

Monday, December 16, 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

The members reviewed the Bills Payable Sheet (Verizon). 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 Lisa Carrozza, to pay the bill. Approved.

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

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

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

The members reviewed the draft minutes for **June 10, 2013**. Lisa Carrozza made a motion, seconded by Scott Ollerhead, to accept the minutes as written. Approved.

The members reviewed a Notice of Intent – (#250-914) – **Bernard Marshall/Norton Water Department – Parcels 2 & 3 (Assessor's Map 19) off Plain Street** – (cont. from the November 25, 2013 mtg.) - to perform soil borings and test pits within 100 feet of wetlands and to the Canoe River.

Jennifer Carlino noted that revised plans were submitted. She said she received their stabilization techniques and handed them to the members for review. Lisa Carrozza asked if the stabilization was temporary or permanent. Jennifer Carlino replied they suggested the leaf litter be removed and stockpiled and put back with straw on top. Lisa Carrozza replied that she did not think the area would stabilize in the winter time suggesting that the stabilization would be temporary. She suggested waiting until spring to inspect for a Certificate of Compliance.

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The members were reviewing the draft Order of Conditions. Lisa Carrozza suggested changing #19 to include “installing and maintaining” all sedimentation.

Lisa Carrozza suggested several changes to conditions #24, #25, #26 & #37.

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 accept the Order of Conditions, as amended. Approved.

The members reviewed a Abbreviated Notice of Resource Area Delineation – **(#250-916) – Lee Azinheira/Town of Mansfield – Parcel 4 (Assessor’s Map 24) & Parcel 63 (Assessor’s Map 24) 0 Pine Street** – (cont. from the November 25, 2013 mtg.) – for verification of the wetland resource areas.

Document List

1. WPA For 4A – Abbreviated Notice of Resource Area Delineation
2. Plan entitled “Town of Mansfield, Massachusetts, Mansfield Comprehensive Wastewater Management Plan, Reilly Property Abbreviated Notice of Resource Area Delineation”, prepared by CDM Smith, signed and stamped by Edward C. Sanderson, scale = 1”=40’, dated November, 2013 (sheets 1 to 6)
3. Letter dated December 12, 2014 from CDM Smith to Norton Conservation Commission
4. Letter dated December 16, 2014 from CDM Smith to Norton Conservation Commission
5. Plan entitled “Town of Mansfield, Massachusetts, Mansfield Comprehensive Wastewater Management Plan, Reilly Property Abbreviated Notice of Resource Area Delineation”, prepared by CDM Smith, signed and stamped by Edward C. Sanderson, scale = 1”=40’, dated November, 2013 (sheets 1 to 6) Latest Revisions: December 12, 2014

Jennifer Carlino stated that revised plans had been submitted as well as calculations for the Isolated Wetland that was added to the plans. She said that condition #4 can now be eliminated. She said that she can confirm the area as an Isolated Wetland but cannot confirm the flags at this time.

Lisa Carrozza suggested under “Findings” a condition #9 would be added to note that ILSF flags (#-) are not confirmed with this ORAD, calculations for contribution to the watershed would be needed and flag locations would have to be verified. She commented that any work within 100 feet of the wetlands would require a wetland permit.

Lisa Carrozza made a motion, seconded by Ron O’Reilly, to close the public hearing. Approved. Lisa Carrozza made a motion, seconded by Julian Kadish, to approve and issue the ORAD as amended. Approved.

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The members reviewed an Abbreviated Notice of Resource Area Delineation – (#250-915) – DSR Corporation – Parcels 57 & 238 to 245 (Assessor's Map 17) 0 East Main Street – (cont. from the November 25, 2013 mtg.) - for verification of the wetland resource areas.

Document List

1. Form 4A – Abbreviated Notice of Resource Area Delineation
2. Plan entitled “Plan to Accompany Abbreviated Notice of Resource Area Delineation, East Main Street, Norton, MA., Scale 1”=80’, prepared by Westgate Associates, signed and stamped by Robert A. Junior and dated June 20, 2013 (Sheets 1-3).
3. Letter to Tom Noel, Zoning Board of Appeals dated November 26, 2013 from Jennifer Carlino
4. Letter to John Rockwood from Jennifer Carlino/Norton Conservation dated December 3, 2013.
5. Letter to John Rockwood from Frank J. Gallagher of Gallagher Engineering dated December 10, 2014.
6. Letter to Jennifer Carlino/Norton Carlino from John Rockwood, EcoTec, Inc. in response to her letter dated December 3, 2013 dated December 13, 2013.

Present at the public hearing was John P. Rockwood, PWS from EcoTec, Inc. He noted that he had received a comment letter from Jennifer Carlino dated December 3, 2013 and had responded with a letter dated December 13, 2013 as follows:

1. The existing culvert is located near wetland flag 97 not flag 96. Please revise the plans accordingly.

Mr. Rockwood stated that the site plan has been revised to accurately show the existing culvert and the wetland flags proximate to the culvert near flags Y96 and Y97. He noted that the site plans are revised through December 12, 2013.

2. Please move wetland flag X52 approximately 5 feet upland.

Mr. Rockwood noted that during their site walk, a revised flag X52R was placed approximately 8 feet from prior flag X52 and Flag X52 has been deleted from the site plan and flag X52R has been located and shown on the revised site plan.

3. Please move wetland flag X37 approximately 5 feet upland and add a flag between X37 and X38. I placed a pink flag in the location.

Mr. Rockwood noted that during their site walk, the area near these flags was evaluated. He said the original flag locations were determined to be accurate. No plan revisions were made.

4. Please provide soil information or a DEP form for the area between wetland flags Z41 through Z43. The tree roots are exposed and show signs of high groundwater.

Mr. Rockwood noted that during their site walk, the area near these flags was evaluated. The original flag locations were determined to be accurate. No plan revisions were made.

5. Phase provide ILSF calculations for the isolated depressions in the I and J series flags. It appears the two areas could combine if the surface and groundwater contributions were large enough.

Mr. Rockwood replied that the engineering calculations prepared by Gallagher Engineering, dated December 10, 2013, have been provided herewith. These calculations show that the above-referenced area would not hold the requisite volume of water to be regulated as Isolated Land Subject to Flooding under the Regulations.

6. Please add the elevation of the floodplain to the plan sheets, if not already labeled.

Mr. Rockwood noted that the 100-year floodplain elevation has been added to the site plan in three locations on Sheet 2 of 3.

7. There are approximately 6 potential vernal pools on the property (within bvw near Y58 though Y56, within shell easement near flag Y51 through Y44, Y20 through Y17, Y9 though Y1, near Z255, and Z50 though Z41). Please label the plans accordingly.

Mr. Rockwood explained that there are no mapped Certified Vernal Pools (CVPs) or Potential Vernal Pools (PVPs) on the subject property. He said that these terms are defined and have common usage in the environmental consulting business in Massachusetts. He explained that it is preferred that the above areas be referenced as 'possible vernal pools' if needed and that vernal pools are not wetland resource areas and have not been shown on the ANRAD site plans. He said that during their site walk, six areas on the subject property and one located approximately 25 feet off-property that could be 'possible vernal pools' were noted. He said that the areas on the property located within the delineated Bordering Vegetated Wetlands approximately near flags Y56 to Y58, Y44 to Y51, Y13 to Y18, Y6 to Y9, Y2 to Y5, and Z41 to Z49 were partially flagged with blue flagging. Mr. Rockwood commented that the off-site 'possible vernal pools' located approximately 25 feet beyond flag Z51 was not flagged in the field.

Lisa Carrozza asked Jennifer Carlino if she was going to go out and check the site and she replied that she would do this in the spring.

8. Spotted turtle was observed crossing the cart path approximately near flags Y20 to Z23.

Mr. Rockwood replied that they will be watching for the turtles.

9. The mean annual high water mark for the perennial streams will be discussed in the field during a joint site visit this week.

Mr. Rockwood commented that during their site walk, it was agreed that the flags in the field as shown on the site plan represent the mean annual high-water line of the mapped perennial stream and the Rumford River, therefore no plan revisions were made.

Julian Kadish made a motion, seconded by Scott Ollerhead, to close the public hearing. Approved. Julian Kadish made a motion, seconded by Lisa Carrozza, to sign and issue the Order of Conditions as amended. Approved.

The members reviewed the Modification to Order of Conditions **#250-866. – Paul Barron – Parcel 174 (Assessor's Map 12) 55 Lincoln Street** - New plans submitted dated November 1, 2013.

Document List

1. Request letter from Chris Yarworth, Yarworth Engineering Co., Inc. dated November 21, 2013.
2. Revised plan entitled "Subsurface Sewage Disposal System Plan" dated November 1, 2013.

Present at the public meeting were Chris Yarworth, Yarworth Engineering Co., Inc. and Paul Barron.

Chris Yarworth stated that the original Order of Conditions will be used for the project and that the requested modification is to allow the house to be moved further away from the wetlands. He said that Mr. Barron would like to post signs for the limit of work. David Henry noted that visual barriers should be added to all plans and requests to change the type of visual barrier can be made at the public hearing.

Jennifer Carlino stated that one of the conditions is that a culvert shall be placed under the driveway within the right-of-way for Lincoln Street. She asked approximately what size the pipe will be and Mr. Yarworth replied about 12". She suggested that details for the culvert and visual barrier be drawn on the revised plans. Jennifer Carlino noted that the silt fence should be added to the plans now instead of to the As-Built plans as the silt fence is being installed at the present time.

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

The members reviewed a Request for a Determination of Applicability – (DET. #1000) – Sam David – Lot 4, Parcel 8 (Assessor's Map 13) 124 Lincoln Street – for proposed plans to construct a a single family house, driveway and septic system with associated grading within 100 feet of wetlands.

Document List

1. WPA Form 1 – Request for Determination of Applicability
2. Plan entitled "Subsurface Sewage Disposal System Plan" prepared for Sam David for #124 (Lot 4) Lincoln St., Norton, MA by Yarworth Engineering Co., Inc., scale 1"=20', signed and stamped by Christopher D. Yarworth and dated November 27, 2013.

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Present at the public hearing were Sam David, applicant and Chris Yarworth, engineer.

Chris Yarworth stated that this lot is part of a 5-lot project. He stated that the applicant has been working with the Planning Board for quite some time and these lots are very difficult to perk. He said he has received NHESP approval and pointed out a portion of the property at the rear of the site that will be conveyed to the Conservation Commission at the completion of the project.

Jennifer Carlino noted that there is Riverfront area at the front of the property but no work is proposed near that area. She asked Mr. Yarworth to add the sediment control detail location on the plans.

Jennifer Carlino asked what percentage of the property was impervious and he replied he did not know and would ask the building inspector. She noted that if it was 10% or 2500 sq. ft. recharge would have to be provided if it is in the aquifer or Zone 2. (WRPD)

Lisa Carrozza made a motion, seconded by Julian Kadish, 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 completed using the approved plans.

The members reviewed a Notice of Intent – **(#250-917) – Sam David – Lot 5, Parcel 38 (Assessor's Map 13) 126 Lincoln Street** – for proposed plans to construct a paved driveway and utilities with associated grading within 100 feet of wetlands.

Document List

1. WPA Form 3 – Notice of Intent
2. Plan entitled "Subsurface Sewage Disposal System Plan" for Sam David for #126 (Lot 5) Lincoln Street, Norton, MA, scale 1"=20', prepared by Yarworth Engineering Company, Inc., signed and stamped by Christopher D. Yarworth and dated November 27, 2013.

Present at the public hearing were Sam David, applicant and Chris Yarworth, engineer.

Discussion ensued as to whether or not a visual barrier is necessary. Chris Yarworth argued that the project is not within the buffer zone. He said the applicant is willing to put a few signs up but thinks a fence is not necessary. Jennifer Carlino commented that the limit of work is not shown on the plans therefore a decision cannot be made as to whether or not a visual barrier is required.

Lisa Carrozza suggested putting sedimentation control in certain areas which she pointed out on the plans to help to prevent soil from eroding.

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 and sign the Order of Conditions, as amended.

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

David Henry read a letter received from Nicola Facendola of Level Design Group, LLC on behalf of 129 Newland Street, LLC, c/o The DeNunzio Group, dated December 16, 2013 requesting a continuance of the public hearing to the first meeting in January. The letter stated the continuance was requested in order to review and provide responses to the two peer review letters by BSC Group dated December 9, 2013 and December 11, 2013.

Scott Ollerhead made a motion, seconded by Ron O'Reilly, to continue the public hearing until Monday, January 13, 2014. Approved.

The members reviewed bond release letters for:

#250 -781 – Angelo Pasqualino – 14 Johnson Drive (\$2,400.00)

#250 -782 – Angelo Pasqualino – 16 Johnson Drive (\$3,100.00)

It was agreed to wait until spring to make sure the plantings survived.

The members reviewed a request for **#250-384 – Setters Place Realty Trust/c/o Michael Whiteside – Parcel 160, Lot 23A (Assessor's Map 32) 2 Tucker Place.**

Jennifer Carlino commented that no As-Built Plan has been submitted, the road work and drainage has not been completed and the detention basin is across the street. She suggested issuing a partial Certificate of Compliance for the lot 23A only. Lisa Carrozza made a motion, seconded by Scott Ollerhead, to issue a partial Certificate of Compliance for Lot 23A only. Approved.

The members reviewed corrections (book & page) to the Certificate of Compliance for File **#250-503 – Fletcher Way.** Lisa Carrozza made a motion, seconded by Scott Ollerhead, to sign the corrected Certificate of Compliance. Approved.

OLD BUSINESS

Violations:

East Hodges Street

Jennifer Carlino commented that Fred Bottomley sent an email to the owner of the property requesting to remove the bermed soil.

Alder Road

12 Forest Lane

OLD BUSINESS (cont.)

6 Rumford Road
7 Todd Drive
14 Laura Lane violation
112 Mansfield Avenue
243 So. Worcester Street – violation

Jennifer Carlino noted there was no new information for the above Violations.

License Agreement – Norton Kayak Company, Inc. and Norton Conservation Commission
Lisa Carrozza made a motion, seconded by Scott Ollerhead, to sign the License Agreement to be valid from January 23, 2014 to January 23, 2015. Approved.

Jennifer Carlino asked the members if they knew anyone who would be interested in becoming a Conservation Commission member.

David Henry announced that the meeting was adjourned at 8:45 pm.

Minutes Approved by Committee on: _____
(Date)

Respectfully submitted,

Signature:

(Name)

Chairman, _____