

Norton Conservation Commission
70 East Main Street
Norton MA 02766

Monday, August 8, 2016
MINUTES

Attendance: Julian Kadish, (Vice Chairman) Ron O'Reilly, Lisa Carrozza, Jan Franceschelli, Dan Pearson and Conservation Agent, Jennifer Carlino.

Scott Ollerhead (Chairman) was absent.

The meeting was called to order at 6:30 pm by Julian Kadish.

Minutes

April 11, 2016 – Minor edits were made to the draft minutes. Motion by Ron O'Reilly to accept the minutes, as amended, seconded by Lisa Carrozza. Approved.

April 25, 2016 – The minutes were tabled to the next meeting for lack of a quorum.

June 13, 2016 - The minutes were tabled to the next meeting for lack of a quorum.

6:31 pm **Notice of Intent (#250-988) – Lukasz Wasiak – Parcel 151 (Assessor's Map 28) 183 Taunton Avenue** – for proposed plans to construct an addition and an in-ground pool within 200 feet of Wading River.

Document List

1. WPA Form 3 – Notice of Intent
2. Color photos
3. Plan entitled "Proposed House Addition Plan for No. 183 Taunton Avenue in Norton, MA, prepared by RIM Engineering Co., Inc., Scale 1"=20', signed and stamped by Craig E. Cygawnoski and dated July 13, 2016.

Attending the meeting were Craig Cygawnoski, RIM Engineering Co., Inc. and Lukasz Wasiak.

Mr. Cygawnoski stated the applicant is proposing an addition of a three-season room with no basement built on sonatubes and an in-ground pool at the rear of the house, both located on an existing lawn. He noted both are out of the 25-ft. no disturbance zone but are within the 100-ft. buffer zone.

Jennifer Carlino asked Mr. Cygawnoski to point out the floodplain areas that are not shown on the submitted plans.

Norton Conservation Commission
Monday, August 8, 2016
Minutes, Page 2.

Lisa Carrozza asked why the limit of work goes beyond the lawn and right up to the visual barrier. Julian Kadish suggested moving the limit of work further from the 25-ft. No Disturbance Zone.

Mr. Wasiak noted he will not be using traditional sonatubes but will be using 2 ½ inch Techno aluminum posts and that there will be no digging or concrete.

Lisa Carrozza asked Mr. Cygawnoski if he had included calculations for the Isolated Land Subject to Flooding (ILSF) and he replied there are 3,063 s.f. approximately 1.2 feet deep of Isolated Land Subject to Flooding.

Jennifer Carlino commented that the ILSF is within the floodplain and is being altered by cars driving on the area. She stated that there should not be any activity within the floodplain area and suggested installing a visual barrier to prevent any further alteration. She pointed out the areas where Mr. Wasiak should install a visual barrier and he agreed to do so and such action will allow these areas restore naturally.

Jennifer Carlino asked Mr. Wasiak how he intends to access the pool location and he replied that he would do so on the south side of the house where the septic system is located. He noted concrete will be pumped to the pool area over the lowest part of his house.

Julian Kadish asked if there was anyone present to speak in favor of, or opposed to, the project, he received no response.

Jennifer Carlino requested revised plans showing quantities to be submitted before the next meeting.

Motion by Ron O'Reilly to continue the public hearing to the next regular meeting of Monday, August 22, 2016 when the Order of Conditions will be reviewed and signed, seconded by Lisa Carrozza. Approved.

6:35 pm **Notice of Intent (#250-987) – Andrea Downey/Norton Housing Authority – Parcel 99 (Assessor's Map 22) 120 West Main Street (Woodland Meadows) – for proposed plans to reclaim and pave existing asphalt driveway, parking areas and concrete sidewalks and drainage repairs within 100 feet of wetlands.**

Document List

1. WPA Form 3 – Notice of Intent
2. Color photos
3. Plans entitled "Site Improvement Project, NOI Site Plan – Site, Woodland Meadows (667-1 & 667-2) Norton Housing Authority, Norton, Massachusetts, prepared by GCG Associates, Inc., Scale 1"=40', signed and stamped by Michael J. Carter and dated July 8, 2016.

Norton Conservation Commission
Monday, August 8, 2016
Minutes, Page 3.

Attending the public hearing were Michael Carter, GCG and Andrea Downey.

Mr. Carter:

- pointed out the various wetland areas on the submitted plan and gave a brief description of the work proposed.
- commented there was a large amount of drainage on the property and pointed out the different drainage areas.
- noted that drainage will not be increased but will be replaced and improved.
- noted that instead of the conventional catch basins, smaller ones will be used and new ones will replace failing basins.
- the project is being funded by a grant that the Town received from Community Development which has a timeline on it.
- noted there are two major septic systems on the site and pointed out the development will connect to a sewer.

Julian Kadish asked if he had shown details for sediment control and Mr. Carter pointed out the details on the plans.

Jennifer Carlino:

- asked Mr. Carter to submit a copy of the Wetland Report.
- commented that on the plan the wetland symbols used for re-grading are very confusing.
- asked Mr. Carter if he had the LID statements and Mr. Carter replied he would submit them.
- noted it appears he is taking away LID rather than adding it and Mr. Carter noted he will be replacing pipes and swales.
- asked Mr. Carter why the systems are failing, he replied that they are old systems.
- asked Mr. Carter if he could infiltrate in other areas rather than in the wetlands and he replied that the elevation is a key factor in deciding the areas for infiltration.
- noted the maintenance area is not shown correctly on the plans and could be moved further from the wetlands. Mr. Carter replied the pavement will be replaced as it was. Ms. Downey noted the maintenance area could possibly be moved further away from the wetlands.
- noted the stormwater pipe near A29 on the plan is causing erosion and sedimentation of wetland. Mr. Carter replied the pipe will be replaced which will correct the erosion issue.
- noted improvements to water quality is not shown on the plans. Mr. Carter commented he will revise the plans to show water quality improvements.
- asked if there were any plans for the existing sewer areas. Mr. Carter commented the areas will one day be used for waste water treatment.
- The discharge method doesn't meet Standard 1.

Norton Conservation Commission
Monday, August 8, 2016
Minutes, Page 4.

Jennifer Carlino pointed out an area that a few residents have requested be paved.

Lisa Carrozza commented that it appears that none of the runoff from the pavement is treated at this time and asked if this is sheet flow. Mr. Carter replied it is. Mr. Carter pointed out where the roof run-off flows. She asked him if a SWPPP will be prepared and he replied that the contractor will provide the SWPPP. Jennifer Carlino commented that the Commission typically requires a draft SWPPP. Mr. Carter replied that he will provide a draft SWPPP.

Lisa Carrozza commented the Operations & Maintenance Plan should be easy to understand and made available for the Contractor.

Lisa Carrozza commented water quality should be investigated as the sumps will be smaller than average in size.

Julian Kadish asked if there was anyone present in favor of, or opposed to, this application. There was no response.

Motion by Lisa Carrozza to continue the public hearing to the next regular meeting of Monday, August 22, 2016, seconded by Ron O'Reilly. Approved.

6:45 pm Amended Order of Conditions - **(#250-960) – Condyne Capital Partners – Parcel 116 (Assessor's Map 24) 60 Commerce Way – (cont. from the July 11, 2016 mtg.)** - to amend/modify the building size, stormwater management and drainage changes, installation of fuel island and a new water line.

Jennifer Carlino noted that there was no one present for this public hearing and she has not received a request to continue the public hearing.

There was no quorum to vote to continue the public hearing. The members agreed the project will be continued to the next regular meeting of Monday, August 22, 2016. Lisa Carrozza recused herself from the discussion.

Norton Conservation Commission
Monday, August 8, 2016
Minutes, Page 5.

6:50 pm **Notice of Intent (#250-983) – Muhammad Itani/Island Brook LLC – Parcels 57, 238, 239, 240, 241, 242, 243, 244 & 245 (Assessor's Map 17) 0 East Main Street – (cont. from the July 11, 2016 mtg.)** - for the construction of 56 single-family units with loop road, stormwater detention ponds and work within 200 feet of Rumford River.

Document List

1. WPA Form 3 – Notice of Intent
2. Plan entitled “Preliminary Plan Comprehensive Permit “Island Brook” in Norton, MA” prepared by Gallagher Engineering, Scale 1”=100 ‘, signed and stamped by Frank Joseph Gallagher and dated April 15, 2014.
3. SWPPP dated May 27, 2016
4. Plan entitled “Existing Condition Drainage Area Plan, Island Brook, Norton, MA” prepared by Gallagher Engineering, Scale 1”=60’, signed and stamped by Frank Joseph Gallagher and dated January 19, 2011.
5. Plan entitled “Proposed Condition Drainage Area Plan, Island Brook, Norton, MA”, Scale 1”=60’, prepared by Gallagher Engineering, signed and stamped by Frank Joseph Gallagher and dated January 19, 2011.
6. Stormwater Management Report dated April 25, 2014.
7. Calculations report dated April 25, 2014
8. Letter dated June 27, 2016 to Rene McDonough, Goddard Consulting from Jennifer Carlino.
9. Report dated June 28, 2016 to the Conservation Commission from John Chessia, Chessia Consulting Services LLC.
10. Letter dated July 13, 2016 from Jennifer Carlino to Muhammad Itani.
11. Report dated August 2, 2016 to Jennifer Carlino from John Chessia, Chessia Consulting Services LLC.

Attending the public hearing were Frank Gallagher, Gallagher Engineering, Renee McDonough, Goddard Consulting and Muhammad Itani, Island Brook LLC.

Jennifer Carlino commented that she has not gotten any response to her letters or John Chessia's reports. Frank Gallagher replied that his comments this evening would be brief.

Frank Gallagher commented:

- He has received three letters from Jennifer Carlino and Chessia Consulting.
- He had a meeting with Jesse Leddick of the Natural Heritage and Endangered Species Program on July 28, 2016.
- He would like to put together one response that covers all correspondence and comments and needs time to do this.
- He would like to be able to contact John Chessia on his own with questions.

Norton Conservation Commission
Monday, August 8, 2016
Minutes, Page 6.

Jennifer Carlino suggested that Mr. Gallagher first meet here in the Conservation office with John Chessia to get an idea of what and how things are being revised.

Jennifer Carlino requested a written response to the comments contained in the three review letters.

Renee McDonough commented that she would need time to respond to any revisions made.

Motion by Ron O'Reilly to continue the public hearing to the regular meeting of Monday, September 26, 2016, seconded by Lisa Carrozza. Approved.

Jennifer Carlino suggested that she, John Chessia and Frank Gallagher meet in the Conservation Office sometime this week.

6:55 pm Amendment to Order of Conditions for **File #250-967 – Cleber Feiljo, Parcel 98 (Assessor's Map 32) 14 John Scott Boulevard.**

Document List

1. Plan Entitled "Sewage Disposal Plan for 14 John Scott Boulevard in Norton, MA", Scale 1"=30', prepared by RIM Engineering Company, Inc., signed and stamped by Ralph I. Maloon and dated August 11, 2016.

Jennifer Carlino commented that the amendment involving moving the house closer to the road is minor. The members reviewed the revised plan which shows the house 30 feet closer to the road but no closer to the wetlands.

Julian Kadish asked if any of the members or any member of the audience had any questions. He received no response.

Motion by Lisa Carrozza to close the public hearing, seconded by Ron O'Reilly. Approved. Motion by Lisa Carrozza to accept the revised plans as a minor revision, seconded by Ron O'Reilly. Approved.

7:00 pm Amendment to Order of Conditions for **File #250-947 – Norton Landfill Solar LLC – Parcels 31-03, 36, 49 & 50 – Hill/So. Washington St.**

Document List

1. Request memo and packet dated August 15, 2016 from Brian S. Huntley, P.E., Tighe & Bond.
2. Plan entitled "Norton Landfill Solar Project, Norton, Massachusetts, Construction Set, July 2016 (Sheets 3 & 5) prepared by Tighe & Bond, signed and stamped by Brian S. Huntley and Francis J. Hoey with latest revisions on July 20, 2016.

**Norton Conservation Commission
Monday, August 8, 2016
Minutes, Page 7.**

Attending the public hearing was Jean Kristy, Tighe & Bond.

Ms. Kristy commented:

- The Fire Department has requested to widen the access road.
- Due to the widened access road the analysis for the water quality swale proposed at the northern portion of the site had to be revised.
- Additional gravel within the catch basin has increased the peak discharge rate and the swale had to be modified.
- The swale has been widened from 2 feet to 5 feet with a 3:1 slope.
- All changes will be inside the limit of work and further away from the wetlands.

Jennifer Carlino commented the approved plan shows nothing within 100 feet of the vernal pool to the south. Kristy commented the limit of work has not changed.

Jennifer Carlino noted that there was a change in the swales but no information had been submitted yet. Ms. Kristy pointed out on the plan where the swales are located and how they would function. Jennifer Carlino requested that information be submitted on how they will meet stormwater management. Ms. Kristy noted that they are both Water Quality Swales and would receive very little water anyway in her opinion.

Ms. Kristy noted she will update her memo to include the stormwater management for the swales. Jennifer Carlino asked where all the rest of the water goes to and Ms. Kristy pointed out the area where most of the remaining water flows to.

Ms. Kristy agreed to update the Operations & Maintenance Plan to include the swales and to add the Certified Vernal Pools to the revised plans.

Julian Kadish asked if there were any additional comments from the members or from the audience. He received no response.

Motion by Lisa Carrozza to continue the public hearing to the next regular meeting of Monday, August 22, 2016, seconded by Ron O'Reilly. Approved.

REQUEST FOR PARTIAL/FULL CERTIFICATE OF COMPLIANCE

#250-944	Weder Pereira	Parcels 220 & 222 (Map 9)
(full)		60R Reservoir Street

--- construct a single family dwelling, driveway, & septic system with related utilities and grading and upgrade an existing stream crossing with new headwalls and new pipe within 100 feet of Norton Reservoir.

Norton Conservation Commission
Monday, August 8, 2016
Minutes, Page 8.

Jennifer Carlino commented:

- A comment letter was sent regarding missing information.
- The As-Built plan does not show any of the infiltration trenches near the house.
- The As-Built plan does not show any grading on the driveway or detail of the culvert.
- The No Disturbance Zone near the water has been violated.
- The visual barrier near the house should be completed to leave a 10-foot wide path only.
- Additional clearing on the bank to install the dock should be quantified.
- The fee for re-inspection was submitted.
- A revised plan has been received; however, no one has contacted the Office regarding the previous comments.
- She will set up a time for a site inspection.

Motion by Lisa Carrozza to **deny** the issuance of a Certificate of Compliance, seconded by Ron O'Reilly. Approved. Julian Kadish recused himself from the discussion and abstained from voting.

SIGN/ACCEPT ORDER OF CONDITIONS/ORDER OF RESOURCE AREA DELINEATION

Notice of Intent (#250-986) – **Craig Kilburn, Wheaton College – Parcel 14-03 (Assessor's Map 17) 42 Howard Street** - for proposed plans to decommission a sewer treatment plant, abandon sewer manholes and removal of invasive species within 100 feet of wetlands.

Minor edits were made to the draft Order of Conditions. Motion by Lisa Carrozza to sign and issue the Order of Conditions, as amended, seconded by Ron O'Reilly. Approved.

OLD BUSINESS

Violations:

90A Freeman violation -
241 Dean Street

#250-38 – 162 West Main Street - Jennifer Carlino noted the court date is this Wednesday. She said that Town Counsel stated that Attorney Henry Sousa had contacted him.

NEW BUSINESS

Shpack – Notice of Activity and Use Limitation (NAUL)

Jennifer Carlino noted comments were submitted on the original letter but were ignored.

Norton Conservation Commission
Monday, August 8, 2016
Minutes, Page 9.

Reservoir Update
Report from Staff
Site visits
Waterbodies Committee update
Wetland Protection Fund
Grants

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

Discussion ensued on dates for upcoming meetings for September and October.

- Jennifer Carlino noted the Annual Fall Town Meeting is scheduled for Monday, October 17, 2016 and Articles for the warrant are due by August 30th. Jennifer Carlino commented she was asked to submit 4 articles for the warrant;
 1. Revise the Solar Bylaw stating the Conservation Agent will review the SWPPP instead of the Building Inspector.
 2. Revise the Boat Use Bylaw.
 3. Comply with the MS4 Permit by adding Construction Term Sediment & Erosion Control Bylaw.
 4. Comply with the MS4 Permit by adding the Post Construction Operations & Maintenance Plan Bylaw.

- Jennifer Carlino noted the Annual Town Report is due September 19, 2016.

Motion by Ron O'Reilly to adjourn the meeting at 8:34 pm, seconded by Julian Kadish. Approved.

Minutes Approved by Committee on:

11/14/16
(Date)

Respectfully submitted,

Signature:

Scott Ollerhead

Chairman,

Scott M. Ollerhead