



Norton Conservation Commission  
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Monday, February 12, 2018  
6:30 pm  
2<sup>nd</sup> Floor Conference Room  
Norton Town Hall

MINUTES

recorded by Regen Milani, Conservation Secretary

6:30 pm Open meeting

*The meeting was called to order at 6:31 pm.*

*Attendance: Scott Ollerhead, Lisa Carrozza, Dan Pearson, Gene Blood, Ron O'Reilly, Agent Jennifer Carlino, and Secretary Regen Milani*

*Absent: Julian Kadish*

WETLAND HEARINGS

Wetland hearings will be taken in order.

**A. Request for Determination of Applicability (DET# 1063). Jessica Johnson, Ex. Estate of Linda Cheetham. 2 Perry Street (Map 18, Parcel 99).** Proposal to repair and replace a septic system within 100 feet of wetland.

Document list

1. WPA Form 1 -RDA application for Jessica Johnson Ex. Estate of Linda Cheetham for 2 Perry Street. Dated 12/26/17.
2. Plans entitled "Repair" Sewage Disposal System", prepared by Hutchins-Trowbridge Associates, signed and stamped by Ralph Maloon, dated 7/19/17, final revision date 1/23/18.
3. Colored plans were distributed at the Conservation Commission public hearing to the Commission members. Dated 2/12/18.

*Michael Trowbridge of Hutchins-Trowbridge Associates presented the project. On this property there is very little room for a septic other than where the system is already placed. There are actually two systems now. These will both be excavated and they will replace these with a brand new, single, 2000-gallon tank and field. This new system again will be in the very same area as the 2 old systems. Carrozza asked where they were accessing the lot, they come in Perry. There is a short gravel driveway. Carrozza said to make sure to stockpile outside the buffer.*

*Motion was made to close the public hearing for DET 1063, made by Lisa, seconded by O'Reilly. Motion passes.*

*Motion was made to issue a negative (#3) Determination of Applicability for DET file 1063 by Carrozza with the caveat that a condition is added to the Determination that material must be stockpiled outside the buffer zone. The motion was seconded by O'Reilly. Motion passes.*

**B. Notice of Intent (#250-1006). Eco-Site. 15 South Washington Street (Map 18, Parcel 31 & 150) (cont. from 12/18/17, 1/8/18, 1/22/18).** Proposal to construct a cell tower facility with associated driveway crossing and appurtenances within 100 feet of a wetland.

*Applicant requested a continuance. Motion was made to continue to 2/26/18 by Carrozza, seconded by Pearson. Motion to Continue passes.*

**C. Notice of Intent (#250-1001). Margaret Robinson, American Tower. 122 W Hodges Street (Map 34, Parcel 2) (cont. from 9/25/17, 10/16/17, 11/27/17, 12/18/17, 1/8/18, 1/22/18).** Proposal for the construction of a 150-foot monopole communications tower within 100 feet of a wetland and rare species habitat.

*Applicant requested a continuance. Motion was made to continue to 2/26/18 by Pearson, seconded by Blood. Motion to Continue passes.*

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

<b>#250-170</b>	<b>Fuller Hammond Co. Inc.</b>	<b>Fairlee Lane</b>
Full		Map 6 & 12, parcels 34 & 19
Construction of a by-pass canal. Portions of which are within vegetated wetland and land subject to flooding bordering Mulberry Meadow Brook.		

*Fred Bottomley was here to present the request. Bertin Engineering was present too. In 1986 a permit was issued. The bypass canal is a mile and ½ long. It was completed in the 1980s. Fred is third owner since 2007.*

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

<b>#250-961</b>	<b>Ken LaCourse, ProTech Energy Solutions</b>	<b>21 Fairlee Lane</b>
Full		map 6, parcel 6
Proposed plans to restore wetlands and stormwater management associated with an existing solar array		

*Fred Bottomley was here to present the request. ProTech was the contractor for the solar farms off Bay Road. The request stems from an enforcement order against ProTech. They walked away from the project. The tenant filed bankruptcy. Fred is the owner, so he hired an engineer and followed Conservation Agent 100% or close to meeting her requirements. He's paid all the back taxes that were paid to the town.*

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

## **REVIEW DRAFT MINUTES**

1-22-18 Motion to accept Carrozza, seconded by O'Reilly. Motion passes.

1-22-18 Executive Session Motion to accept Carrozza, seconded by O'Reilly. Motion passes.

## **OLD BUSINESS**

### **#250-983- Island Brook Request for Superceding Order of Conditions**

*Island Brook order was appealed. This was expected. The site walk has been scheduled 2/28 at 11:30 am. John Chessia will attend since the appeal is almost all about storm water. WPF will be used to pay for this consultant work. DEP reviewer is Bernadette. Agent asked if Commission needs an attorney. Carlino feels the Commission may need an attorney. Carrozza suggests calling Gregor McGregor to ask him to review the appeal, and see if he thinks it's worthy. She trusts his judgment with the appeals since he has so much experience with the appeals. The permit should have been denied, but the Commission gave the applicant a chance to make it a workable project. Carrozza would like to see our conditions stand. Does DEP have the expertise in Southeast Region to review the stormwater? The Commission doesn't think they do, and therefore they wish to engage support to ensure the law is followed on this project.*

*Carrozza makes a motion to engage an attorney for 250-983. O'Reilly seconded. Motion passes.*

## **NEW BUSINESS**

- Reservoir Update
- Chartley Pond update
- Report from Staff
- Waterbodies Committee update
- Grants
- Budget

*Milani explained to the Commission that for the Consultant Outside Fees accounts there is a \$9,255.37 discrepancy between what the Accounting department has and what the Conservation department's tracking in Excel shows the Commission should have in this particular account. Milani has gone through all records back to 2008 so far, checking paper back up against the computer accounting reports and has not been able to determine where the mistake has been made. She has found a few clerical errors made by various staff members and these have all been corrected except for one. None of these added up to the \$9,000 amount. One error that has not yet been corrected is \$402.00 charged to the Consultants Outside Account in error back in FY14 and FY15 for files 250-781 and 250-782. The \$402 should have been charged against bonds held against these two projects, but the money was never transferred from the bonds to the consultant account. The Commission will need to work with the Town Manager and Accountant on a solution for this to balance the account correctly, as the bonds have already been returned to the applicant. The Commission felt it was the Accountant's job to help the Conservation Department, whose staff members are not accountants by profession, to reconcile this large \$9,255.37 discrepancy. The Conservation Agent was asked to bring this matter to the Town Manager's attention to*

ask him to engage the Town Accountant to spend time getting to the bottom of this. In addition, Carlino and Milani recommended to the Commission that sub project codes be added for each project's funds as they are deposited into this account, so that Conservation can track each project using the account department's software. At Milani's last organization she worked for they used the same accounting software that Norton does as she believes this is possible going forward. It would not be retroactive. All agreed whatever tools could be used to minimize clerical errors should be pursued and applied.

MACC conference. Blood cannot attend. Ollerhead will tell her tomorrow. Pearson is thinking about attendance and will also let her know tomorrow. Carlino is asking so that we can submit to bills payable.

Carlino is hosting two brainstorming meetings to get input into use ideas for Camp Edith Read. These will be on Thursday 2/15/18 and 2/22/18 at 7:00 pm. So far representatives from girl scouts, boy scouts, recreation, and YMCA are all joining the sessions and she would welcome members from the Commission to join one or both if they can. Carlino does not feel a new committee is needed, this property will remain in Conservation management. The property closing should be at the end of March. Carlino hopes the lodge will turn into an Environmental Center. The pool will be filled in.

Leonard Street draft EIR should be submitted. They are pushing for 7 different applications with the Planning Board at the same time. Planning and Carlino are trying to deal with this as the wetland boundary should be delineated first. Joint stormwater review by Planning and Conservation is an option if the applications are filed with both boards at the same time. Would commissioners be interested in a joint conservation - planning meeting to hear the initial proposal? It may be at the library. Blood as no problem with an initial informational meeting. Carrozza suggested making it a public information session, and not a public hearing. Carrozza says MassDOT does it all the time.

Ollerhead asked about the article 97 parcel. Jennifer previously gave a 30 minutes presentation to Selectmen. It is not financially viable to remove a parcel from article 97 as you need to buy a different parcel to compensate for the loss if you do. It is not profitable, which the Commission assumes is the reason the association would like to sell the lot.

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

Motion to adjourn by O'Reilly, seconded by Pearson. Motion passes and meeting closes at 7:28 pm.

Respectfully submitted by: \_\_\_\_\_  
Regen Milani, Conservation Secretary

Minutes approved by the Commission on 2/26/18 (Date)

Conservation Commission Signature:

\_\_\_\_\_  
Scott Ollerhead, Conservation Commission Chairman