



Norton Conservation Commission
70 East Main Street
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conservation@nortonmaus.com

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NORTON TOWN CLERK

2017 AUG 17 A 11: 08

Monday, July 10th, 2017
6:30 pm
2nd Floor Conference Room
Norton Town Hall

Minutes

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

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

Absent: Dan Pearson

6:30 pm Open meeting

6:31 pm **Discussion: Compliance:** 90A Freeman –Mr. and Mrs. Fernandes were in attendance. Carlino described the last site inspection to the commission. At the previous inspection, there was a naturally vegetated area directly adjacent to the pond, an area adjacent to the driveway and the log landing area that needed to be stabilized. At the most recent inspection there was new lawn up to the edge of the pond. Mr. and Mrs. Fernandes explained they thought they were allowed to have lawn up to the pond per Chartley Landscape restoration plans. Commission was reminded that this restoration project was the result of a violation where the owner dug out the wetland to create this pond. He ceased work, refilled part of the pond and restored the rear area. Carrozza explained importance of having a vegetated buffer around the pond and made a motion to require the 25-foot No Disturbance Zone around the pond, seconded by O'Reilly. Motion approved. Mr. and Mrs. Fernandes dispute need for buffer and assert they followed restoration plan. Carlino showed on the photographs that a compromise could be met again by allowing the area between two dead stumps and the pond grow back without mowing to form natural buffer and allow lawn along driveway to the stumps and portion of pond edge for owners. Mr. and Mrs. Fernandes agree to compromise. Area will be staked in the field at site inspection this week.

WETLAND HEARINGS

6:40 pm **Notice of Intent (DEP# 250-999) – Laura Ernst, MA Electric Company d/b/a National Grid (MECO) – Parker St, South Worcester Street, John Scott Blvd – for proposed plans to remove hazardous trees.**

Document list

1. Notice of Intent application prepared by BSC Group Inc, received June 20, 2017



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2. Plans entitled, "8L2 Distribution Upgrade Project" prepared by BSC group, not signed or dated
3. Email from Conservation Commission to Chase Bernier dated June 27, 2017, July 5th response from Chase Bernier.
4. Email from conservation commission to Chase Bernier and Alexandra Echandi re: sediment control boilerplate conditions dated July 11, 2017

Alexandra Echandi, BSC Group, represented the applicant and submitted the certified mail receipts and legal notice bill payment. There may be landowners who were supposed to have signed the NOI application. BSC will submit those asap. Commission requested that they create a table of map/parcel and book and page so it is easier to follow the parcel identifications. Commission requested plans be dated, signed and stamped with the BMP specifications on it. Carlino will send Echandi the boilerplate conditions regarding sediment controls.

Trees have been marked in the field. All trees will be removed by trucks parked on pavement, not off road. Off road work will be done by hand. There will be no stumping.

Motion was made to continue to 7/24/17 by Carrozza, seconded by Kadish. Motion passes.

6:50 pm

Abbreviated Notice of Resource Area Delineation (ANRAD) (DEP #250-997) Michael Yunits – Norton/Mansfield Rail Trail Extension Project – (Map 4, Parcels 141, 311, 522, 784; Map 3, Parcel 428; Map 18, Parcel 191; Map 24, Parcel 8; Map 29, Parcels 54, 16; Map 10, Parcels 649 and 650): seeking to confirm the boundaries of the jurisdictional wetland resources along the Norton/Mansfield Rail Trail Extension Project corridor within the Town of Norton.

Applicant requested a continuance to July 24, 2017. Motion was made by Carrozza, seconded by Kadish. Motion passes.

7:00 pm

Request to amend Order of Conditions (DEP # 250-967): James Altoonian – 14 John Scott Boulevard (Map 32, Parcel 98) – for proposed plans to construct a private well, driveway, garage, and horse corral within 100 feet of wetlands.

Cleber Feiljo attended the meeting and paid the legal notice bill. The garage has been moved 14 feet south of the original design, including a roof overhang extending fourteen feet to the east.

- *A corral has been added to the east of the detached garage*
- *The limit of work, visual barrier, and siltation control line has been adjusted to encompass garage and corral.*
- *Well had been moved closer to existing house.*



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- *Retaining wall in front is significantly larger and longer than proposed*

Commission asked where the manure is going to be stored. Feiljo answered he will remove all manure to off-site location. Commission considered requiring an earthen berm around the corral to ensure manure or contaminated water isn't flowing overland to the wetland. Feiljo states grade is lowered by about 2 feet and not necessary. Carlino was instructed to conduct follow up inspection and report back to board whether existing grades necessitate construction of berm. Horses will not be walked in the wetland.

Motion was made by Carrozza, seconded by Kadish to continue hearing to July 24, 2017 for inspection. Motion passes.

7:10 pm

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, Dec. 19, 2016, Jan 9, 2017, Jan 23, 2017, Feb 13, 2017, March 13, 2017, April 10, 2017, April 24, 2017, May 15, 2017)- for the construction of 56 single-family units with loop road, stormwater detention ponds and work within 200 feet of Rumford River.

Applicant requested continuance to July 24, 2017. A motion was made by Carrozza, seconded by Kadish to continue to July 24, 2017. Motion passes.

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

Notice of Intent (DEP # 250-996): Laurie Bonaparte – 19 King Philip Rd (Map 19, Parcel 73-19, continued from 5/15/17) – for proposed plans to demolish/reconstruct a house, driveway and install utilities within the 100-year floodplain and within 100 feet of Winnecunnet Pond.

Mark Arnold, Goddard Consulting, and applicants in attendance. Commission discussed plans and performance standards for not increasing impervious surface or elevations. Commission determines that flood vents will provide adequate compensation for floodplain and project can be approved. Motion made by Carrozza, seconded by Kadish, to issue boilerplate conditions with:

- 1. Final flood vent selection to be submitted prior to construction;*
- 2. Revised pages 2 and 3 of NOI to be submitted before issuing permit; and*
- 3. Revised plan will be submitted clarifying the compensatory volume calculations.*

Motion passes.

REQUEST FOR PARTIAL/FULL CERTIFICATE OF COMPLIANCE



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#250-75/75A

2 River Road/Winnecunnet Pond
Map 19, Parcel 17

Full

250-75: Expansion of a living room within existing dwelling, to be no lower in elevation than 70 MSL.
250-75A: Demo and reconstruct a retaining wall on the property, wall needs to be on property owner's land and not on town land

The current property owner was in the process of selling the property (closing date was originally 5-19), and found out there are 2 open Orders on the title.

Motion was made by Kadish, seconded by O'Reilly to issue a full for both 250-75 and 250-75A. Motion passes. Carrozza abstains.

REVIEW DRAFT MINUTES

5-15-17 *no quorum for this meeting, postponed to next meeting.*

6-26-17 *Motion was made by Kadish, seconded by O'Reilly to approve as drafted. Motion passes. Carrozza abstains.*

OLD BUSINESS

Violations: *no new action on these*

- 241 Dean Street –
- 388 Reservoir St

NEW BUSINESS

July meeting dates: *Carlino will not be in attendance for this meeting.*

Reservoir Update *Pare Corporation bills are being finalized for Reservoir and Chartley projects. Reservoir spillway project is nearly complete.*

Chartley Pond update *Town Counsel provided title search regarding the ownership of the dam and the retaining walls. Owners of Sinclair Manufacturing and Rustic Fire own portions of the retaining walls and culvert. Carlino to revise Dam Registration form with Office of Dam Safety and Registry of Deeds to include 2 additional owners.*

Chartley dam is in poor condition. ODS requires 6 month inspections. Pare Corporation will perform those. Upstream walls require maintenance. Pare Corporation is revising contract for design and bidding this work. Both contracts will take up the vast majority of the Dam budget this fiscal year.

Report from Staff

Waterbodies Committee update

Wetland Protection Fund

Grants *Carlino submitted grant to Division of Ecological Restoration (DER) to repair and replace the existing culverts on Walker Street at the Wading River. Grant was due today.*



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Carlino to submit LAND grant to purchase Camp Edith Read, due Wed, July 12, 2017. Carlino is waiting for appraisal before negotiating price with Girl Scouts.

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

- *NOI application for 22 Maplewood still has not been received. Carlino assisted owner with this application months ago. Commission opts to send reminder letter to owner vs. another Enforcement Order.*
- *Commission typically re-organizes in July. Motion made by Kadish, seconded by Carrozza to keep same officers. Ollerhead (Chairman) and Kadish (Vice-Chairman) agree. Motion passes.*

A motion was made by O'Reilly, seconded by Kadish to adjourn the meeting at 8:00pm. Approved.

Minutes approved by the Commission on 7/24/17 (Date)

Respectfully submitted,

Scott M. Ollerhead (Signature) Chairman, Conservation Commission

Scott Ollerhead (Printed name)