



Norton Conservation Commission
70 East Main Street
Norton, MA 02766
508-285-0275
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conservation@nortonmaus.com

RECEIVED
NORTON TOWN CLERK
2017 FEB 23 P 6:22

Monday, January 23, 2017
Minutes

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

Attendance: Ron O'Reilly, Scott Ollerhead, Jan Franceschelli, Dan Pearson, Julian Kadish, Gene Blood, Lisa Carrozza, and Conservation Agent, Jennifer Carlino

Absent:

DISCUSSION:

22 Maplewood Ave Enforcement Order (Map 19, parcel 49)

Document List

1. September 16, 2016 Cease and Desist letter from Conservation Commission to Alexa Medina.
2. Site photographs
3. Enforcement Order issued January 10, 2017

Kevin Rooney and Alexa Medina attended meeting to review work done at their property. Rooney claims to have "cleaned" the area of trash and debris. Rooney attended 10/24/16 meeting when Commission instructed him to produce a plan of the property and return to the Commission. Enforcement Order was sent when he failed to return. Rooney presented mortgage plan with no elevations. Carrozza asked if he had a septic plan. Rooney will check with Board of Health for old plan that has elevations of the property on it. Carlino described meeting with Rooney in 2014 about this same issue and instructing Rooney to file for a permit. Rooney didn't want to get a permit so decided to remove junk, but resulted in grading anyway. While removing junk he added approximately three truck loads of fill to the ground elevation. Work was done in Bordering Land Subject to Flooding, Priority Habitat and buffer zone to bordering vegetated wetland and bank of Winnecunnet Pond. Kadish explained permit is still required. Carlino also described changes to the gravel parking area and that the septic mound in front yard appears to be gone despite speaking with Rooney and contractor Luke Grant about requiring a permit a number of times. Rooney claims no work was done. Rooney will attempt to locate a plan with elevations, estimates for amount of fill brought to site and pictures of site stabilization to the March 27, 2017 meeting. Commission stated they will start with plans he brings and see if they are appropriate. If not, he will need to hire engineer/surveyor to create plans for his permit application. Rooney requested Enforcement Order be revised to show he attended October 24, 2016 meeting and meeting tonight. Carlino will revise the EO as requested and list items to be completed prior to March 27, 2017.

A Motion was made by O'Reilly, seconded by Pearson to continue discussion to March 27, 2017 meeting. Approved.



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WETLAND HEARINGS

Notice of Intent – (#250-995) – 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.

Document List

1. Notice of Intent application prepared by BSC Group, dated November 2016
2. "8L2/8L4 Feeder Tie, Transmission Crossing- West Hodges St, Norton MA WR#20338415", prepared by Control Point Technologies unstamped dated April 18, 2016.
3. "8L2/8L4 Feeder Tie, Environmental Resource Map, West Hodges St, Norton MA". Prepared by BSC Group December 8, 2016.
4. Letter from DEP to BSC Group dated November 7, 2016 regarding on-site inspection for 401 Water Quality Certificate
5. December 7, 2016 and December 20, 2016 emails regarding missing information from application
6. Revised NOI application with book/page info and updated resource area impacts.

Chase Bernier, BSC Group, attended the meeting for the applicant. The legal notice payment was made to wrong entity. Bernier provided appropriately addressed check for legal bill at the meeting. Green certified mail cards for the abutter notification were received.

Bernier gave very brief description of the project. Commission requested he point out the Resource Areas first. Project is located in Riverfront Area, Bordering land subject to flooding and buffer zone to bordering vegetated wetland and bank. Dewatering basins are outside BLSF. One bore pit is in BLSF. Carrozza asked for details of bore pits, test pits, sediment controls, staging areas, restoration notes for seeding rates and specs on the plans. Full sized plans with signature and stamp of Engineer requested.

Carlino questioned Water Quality Certificate on-site meeting with DEP. Bernier stated it was no longer needed now that BSC has applied for wetland permit. WQC was requested prior to filing this application. Carlino explained that the Order of Conditions is considered the WQC if alteration is under 5,000 square feet.

A motion was made by Carrozza, seconded by Pearson to continue to Feb 13, 2017. Approved.



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Reopen public hearing

Determination of Applicability (DET#1052)

Shawn Simmons, 25 Smith Street, (Map 9, Parcel 251)- for proposed plans to install gravel within 100 feet of wetland.

The hearing was reopened at the request of the applicant. No one attended the meeting for the applicant. The meeting was postponed to the end of the agenda in motion by Kadish, seconded by Franceschelli. Approved.

Meeting was opened at the end of the agenda. No one attended the meeting for the applicant. Commissioners reviewed the issued Determination of Applicability and determined that it was correctly written as voted at the previous hearing. Carrozza read excerpt from the meeting minutes to confirm. Kadish stated applicant may have been confused since it was first discussed that he may not need to remove the stone; however, the action that was approved by the Commission included removing the stone to the No Disturbance Zone, consistent with other decisions of the Commission. Carrozza suggested attaching a copy of the approved minutes for the applicant. Carlino stated the legal notice bill was paid to the Town instead of to the Sun Chronicle and the applicant would have to correct that.

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, Dec. 19, 2016, Jan 9, 2017.) - to amend/modify the building size, stormwater management and drainage changes, installation of fuel island and a new water line.

Document List:

1. Request for an Amendment to the Order of Conditions prepared by Condyne Engineering Group, received February 25, 2016.
2. Site Plans, 80,000 sf facility, 60 Commerce Way, Norton Commerce Center, Norton MA, prepared by Condyne Engineering Group, signed and stamped by Mark Dibb, dated October 10, 2016, final revision date 12/7/16.
3. 60 Commerce Way, Norton Commerce Center, Stormwater Management Report, prepared by Condyne Engineering Group, signed and stamped by Mark Dibb, dated 5/13/2005, revised 7/20/15, revised 4/6/16, November 7, 2016
4. Norton Commerce Center, 60 Commerce Way, Layout plans options, prepared by Condyne Engineering Group, dated 4/6/15.
5. NHESP Vernal Pool Observation Report V1239, dated 4/7/16.
6. Letter from NHESP to Conservation Commission re: certified vernal pool, dated August 28, 2015.



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7. Email thread from Chessia Consulting Services LLC to Tom Maguire, DEP re: VP setbacks under WPA Regs, dated May 17, 2016.
8. Letter from Chessia Consulting Services LLC to Conservation Commission dated May 13, 2016.
9. Letter from Chessia Consulting Services LLC to Conservation Commission dated November 2, 2016
10. Letter from Chessia Consulting Services LLC to Conservation Commission dated November 21, 2016
11. Letter from Condyne to Conservation Commission dated December 7, 2016
12. Letter from Chessia Consulting Services LLC to Conservation Commission dated December 16, 2016
13. Letter from Chessia Consulting Services LLC to Conservation Commission dated December 29, 2016.
14. Letter from Chessia Consulting Services LLC to Conservation Commission dated January 23, 2017
15. Stormwater Management Table CA-2

Mark Dibb, Condyne Engineering and John Chessia, Chessia Consulting attended the meeting. Carrozza recused. Dibb showed the relocated infiltration basin on the revised plans, moved further away from the Certified Vernal Pool. The building roof runoff is now discharged to the front infiltration basin instead of going through the whole stormwater system, reducing the size of the second infiltration basin. One side of building will be for Ryder. The other side of the building is not leased yet. Condyne will own the building and rent to others. Chessia walked through his recent review. Standards 1, 2, 3, 4, 5, 7, 9, and 10 will be met.

Standard 6 is not met yet because Dibb has not clearly shown that the stormwater system won't negatively impact the CVP by reducing groundwater contribution to it. Post-construction contributions should match pre-construction contributions to the CVP. Chessia submitted copy of stormwater management table CA-2. Commission requested Dibb provide groundwater information to document there won't be a negative impact and to try to infiltrate more the roof runoff under the pavement to recharge the CVP. Commission requested restoration plan for southwest side of CVP where basin was proposed and is currently cleared. Commission requested chain link fence and curbstops or guard rail along parking area to prevent accidental future encroachment or trash from entering CVP. Commission requested motion sensing or dimming lights in parking lot near CVP and Dark Sky Compliant fixtures.

Standard 8 will require revised O & M to include keeping infiltration basin valve be kept clear of snow and be appropriately signed in event of emergency. Valve is to prevent oil or gas spill from entering infiltration basin. Snow storage will be addressed in O & M and added to plans. Revised SWPPP will be submitted for review.





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REVIEW DRAFT MINUTES

Sept. 12, 2016 *Motion was made by Carrozza, seconded by Kadish to accept the minutes as written. Approved.*

Sept. 26, 2016 *Motion was made by Carrozza, seconded by Kadish to accept the minutes as written. Approved.*

October 3, 2016 *Motion was made by Carrozza, seconded by Kadish to accept the minutes with edits as discussed. Approved.*

October 3, 2016 Exec Session *Motion was made by Carrozza, seconded by Kadish to accept the minutes with edits as discussed. Approved.*

Dec 19, 2016 *Motion was made by Carrozza, seconded by Kadish to accept the minutes as written. Approved.*

January 9, 2017 *Edits are required to be added to the minutes. They will be postponed until the next meeting.*

Pesa letter re: minutes of July 25, 2016. *Commissioners reviewed the letter from Mr. and Mrs. Pesa requesting changes to the approved minutes of July 25, 2016. Commissioners also reviewed email from Town Counsel explaining that they are under no obligation to entertain this request unless they feel the minutes are not properly written. No action was taken.*

OLD BUSINESS

Violations:

90A Freeman

241 Dean Street

388 Reservoir St

NEW BUSINESS

MACC annual conference

Commissioners will get back to Carlino regarding workshop preferences by the end of this week.

MACC-letter re: gas fracking

Commissioners felt this was an individual decision rather than a board vote. No action taken.

Reservoir Update

Chartley Pond update

Report from Staff

Site visits



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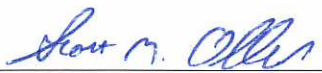
Waterbodies Committee update
Wetland Protection Fund
Grants

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

Meeting adjourned at 8:18pm.

Minutes approved by the Commission on 2/13/17 *(Date)*

Respectfully submitted,

 *(Signature) Chairman, Conservation Commission*

Scott Ollerhead *(Printed name)*