



Norton Conservation Commission
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NORTON TOWN CLERK
2018 MAY -7 A 10:47

Monday, March 26, 2018
6:30 pm
2nd 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 6:33 pm.

Attendance: Julian Kadish, Lisa Carrozza, Dan Pearson, Gene Blood, Ron O'Reilly, Daniel Doyle Jr., Agent Jennifer Carlino, and Secretary Regen Milani

Absent: Scott Ollerhead

WETLAND HEARINGS

Wetland hearings will be taken in order.

A. Notice of Intent (#250-1012). Town of Norton. Chartley Pond (Map 26, Parcel 8) Proposal to drawdown water and repair the upstream wall of Chartley Pond.

Document list

- 1. Notice of Intent (NOI) application prepared by Town of Norton, dated 3/1/18.*
- 2. "Chartley Pond Dam Upstream Wall Repairs", prepared by Pare Corporation, signed and stamped by Matthew Belisle, dated January 2018.*
- 3. Letter from MA Div. of Fisheries & Wildlife NHESP dated 3/26/18.*

Ron O'Reilly is an abutter so he recused. Matt Bellisle the engineer with Pare Corporation was here to present the project. The dam is earthen, stop log and slide gate system. Cracks were identified during inspection procedures. They need to be repaired so that the water doesn't move into the embankment. It is preventative. If you wait, it can be a larger repair similar what was done last year. Unfortunately, you need to work in dry conditions so that the mortar can set properly, and in order to do that you have to do a drawdown to create the dry environment for the contractors. 30-day period to do work behind the dam. The water will come back up due to precipitation and natural flow after the 30 days. No negative impact to Land Under Water. There may be some localized coffer dams if needed. All the work will be by hand, and not with machinery. It is a man-made bank. The whole wall will be part of this work. He showed the Commission where the cracks are, and he indicated they are quite numerous. It will be a combination of epoxy injected and surface work. Some deeper cracks will be casts. Carlino asked if it would be the same materials as used during recent [Norton] reservoir repairs and Bellisle replied yes, they are the same. Someone from the public asked if the reservoir project was a drawn down and Bellisle responded that that

work was on the downstream side and so there was some drawdown to stop the spillover and allow work. [MA] Natural Heritage and Endangered Species Program got back to the commission and it is not a negative impact based on the timing of the project. The rare species that is present is a species of mussel. Carrozza asked if there was going to be a staging area. Bellisle replied that there is not room for a staging area. Everything has to be carried back up every day. A small work force is anticipated of two or three workers, maybe with more than one crew. Ron O'Reilly asked who will control the drawdown. It will be Ron/Conservation/the town who will do the drawdown. Ron asked if he will be given instructions on how to and he was told that yes, he would be and it would be a couple inches each day. Robbie Keen of 19 Union Road asked if that's the deepest part of the pond, and you're drawing down to the mud he feels that this will kill off all the fish in this pond. Bellisle indicated that the gradual drawdown will be to allow the fish to migrate upstream. Keen felt that the better time to do this work would be later in the summer when there is more water to allow the fish to survive. Carlino mentioned that Pare was able to get the town a grant to complete this project, and money has to be spent this fiscal year so we cannot wait until July or August to start. Kadish said Keen's point is well taken, but we have to take a chance that we will get the rain it needs to fill it back in when the repairs are completed. Keen asked when the drawdown will start and was informed it will start in mid-May. Keen indicated he felt he had no say in the matter and was upset the timing could not be adjusted.

Motion was made to close the public hearing for NOI 250-1012 by Carrozza, seconded by Pearson. Motion passes.

B. Notice of Intent (#250-1009). Tournament Players Club of Boston. 400 Arnold Palmer Boulevard (Map 8, Parcel 123-01) (cont. from 2/26/18). Proposal to perform herbicide application control of *Phragmites australis* within bank, bordering vegetated wetland and within 100 feet of a wetland.

Motion was made to close the public hearing for NOI 250-1009 by Pearson, seconded by Carrozza. Motion passes.

Carrozza requested a change to condition, remove word "repair" from item 4. Motion to issue an Order of Conditions for NOI 250-1009 with that one edit, was made by Carrozza, seconded by Blood. Motion 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, 2/12/18, 2/26/18). 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 4/23/18 by Pearson, seconded by Blood. Motion to Continue passes.

D. Abbreviated Notice of Resource Area Delineation (ANRAD) (DEP #250-1011) Jeffrey O'Neil, Condyne Capital Partners. 0 Leonard Street, 0 Rear Leonard Street, 0 Burt Street (Map 11 Parcels 22, 25-0, 25-1; Map 25 Parcel 15). Proposed plans to verify wetland resources areas.

Commission mentioned that this hearing would be continued but a member of the public took the night off from work and would like to speak since he was there. Commission allowed this commentary. James Foley 54 Leonard Street. A member of the public asked about the flagging that was in place. That is flagging to delineate the wetland. It is done by Condyne and then the Agent will verify their flagging. Mr. Foley had a lot of concerns about any potential project at this location and the impact on his home as an abutter and the process by which the town makes decisions. Kadish gave a brief overview of the purview of the Commission with others letting him know a little more about how the Commission meetings go. Foley was advised to continue to participate and that he should call the Conservation Office on Mondays of meeting nights to see if the hearing will be held or if it will continue until a future meeting.

Applicant requested a continuance. Motion was made to continue 250-1011 to 4/9/18 by Pearson, seconded by Blood. Carrozza abstained. Motion to Continue passes.

E. Abbreviated Notice of Resource Area Delineation (ANRAD) (DEP #250-1010) Jeffrey O'Neil, Condyne Capital Partners. 237, 227, 235 E. Main Street, 19 Leonard St. (Map 11 Parcels 32, 34, 35, 66) Proposed plans to verify wetland resources areas.

Applicant requested a continuance. Motion was made to continue 250-1010 to 4/9/18 by Pearson, seconded by Blood. Carrozza abstained. Motion to Continue passes.

REQUEST FOR PARTIAL/FULL CERTIFICATE OF COMPLIANCE

#250-403	Margaret Ware c/o Percy Law Group	26 Eddy Street
Full		Map 33 Parcel 51_L
Plans to construct a single-family house, driveway, lawn, and water service within 100 feet of a wetland.		

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

#250-143	Norton Conservation Commission for Plymouth Bay Girl Scouts	
Full	79 North Worcester St	Map 21, parcel 47
Plans to maintain swimming hole in Wading River.		

#250-154	Norton Conservation Commission for Plymouth Bay Girl Scouts	
Duplicate	79 North Worcester St	Map 21, parcel 47
Plans to maintain swimming hole in Wading River.		

#250-435	Norton Conservation Commission for Plymouth Bay Girl Scouts	
Full	79 North Worcester St	Map 21, parcel 47
Plans to maintain swimming hole in Wading River.		

Carlino explained that these three COCs are for the Girl Scout property that the Town is in the process of purchasing. They are old, and all for the same project which is to maintain the swimming hole by dredging out sand and muck. Project 154 had a COC but it was never recorded, so this is a duplicate.

Motion to issues full Certificate of Compliances for 250-143, 250-154, and 250-435 was made by Carrozza, seconded by Pearson. Motion passes.

REQUEST FOR AN EMERGENCY CERTIFICATION

BSC Group for Erin Whoriskey, National Grid for work on the 2276 Circuit Poles 14-31 resulting from storm damage

This item was included on the agenda to inform the commission regarding this work that was done during the recent storms to repair damages. No formal request has been received to date. Carlino had asked them about sedimentation controls. National Grid will do an inspection and draft an action plan this week and submit with the request. No action.

REVIEW DRAFT MINUTES

3/12/18 The 3/12/18 minutes were not yet ready for review and so were not distributed. Milani plans to have them ready for the next agenda. No action.

OLD BUSINESS

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

Commission got a request for additional information from Conservation and the applicant from DEP. DEP wants copies of minutes, plans, reports, and more. We have to get it to them within 60 days. The Norton Zoning Secretary has unexpectedly resigned so that may take the Town some time to provide the ZBA consulting engineer reviews.

NEW BUSINESS

- Reservoir Update
- Chartley Pond update
- Report from Staff
- Waterbodies Committee update
- Grants
- EPA award nomination letter *This letter was signed and so it is all set to go. Carrozza complimented Carlino on the nice letter.*
- Sign the deed acceptance for Camp Edith Read *Closing may be this week, or maybe next week. A motion is to sign the deed acceptance for Camp Edith Read. Carrozza made a motion to sign the deed accepting Camp Edith Read, Blood seconded. Motion passes.*

Consultants for the Winnecunnet aquatic invasives treatment project has asked to amend the order of conditions around the timing of the notification to the public regarding the herbicide treatments. They

wish to inform of all dates at once rather than having to post multiple times per year. They feel this will make it more concise. This will be on the next agenda.

Draft environmental notification form was submitted to MEPA for Leonard Street. Comments are due 4/20/18. Carlino has started a draft and will send this to Commission members for review and suggestions.

Town Council re: 162 West Main Street- The Commission has been assigned a new attorney for this case. He has made the previously discussed and approved offer to the Pesas and will get back to us once they respond.

There is a new Eagle Scout interested in a project to support this Commission and Carlino presumes this will be on the next agenda.

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

Motion to adjourn by O'Reilly, seconded by Blood. Motion passes and meeting closes at 7:19 pm.

Respectfully submitted by: Regen Milani
Regen Milani, Conservation Secretary

Minutes approved by the Commission on 4/23/18 (Date)

Conservation Commission Signature:

Scott M. Ollerhead
Scott Ollerhead, Conservation Commission Chairman