. He commented that he widen the culvert to try and provide additional light to the inside of the culvert. Jennifer Carlino asked what would be funneling the animals in the culvert and Mr. Campbell replied wing walls will be in place as well as plantings with natural vegetation in the middle. Jennifer Carlino asked what the bottom of the culvert will be and he replied it would be an open-bottom box culvert.

Jennifer Carlino noted that the commission had a question regarding the openness ratio and Mr. Campbell replied that he did not calculate the openness ratio but used the standard detail for that type of crossing. She asked if he would calculate the openness ratio and he replied he would.

**#17 - Plans show proposed to discharge directly into potential vernal pool (sheet C-2.1). Demonstrate that this water at the end of the cul-du-sac meets stormwater management standards for discharge to critical areas and will not alter vernal pool habitat. Discharged water should not change the temperature of the receiving waters.**

Mr. Campbell commented that this is a wetland area, not a certified vernal pool, regardless the site has been designed to limit the effects of any overflow discharges to mimic current flow characteristics as required.

Mr. Campbell said that discharge flows towards the vernal pool to continue the storm water flow. He said originally there was an open swale at the end of the road way in which the water would have sat for 25 to 30 hours prior to the discharge in a small storm. He said that the storm water system has been re-located underground and the water temperature should not change.

**#18 - There is an 8" PVC line south of the clubhouse that appears to capture roof runoff in addition to several other buildings but it is unclear where this water discharges. Please explain.**

Mr. Campbell explained, and pointed out on the plans, that this is a sewer line running to the pump station just westerly of the clubhouse. This is the main collector point for the sewer system.

**#19 - Identify visitor parking areas. There are no assigned spaces for visitor parking is first come first serve as required by the Comprehensive permit.**

Mr. Campbell stated that there are no assigned spaces for visitor parking. It is first come first serve as required by the Comprehensive permit."

Scott Ollerhead asked Mr. Campbell how many parking spaces were proposed and he replied there are 316 parking spaces proposed. David Henry asked how many garages were proposed and Mr. Campbell replied there are 7 9-car garages proposed with a total of 63 parking spaces.

**#20 The construction entrance should flare out at the ends along the new curb (sheet C-3.0) and in the detail (C-6.2). Please revise.**

Mr. Campbell replied that the plans and detail show a flared end. Jennifer Carlino asked Mr. Campbell to point out the areas where it is vertical and where it is Cape Cod. He replied that it is vertical just about everywhere. He said the solid line depicts vertical, which is on the main roadway and the dashed lines throughout the site depict Cape Cod.

**#21 - Temporary storm water control swales and elevations in the dewatering basin should be shown in greater detail (sheet C-3.0). Should swales have intermittent check dams as well? The contractor has to be able to determine how to construct this based on the plans. Also, demonstrate that the temperature of the water released from the temporary swales and dewatering basins will not be increased prior to entering the wetland or pond.**

Mr. Campbell commented the plan (the Erosion Control sheet) has additional detail on the type, slope and make-up of the temporary basin of sufficient detail to construct the ponds. There is a detention time to allow for sediment removal, the typical storm will infiltrate through the bottom of the basin. A storm which would be too intense to fully infiltrate will not have a detention time to allow water to heat or change temperature to affect the surrounding wetland complexes.

**#22 - Submit the detail of the proposed retaining wall (sheet C-4.0).**

Mr. Campbell stated that the retaining wall will be a gravity type, block retaining wall with no tie-back due to proximity to the property line. He noted that the full design will be submitted as part of the building permit application. He pointed out the proposed wall to the members on the plan. Jennifer Carlino commented that typically filter fabric is placed behind walls to keep any materials from leaking through. Mr. Campbell replied that larger blocks will be used noting that nothing will leak through and typically no fabric is needed. He noted that the wall is going to be only 22 feet long.

**#23 - Please add a sign prohibiting snow stockpiles near Building 1 by wetland flags 26 through 32. Also the snow storage areas on the northern property line are proposed on additional existing, identified turtle nesting areas. Demonstrate that the snow and ice will not impact the turtle nesting habitat or the soil composition with salt, trash and other de-icing materials and damage proposed plants.**

Mr. Campbell stated that notes have been added to the plans as requested and the stockpile areas pulled off the sloped areas at the rear of the site to prevent potential for contamination. He said that he put signs in various areas, as suggested by the Peer Review, to prevent snow stockpiling. Lisa Carrozza had concerns with snow being pushed with a plow on the long straight roads and dropped at the end. Mr. Campbell reassured her that this will not happen. He replied that snow will have to be removed from the property at certain times.

Jennifer Carlino asked that a few of the signs be placed closer to the building to prevent storing or stockpiling snow and she asked to have signs place at any areas that might be turtle nesting areas. Mr. Campbell pointed out the different snow stock piling areas.

Lisa Carrozza asked if there was any plan for deicing the roads. Jennifer Carlino stated that a non-sodium deicing material will be used.

Lisa Carrozza made a motion, seconded by Scott Ollerhead, to continue the public hearing to Monday, November 4, 2013 starting with Comment #24 of the response letter to Jennifer Carlino's letter dated June 28, 2012. Approved.

**Discussion – File #250-165 – Sysco Corporation – 380 So. Worcester Street.**

Andrew Pojasek, R.P.E., of CHA addressed the board. He stated a Certificate of Compliance had been applied for last August and at that time it was noted that the proposed detention pond was never built and the area has been paved. He said that it was required by the Commission, in order to obtain a

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Jennifer commented that the original Order of Conditions may be followed in order to close out the file. She said that an Enforcement letter can be issued to allow the work to be done without having to have the applicant re-file a new application. Lisa Carrozza made a motion, seconded by Julian Kadish, to issue the Enforcement letter. Approved.

Julian Kadish made a motion, seconded by Scott Ollerhead, to ratify the signature for the Emergency Certificate for Cross Street. Approved.

Julian Kadish made a motion, seconded by Scott Ollerhead, to ratify the vote for File **#250-906 – Campanelli/Thorndike Norton LLC – 274 East Main Street.**

The members reviewed a request for a Certificate of Compliance – **File #250-135 – Sysco Corporation – Parcel 67 (Map 28), Parcels 10, 18 & 141 (Map 32) 380 South Worcester Street.**

The members reviewed a request for a Certificate of Compliance – **File #250-857 – GPT-Norton glen LLC/c/o Christopher Duhamel, P.E. – Parcels 50-71 (Assessor's Map 5), Parcels 23-27 & 61-62 (Assessor's Map 6) Norton Glen Road.**

Jennifer Carlino noted all work has been completed as proposed. Lisa Carrozza made a motion, seconded by Ron O'Reilly, to issue the Certificate of Compliance. Approved.

The members reviewed a request for a Certificate of Compliance for File **#250-513 – 27 Smith Street.** Lisa Carrozza made a motion, seconded by Julian Kadish to issue the Certificate of Compliance. Approved.

## **OLD BUSINESS**

### Violations:

Alder Road – Jennifer Carlino noted that Matt Crowe, Chartley Landscape Management, Inc., had submitted an estimate for the planting restoration area totaling \$10,250.00.

Jennifer Carlino commented that there are 3 residents that are not complying with the violation restoration plans and she said she has requested that the Selectmen send these 3 residents a letter. She said she will request that the Selectmen send a reminder letter.

Scott Ollerhead made a motion, seconded by Lisa Carrozza, to have Matt Crowe do the restoration as submitted. Approved.

**East Hodges Street** – Jennifer Carlino noted that Fred Bottomley has pushed a berm on each side of the top of the slope instead of fixing the top of the road. Jennifer Carlino suggested the members inspect the property and then she will call Fred Bottomley.

**#250-781 & #250-782 – 14 & 16 Johnson Drive**

Jennifer Carlino noted that Matt Crowe, Chartley Landscape Management, Inc. had submitted a quote of \$2,600 to add plantings to the visual barrier and remove and replace the invasive plants in the yard at 14 & 16 Johnson Drive, Norton. Jennifer Carlino commented that the bond money posted for these properties will cover the costs for this work. Lisa Carrozza made a motion, seconded by Scott Ollerhead, to accept the quote for the work and have Matt Crowe do the work as proposed.

**NEW BUSINESS**

**Right of First Refusal** – North Washington Street – parcel 496 (Assessor's Map 10). David Henry commented that the Conservation Commission does not have the funds to purchase this property.

Violation – **243 South Worcester Street** – Jennifer Carlino noted that the owner is supposed to contact her.

Violation – **27 Fletcher Way** – Jennifer Carlino noted that the owner has refused the certified letter twice and a third letter was sent standard mail delivery. She noted that a “No-Trespass” notice can be sent and if the police catch them riding motor vehicles on the property, they can arrest them.

**Demers** – adverse possession claim against the town.

Jennifer Carlino noted that a response has been received from Town Counsel with new information and this is still an on-going issue.

**DET Blue Wave update** – Jennifer Carlino noted that DEP has changed the title from “Order of Conditions” to “Schedule of Work” and issued the Superceding document today.

**Waste Water Treatment Plant update** – Jennifer Carlino noted this is the property on Crane Street. She commented that this is the Reilly property where they are in the process of doing the monitoring wells and will be filing a Notice of Intent soon.

**Waterbodies Committee update** – Jennifer Carlino noted that the meeting is tonight and will add this to the next agenda.

**Norton Conservation Commission**  
**Monday, October 21, 2013**  
**Minutes, Page 15.**

Scott Ollerhead made a motion, seconded by Lisa Carrozza, to adjourn the meeting at 10:00 pm.  
Aproved.

Minutes Approved by Committee on: \_\_\_\_\_  
(Date)

Respectfully submitted,

*Signature:*

\_\_\_\_\_  
( Name)

Chairman, \_\_\_\_\_