



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

RECEIVED
NORTON TOWN CLERK

2018 JAN -9 A 10:15

Monday, September 25, 2017
6:30 pm
2nd Floor Conference Room
Norton Town Hall

MINUTES

The meeting was called to order at 6:52 pm.

Attendance: Ron O'Reilly, Julian Kadish, Dan Pearson, Gene Blood, Agent Jennifer Carlino, Secretary Regen Milani

Absent: Lisa Carrozza, Scott Ollerhead

6:31 pm **Discussion of de-icing alternatives, and modification to permit 250-612.** Gary Perkins, Red Mill Village, and Peter Dion and Nate Pettinato of GroundsKeeper, Inc. (continued from 8/28/17)

Dick Churchill Groundskeepers, Inc. attended the meeting. He passed out a map to the commission members and asked if the area marked in green was an accurate representation of the salt restricted area. The map was extracted from map 501-40 in the packet. Groundskeepers wanted confirmation from the commission that they are doing the right thing/will be in compliance using the map presented in their work on site. Within the green area, there is a 'no sodium restriction'. Salts are allowed outside this area. The applicants previously submitted 4 products to be approved in non-sodium area and Churchill reminded the Commission of these options: 1. Ice Bite- sugar beet liquid. Used in the mid-west. 2. Natural melt 3. CF7 used on airport runways. They use this at other properties in garages. 4. Magnesium pellets commonly used in the area. Material safety sheets were submitted. The Commission asked if Pettinato was able to locate any literature on the sodium removal rates of detention basins.? Pettinato said there is no data to support what is an acceptable level of what would drop out or not. Kadish then clarified to Groundskeepers that the applicants do not require approval for a product from the Commission as long as they remain in compliance and do not use a sodium-based de-icer in the restricted area. Red Mill Village are free to use any of these four options and this does not have to be voted. A modification to the existing permit/conditions is not needed. Groundskeepers said they are willing to use the non-sodium in the green area indicated but due to cost will use sodium outside of this area. Groundskeeper would like a letter from the Commission/Agent that they have marked the map correctly. Kadish agreed that the Commission will send a courtesy letter regarding the map.

WETLAND HEARINGS

6:45 pm **Notice of Intent (#250-1001). Margaret Robinson, American Tower. 122 W Hodges Street (Map 34, Parcel 2).** Proposal for the construction of a 150-foot monopole communications tower within 100 feet of a wetland and rare species habitat.

Document list

- 1. Notice of Intent for a proposed construction of a 150-foot monopole for communications tower, prepared by Nicholas Carmen of Aquaeter, Inc. Dated 8/29/17.*
- 2. Zoning drawings. Dated 1/27/17, revised 5 times last time 4/6/17, signed by Patrick Barry 4/10/17.*



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3. Site plans entitled "Overall Site Plan" dated 1/27/17 revised 4 times last time on 4/6/17, signed by Patric Barry 4/10/17.
4. Wetland Delineation Report prepared by Aqueater. Dated 10/25/16.
5. Natural Heritage & Endangered Species Program NHESP File No 17-37145 determination. Dated 9/21/17.
6. Full plan sets dated 4/6/17.
7. Proof of certified shipment to NHESP.
8. Page 7 completed will all check and electronic submission information
9. Proof of NOI submission for payment documentation.

Megan Cook from American Tower attended the meeting to represent her company. She described the project to the Commission: a 100' x 100' ground lease, access and utility easement. A portion of access road is in the wetland buffer. The ground lease area is outside the buffer. They selected this site out of several properties considered because it fills a substantial gap in coverage for T Mobile. No other location met T Mobile's objectives. Stormwater will flow to a detention basin in the square lease area. Kadish asked for clarification on the drainage. There is a proposed roadside ditch, and erosion control blanket. Kadish asked if Carlino had questions. She indicated that Stormwater Report Checklist was missing and provided a copy of this checklist to M. Cook. Carlino then asked about untreated discharge on the site plan. There needs clarification on why there is a culvert under the road and if they will be using a detention basin versus infiltration basin as both were referenced. They are not the same thing. Someone from North Carolina needs to call Carlino to discuss the plans as they need to meet Mass standards.

Motion was made to continue to 10/16/17 by O'Reilly, seconded by Blood. Motion to Continue passes.

6:55 pm **Notice of Intent (#250-1003). Ryan Crowell. 56 Oak Street (Map 21, Parcel 59). Proposal for the repair and replace a septic system within 100 feet of wetland.**

Document list

1. Notice of Intent for a proposed upgrade to septic system by adding new tank and leachfield and abandoning old tank and leachfield, move water line, prepared by Edward Avizinis of Natural Resource Services, Inc. Dated 9/8/17.
2. Project narrative for NOI Application prepared by Edward Avizinis of Natural Resource Services, Inc. Dated 8/15/17.
3. Plan entitled, "Sewage disposal system upgrade repair plan" prepared by OSD Systems Associates Inc. signed and stamped by Nicole Letendre on 9/21/17 and dated 8/7/17.

Ed Avizinis professional wetland scientist from Natural Resource Services Inc. and OSD Systems Associates was there to represent the client. He presented a map and submitted a revised plan to the Commission at the meeting. The plan drawings are the same as the previous version but this new version contains new notes to comply with Norton erosion control- revision dated 9/21/17. Kadish asked how many days it would take to finish. Avizinis expected one week at most. The Commission would like a visual barrier in the form of buffer markers at the border of the No Disturbance Zone and recommended 5 buffer markers located approximately every 30 feet.

Motion was made to close the public hearing by O'Reilly, seconded by Pearson. Motion passes.



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Motion was made to approve the Order of Conditions for DEP file #250-1003 by O'Reilly, seconded by Pearson. Motion passes.

7:00 pm **Notice of Intent (#250-1004)- Kevin Rooney. 22 Maplewood Ave. (Map 19, parcel 49)-** for proposed plans to modify the existing driveway, grade and pave a lawn within the 100-year floodplain and 100 feet of Winnecunnet Pond wetlands (post facto).

Document list

- 1. Notice of Intent for proposed plans to modify the existing driveway, grade and pave a lawn within the 100-year floodplain and 100 feet of Winnecunnet Pond wetlands (post facto). Dated 5/25/17.*
- 2. Plan entitled, "Site Plan" prepared by RLM, signed and stamped by Robert L. Mason, dated 4/20/17.*

Kevin Rooney, the applicant, was present. The work for this application was previously done without a permit. It was stated by Carlino that as of this hearing all prior issues have been resolved. Pearson asked for photos at the end of the project, and Carlino replied that photos can be required for the COC instead of an As-Built Plan.

Motion was made to close the public hearing by O'Reilly, seconded by Blood. Motion passes.

A discussion regarding the need for visual barriers was considered. It was agreed that adding 3 markers be placed on existing fence line as notice to future owners of this property would be required.

Motion was made to issue the Order of Conditions for DEP file #250-1004 by O'Reilly as amended, seconded by Blood. Motion passes.

7:10 pm **Notice of Intent (#250-1002)- Jeffrey O'Neill, Condyne Construction – South Washington St (map 25, parcel 7) (cont. from 8-28-17, 9-11-18)-** for proposed plans to construct a commercial building, driveway, utilities and stormwater management within 100 feet of wetland and rare species habitat.

Document list

- 1. Notice of Intent for a proposed development, prepared by Mark Dibb, P.E. of Condyne Engineering Services, LLC, Dated 5/3/17.*
- 2. "Site Plans 112,500 Square foot facility, 0 South Washington Street, Map 25, Parcel 7", prepared for Condyne Construct, Inc., signed and stamped by Mark Dibb, P.E. Dated 8/3/17.*
- 3. Letter, addressed to Norton Conservation Commission, RE: Notice of Intent for a proposed development, dated 8/3/17.*
- 4. Stormwater Management Report, prepared by Condyne Engineering Group. Dated 8/1/17.*
- 5. Contract for Chessia Consulting Services LLC. Dated 8/15/17.*
- 6. Accounts payable sheet for consulting services.*
- 7. Letter from Chessia Consulting Services regarding review of project for compliance with the Wetlands Protection Act, specific to Stormwater Regulations and design conformance to engineering standards.*
- 8. Email from JC to Mark Dibb with attachment of WPA Form 4B- Order of Resources Area Delineation with photos/maps from 250-694, dated 8/17/17.*



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9. Letter from Condylne Engineering Group regarding NOI response to comment with revised plans per Chessia comments. Dated 8/29/17.
10. Stormwater Pollution Prevention Plan for construction activities at 0 South Washington Street prepared by Condylne Engineering Group. Dated 8/29/17.
11. Revised Stormwater Management Report, prepared by Condylne Engineering Group. Revision date 8/29/17.
12. Revised "Site Plans 112,500 Square foot facility, 0 South Washington Street, Map 25, Parcel 7", prepared for Condylne Construct, Inc., signed and stamped by Mark Dibb, P.E. Revision date 8/29/17.
13. Email from B. DeBlender (DEP) to M. Dibb (Condylne) cc J. Carlino requesting the submission of a Stormwater Report and stamped and signed DEP Stormwater Checklist in order for DEP to issue a file number. Dated 9/24/17
14. Email from J. Carlino to M. Dibb & J. Chessia regarding the ILSF. Dated 8/31/17
15. Plans presented and submitted at 9/11/17 CC meeting by Mark Dibb as follows:
 - a. Site map entitled "Estate of Michael Lach: by John W. Delano and Associates Inc dated 11/10/98
 - b. Site plans entitled "Permit Plan Confidential – 202 South Washington Street Site Plan Norton MA" prepared by Condylne Engineering dated 5/30/17.
 - c. Plan entitled "Plantation Realty Trust Joseph Raffaele, Trustee 202 South Washington Street Existing Conditions Plan" sheet 2 of 13 prepared by Hayward-Boynton & Williams inc. dated 7/9/07.
 - d. Plan entitled "Plantation Realty Trust Joseph Raffaele, Trustee 202 South Washington Street Overall Layout Plan" sheet 3 of 13 prepared by Hayward-Boynton & Williams Inc. dated 7/9/07.
16. Email from M. Dibb to J. Carlino with information requested by J. Carlino on contact from NHESP. Dated 9/12/17.
17. Determination letter from Natural Heritage & Endangered Species Program dated 9/15/17.
18. Revised "Site Plans 112,500 Square foot facility, 0 South Washington Street, Map 25, Parcel 7", prepared for Condylne Construct, Inc., signed and stamped by Mark Dibb, P.E. Revision date 9/21/17.
19. Document dated 9/21/17 prepared by Mark Dibb with both Chessia and H & W comments addressed.
20. Supplemental Engineering Review from Chessia Consulting Services dated 9/25/17.

Mark Dibb PE, and Jeff O'Neil, representative and applicant respectively, attended the hearing. A letter from 9/25/17 indicated that the applicants have addressed concerns from town consultant Chessia Consulting Services and so new plans dated 9/21/17 show some small adjustments accordingly. Dibb offered to go through these small changes. Commission indicated this was not necessary as they had reviewed the documentation.

Motion was made to close the public hearing by O'Reilly, seconded by Blood. Motion passes.

Carlino will add conditions provided by Chessia earlier in the day on 9/25/17. Motion was made to issue Order of Conditions for DEP file #250-1002 by O'Reilly, seconded by Blood. Motion passes.



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7:20 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, 6/12/17, 6/26/17, 7/10/17, 7/24/17, 8/14/17, 8/28/17, 9/11/18)- for the construction of 56 single-family units with loop road, stormwater detention ponds and work within 200 feet of Rumford River.

Applicant requested a continuance. Motion was made by O'Reilly to continue to 10/16/17 seconded by Pearson. Motion passes.

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

Order of Resource Area Delineation (ORAD) (DEP #250-1000) – Jeffrey O'Neill, Condyne Construction – South Washington St (map 25, parcel 7 and map 25, parcel 8-11) (continued from 7-24-17, 8-14-17, 8-28-17, 9-11-17) - to confirm the boundaries of the jurisdictional wetland resources.

Motion to issue Order of Resource Area Delineation for DEP file #250-1000 was made by Pearson, seconded by Blood. Motion passes.

Order of Resource Area Delineation (ORAD) (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) (continued from 6-26-17, 7-10-17, 7-24-17, 8-14-17, 8-28-17, 9-11-17): seeking to confirm the boundaries of the jurisdictional wetland resources along the Norton/Mansfield Rail Trail Extension Project corridor within the Town of Norton.

Motion issue Order of Resource Area Delineation for DEP file #250-997 was made by O'Reilly, seconded by Blood. Motion passes.

REQUEST FOR PARTIAL/FULL CERTIFICATE OF COMPLIANCE

#250-992	Wheaton College	26 East Main St
Full		Map 17, parcel 14
Repair façade and structural integrity of a stone retaining wall that contains Peacock Pond.		

Motion to issue a full Certificate of Compliance was made by O'Reilly, seconded by Pearson. Motion passes.

#250-802	Wheaton College	26 E Main St
Full		Map 17, parcel 14K
Relocate utilities, 185 sf wetland alteration with 450 sf replication		

Motion to issue a full Certificate of Compliance was made by O'Reilly, seconded by Pearson. Motion passes.

#250-445	Tournament Players Club of Boston	Route 140, Mansfield Ave
Full		Map 8, parcel 16, 17, 18, 19, 19-01 to 19-10, 20, 20-01, 21, 21-01, 30, 31, 33, 35, 36, 37, 38, 39, 39-01 to 39-07, 40, 41 & 42
		Map 9, parcel 288 & 292, Map 15 10, 12, 14, 17, 18, 19, 24, 25, 27, 29 & 34-01



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Construction of an 18-hole golf course within wetland resource areas and/or its 100-foot Buffer Zone.

Motion to issue a full Certificate of Compliance was made by O'Reilly, seconded by Pearson. Motion passes.

#250-554 Tournament Players Club of Boston Arnold Palmer Blvd
Full Map 8, parcel 123, Map 9, parcel 292 & 301
Boardwalk, path construction, additional tee 4th hole, bus queue/tv area

Motion to issue a full Certificate of Compliance was made by Pearson, seconded by Blood. Motion passes.

#250-562 Tournament Players Club of Boston Arnold Palmer Blvd
Full Map 8, parcel 123, Map 9, parcel 293
For overflow parking, additional tee 9th hole, new boardwalk, temporary tents/bridges

Motion to issue a full Certificate of Compliance was made by Pearson, seconded by Blood. Motion passes.

#250-614 Tournament Players Club of Boston Arnold Palmer Blvd
Full Map 8, parcel 123, Map 9, parcel 292
For installation of temporary bridge, overflow parking and temporary tents

Motion to issue a full Certificate of Compliance was made by O'Reilly, seconded by Pearson. Motion passes.

REVIEW DRAFT MINUTES

8-28-17 *no quorum*

9-11-18 *A motion to approve the 9-11-17 meeting minutes was made by O'Reilly, seconded by Blood. Motion passes.*

OLD BUSINESS

Violations:

- 241 Dean Street *Carlino reported to the Commission that 241 Dean Street is no longer a violation and that a release letter has been issued to the property owner.*

NEW BUSINESS

Reservoir Update

Highway is the new dam operator and they have the gate, there is supposed to be a training session but it hasn't happened yet.

Chartley Pond update

Report from Staff

Carlino reported that the Massachusetts Association of Conservation Commissions' fall conference is 10/28/17 if any of the Commission members are interested in attending.

Waterbodies Committee update

Wetland Protection Fund

There is a proposed WPF draft FY18 spending plan but the Commission haven't reviewed it yet. This is so town manager doesn't have to sign for items on the plan that have been approved by the Commission.

Grants

Carlino reported that she received notification that one of the grants applied for – Walker Street culvert grant – was not approved.



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Carlino asked O'Reilly and Pearson to send in letters asking to be re-appointed to the Commission if they wished to continue to serve. O'Reilly indicated that he had indeed already done this and has been sworn in, term to expire in another three years. Pearson will talk to Selectmen's Secretary about putting it on the agenda ASAP. In addition, one seat is still vacant on the Commission and no one has expressed interest that the Agent or Commission is aware of.

Motion to adjourn O'Reilly, seconded by Blood at 8:11 PM

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

Respectfully submitted by: *Regen Milani*
Regen Milani, Conservation Secretary

*Minutes approved by the Commission on **December 18, 2017.***

Conservation Commission Signature:

Scott M. Ollerhead
Scott Ollerhead, Conservation Commission Chairman