



Norton Conservation Commission  
70 East Main Street  
Norton, MA 02766  
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**Monday, December 19, 2016**  
**Minutes**

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

**Attendance:** Ron O'Reilly, Dan Pearson, Julian Kadish, Gene Blood, and Conservation Agent, Jennifer Carlino

**Absent:** Scott Ollerhead, Lisa Carrozza, Jan Franceschelli

**WETLAND HEARINGS**

**Notice of Intent (#250-993) Donna Cataloni, 24 John F Kennedy Dr, (Map 20 Parcel 109)-** for proposed plans to repair and replace a septic system within 100 feet of bordering vegetated wetland.

Document List:

1. Notice of Intent application prepared by Collins Engineering Group, dated November 23, 2016
2. "Plan and Details, Subsurface Sewage Disposal System Upgrade, 24 John F Kennedy Dr", signed and stamped by George Collins, dated Nov. 23, 2016

*Dave Klenert of Collins Engineering attended the meeting as the representative to describe the project. The work is proposed within buffer zone only. There are three trees that have already been cut. 8" mulch sock with silt fence is proposed but due to frozen conditions, the commission will condition the use of a 12" sock instead.*

*Motion to close public hearing was made by O'Reilly, seconded by Pearson. Approved. Motion was made to issue the draft Order of Conditions with edits as discussed by O'Reilly, seconded by Pearson. Approved.*

**Notice of Intent – (#250-992) - Steve Kelly – Wheaton College - 26 East Main Street (Peacock Pond) (Assessor's Map 17 Parcel 14)** for proposed plans to repair the façade and structural integrity of a stone retaining wall that contains Peacock Pond. (cont. from Nov. 14, 2016 mtg, Nov. 28, 2016.)

Document List:

1. Notice of Intent application prepared by Farland Corp received October 31, 2016.
2. "Site Plan, Wheaton College, Peacock Pond, Assessors parcel ID: 17-14, Norton, Massachusetts", prepared by Farland Corp, signed and stamped by Christian Albert Farland, dated October 28, 2016.
3. Revised Notice of Intent Project Narrative, dated 12-2-16, prepared by Farland Corp.

*At the last meeting, Commissioners asked for more detailed description of project including dewatering means and methods, sand bag perimeter, concrete cutting methods, staging areas, length*



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*of time for work, and drawdown specifications. That information had been received and distributed to the members prior to the meeting.*

*Matthew White of Farland Corp. and Miguel Castanheira of Schumacher Landscaping, attended the meeting as the representative to describe the project. Work is proposed within Land Under Waterbodies and Waterways, Bank and Buffer Zone. White reviewed the revised narrative that included more detail on the means and methods of the project. The commission will condition the following items. The washout from the concrete mixer will be put into a container with a poly liner. There is no drawdown of the pond for this project. The dewatering hose shall contain a screen to prevent wildlife impingement. During dewatering there will be a person monitoring the water to ensure wildlife is not trapped in the mud and all trapped wildlife will be relocated to the pond.*

*Motion to continue the public hearing to the January 9, 2017 meeting with a draft Order of Conditions was made by O'Reilly, seconded by Pearson. Approved.*

**Notice of Intent – (#250- ) – Erin Whoriskey, Massachusetts Electric Company d/b/a National Grid- West Hodges Street public roadway shoulder (nearest Assessor's Map 35, Parcel 7-04) –for proposed plans to install new underground conduit by directional drilling under wetland and Goose Branch Brook and within the 100-year floodplain.**

*A representative did not appear at the scheduled hearing time. Motion was made to table this discussion to the end of the meeting in case someone came. Motion by Pearson, seconded by Blood. Approved. A representative still had not appeared by the end of the meeting. Motion was made by Pearson, seconded by O'Reilly to continue the hearing to the January 9, 2017 meeting. Approved.*

**Amended Order of Conditions - (#250-960) – Condyne Capital Partners – 60 Commerce Way, (Assessor's Map 24, Parcel 116)– (cont. from the October 24, 2016, Nov. 14, 2016 mtg, Nov. 28, 2016.) - to amend/modify the building size, stormwater management and drainage changes, installation of fuel island and a new water line.**

*The applicant requested a continuance to January 9, 2017.*

**Notice of Intent (#250-983) – Muhammad Itani/Island Brook LLC – 0 East Main Street – (Assessor's Map 17, Parcels 57, 238, 239, 240, 241, 242, 243, 244 & 245) (cont. from the October 24, 2016, Nov. 14, 2016 mtg, Nov. 28, 2016.)- for the construction of 56 single-family units with loop road, stormwater detention ponds and work within 200 feet of Rumford River.**

*The applicant requested a continuance to January 9, 2017.*



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## **SIGN AND ISSUE ORDER OF CONDITIONS/ORDER OF RESOURCE AREA DELINEATION**

**Notice of Intent – (#250-991) – Emerson Builders, Inc., 52 West Hodges Street – (Assessor's Map 35, Parcels 7-01 & 7-05)** – for proposed plans to demolish a house, accessory building, well and portion of a driveway and to construct a house, expand a driveway and install utilities within 100 feet of wetlands.

*Motion was made by O'Reilly, seconded by Blood to issue the Order of Conditions as drafted.  
Approved.*

## **REQUEST FOR PARTIAL/FULL CERTIFICATE OF COMPLIANCE**

**#250-984**                      **Sinclair Manufacturing Company**                      **12 S Worcester St**  
**(full)**                      **Map 26, parcels 124-01, 126, 127, 127-01, 128**

-for plans to perform remedial actions within Chartley Brook

*Motion was made by O'Reilly, seconded by Blood to issue the Full Certificate of Compliance.  
Approved.*

**#250-815**                      **Collins Civil Engineering**                      **Parcel 238 (Map 9)**  
**(full)**                      **Group, Inc.**                      **130 Mansfield Avenue**

-older project for the outdoor patio and stormwater improvements

*This was previously issued, but the applicant has lost the original and needs an original for recording.  
Motion was made by O'Reilly, seconded by Pearson to issue a Duplicate COC. Approved.*

**#250-906**                      **Campanelli Thorndike Norton LLC**                      **274 E Main Apartments**  
**(partial)**                                           **Map 11, parcels 61 and 76**

-for proposed plans to construct 7 apartment buildings, garages, clubhouse, pool, stormwater

*Blood recused himself from the discussion. This permit had to be reissued because we were given the wrong book/page information. Oren Sigal of 28 Coddington Road asked about the Conservation Restriction and again, requested fencing be placed at the limit of work on the 274 E Main property. This request is inconsistent with the Order of Conditions, specifically prohibiting a full fence along the limit of work because it is a barrier to wildlife movement to and between the three certified vernal pools. Sigal argued at length for the fence; however, members stated that a fence is not in the best interest of wildlife. David Eastridge and Brenden Gilmore of Campanelli Thorndike Norton LLC were also in attendance. Eastridge stated this appeared to be a zoning issue, not a conservation-related issue. Carlino explained that the Commission already has a bond for the remaining work.*



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### NEW BUSINESS

Amendments to the recorded Easement, Restriction and Non-Interference Agreements for Shpack Site, Union Rd.-Mark Reich

*This agreement is required by the attorneys to demonstrate that no one will prevent an identified entity from entering the Shpack site to perform any ongoing maintenance or monitoring. Motion was made by O'Reilly, seconded by Blood to sign the easement. Approved.*

**Right of First Refusal – Newland/Newcomb Street Map 5, parcel 3,** *Members discussed the location of the property. This land does not abut any other conservation land but there is another parcel owned by the same owner that would interest the commission. Motion was made to send a letter to the selectmen to decline this right of first refusal and to include a request that the selectmen work with the owner to obtain the other parcel. Motion was made by O'Reilly, seconded by Pearson. Approved.*

**Right of First Refusal- Bay Rd-** *letter regarding improper notification. Carlino described receiving a letter from the Board of Selectmen declining the right of first refusal on this property. Carlino sent letter to the owner, Selectmen and counsel that Conservation had never been properly notified of the sale and that the applicant is in violation of the Chapter 61A law. Counsel prepared a letter for Town Manager to send to the landowner and sent the requested checklist for the town to follow when a right of first refusal is submitted.*

### Capital Budget due Dec 14.

*Carlino submitted the Chartley pond dam estimates from Pare for upstream retaining wall work*

**Spring Town meeting** scheduled for May 8, 2017, articles due Feb 1, 2017.

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

### OPEN SESSION (TOPICS NOT REASONABLY ANTICIPATED 48 HOURS IN ADVANCE)

22 Maplewood- *The owner still has not submitted a permit application for the grading he did on his property and within the 100-year floodplain. Members agreed to issue an Enforcement Order and ratify it at the January 9, 2017 meeting.*



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*Meeting adjourned at 7:55pm.*

*Minutes approved by the Commission on* 1/23/17 *(Date)*

*Respectfully submitted,*

Scott M. Ollerhead *(Signature) Chairman, Conservation Commission*

Scott Ollerhead *(Printed name)*