



Norton Conservation Commission
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NORTON TOWN CLERK
2018 JUL -9 P 3: 29

Monday, May 21, 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 6:30 pm.

Attendance: Scott Ollerhead, Gene Blood, Ron O'Reilly, Daniel Doyle Jr., Dan Pearson, Agent Jennifer Carlino, and Secretary Regen Milani

Absent: Lisa Carrozza, Julian Kadish

WETLAND HEARINGS

Wetland hearings will be taken in order.

Emergency Certificate – National Grid – 2276 line, poles 14-31, Oak St, rear West Main St.

Document list

- 1. Request for an Emergency Certification prepared by VHB. Dated 5/15/18.*
- 2. Site Photographs.*
- 3. Project Plan Set entitled "22276 Circuit Emergency Storm Repairs" prepared by VHB. Dated 5/15/18.*

Peter DeFusco from VHB was there to present at the hearing. Structures 14 through 41. Series of storms, tree throws knocked out lines at structure 31. A short-term repair was done at that time, but they would like to a long-term repair. They would like to also do restoration. Swamp matting will be brought in. A power auger will be used to dig down the utility pole. There is no access in the upland. The surface outside the hole is upland. Rutting was caused because there was snow cover and they could not see the access road. This is the restoration part of the application. Start work date would be a week May 21, 2018 if approved. All of the work done would be more than a month based on the number of crews. Carlino reminded DeFusco that the Emergency Certificate is only for a time period of 30 days. If the work will go longer than 30 days the applicants will have to apply for a permit for it to go longer. He may make an exemption request.

Motion was made to issue an Emergency Certificate by Pearson, seconded by Blood. Motion passes.

A. Request for Determination of Applicability (DET 1065). Claire Medeiros, 467 S Worcester Street (Map 32, Parcel 183). The proposed project involves restoration of w field within 100 feet of wetlands.

Document List

1. WPA Form 1 -RDA application for 467 S. Worcester Street. Dated 5/7/18.
2. Plans entitled "Field Restoration", prepared by applicant dated 5/7/18.

The homeowners were at the hearing to present the project. They explained to the Commission that the land behind their house was once a pig farm. It is now overrun by vines and brush, plus trash and debris. Photos of the site were passed around. The Medeiros' are asking to remove four trees, the trash and the debris. They are not looking to go into the wetlands, but to take down the vines that are killing the trees nearby. Pearson asked if they marked out the buffer zone with a site inspection. The Medeiros' responded that they had not, and Pearson stated that they would need to mark the area so they know where to stop. Carlino will go to a site inspection with the homeowners and the landscaper they have secured to mark the property. The landscaper would use a bobcat and a small backhoe. The Medeiros' were asked how they would dispose of the trash and they informed the Commission that the landscaper has quoted a price to them that includes disposal of the trash and debris. They informed the Commission that they use the well water and that there are barrels on the property they want removed as they don't know what is in them. They have to meet with the agent and the landscaper before any work is done.

Motion was made to close the public hearing for DET 1065, made by Pearson, seconded by O'Reilly. Motion passes.

Motion was made to issue a negative (#3) Determination of Applicability for DET file 1065 by O'Reilly, seconded by Pearson. Motion passes.

B. Request for Determination of Applicability (DET 1066). Columbia Gas of MA. Commerce Way (public roadway layout). The proposed project involves gas main installation within 100 feet of wetlands.

1. Request for Determination prepared by Merrill Engineers and Land Surveyors, dated 4/30/18
2. "Wetland Delineation Overlay Plan", dated April 2018
3. "Columbia Gas of Massachusetts Job Order Number (Install) 18-081225-00 Project ID 16-37314 NOR 60 Commerce Way Job Type; New Main Install (555)" dated 4/5/18

Chris Sanderson with Merrill Engineers was in attendance to present the project, which is a gas main installation to serve a building under construction for Ryder Truck company. Columbia is proposing to extend a 4-inch main an additional 1000 feet to the end of the road. All the work will take place within the existing paved roadway. The open trench method will be used. Sediment will be hauled away. Sanderson felt this was a relatively quick project with 200 to 300 feet per day of installation. The trench will be 4 feet deep; 1 foot of sand with the pipe laid on the sand. If there are any water issues, the crew will use a dirt bag. Carlino asked if they had a construction drawing. Sanderson showed her a drawing and it was added to the file. Carlino asked again about specific methods for water management during

construction. Sanderson stated again that if the crew encountered water during the project then the team would use best management practices, but he was not personally aware of what those best practices would be specific to this project. Carlino asked about sediment control and Sanderson indicated that catch basins inlets would be installed, then a silt sock or straw waddle would be installed around them to protect the throatstones. Carlino stated that the new plan showed sediment control in the road, but you cannot properly install it in pavement. The road will be in use by construction vehicles developing the lot at 60 Commerce Way. Columbia must revise the plan and have dewatering specs and notes, catch basin inlet detail, means and methods, and sediment control details and provide it to Norton Conservation one week prior to the next hearing scheduled June 11 to be heard at that hearing. Sanderson stated that he will ask Columbia Gas to add these details and submit as requested.

Motion was made to continue the public hearing for DET 1066 to 6/11/18 by O'Reilly, seconded by Doyle. Motion passes.

C. Notice of Intent (#250-1016). Wheaton College. 26 East Main Street (Map 17, Parcel 14)
Proposal for retaining wall maintenance and repair activities at Peacock Pond.

Document list

1. Notice of Intent (NOI) application prepared by GZA engineering dated 5/7/18.
2. "Notice of Intent Permitting Plans Peacock Pond- Retaining Wall Repairs Norton Massachusetts", prepared by GZA. Engineering, Inc., signed and stamped by Chad W. Cox, dated 5/3/18.
3. Email from C. Gosselin, Aquatic Biologist from Solitude Lake Management to J. Carlino regarding safe zone/wildlife habitat at Peacock Pond with attached map. Dated 5/11/18.

Ollerhead recused due to conflict of interest. Craig Kilburn of Wheaton and Michele Simoneaux and Randy Muse of GZA Environmental of were here to present the project. This is a repair of the existing linear stone retaining wall that surrounds the pond. It is proposed within a 170-foot area, but not a totaling a cumulative 50-foot section. The pond is a two-acre freshwater pond and is fed by a culvert at the headwall. The retaining wall was constructed in 1992. It is mortared together. The majority of the wall is surrounded by a walkway. It is constructed at the inland bank. Land Under Waterways and Waterbodies is the land under the pond. It is a controlled structure. For the most part it is at elevation 74. No Priority Habitats. Not in the flood zone. They will temporarily drawdown the water to do the work. On May 3, 2018 there was a habitat wildlife evaluation performed. There was one important feature that it is good open water habitat that serves wildlife including ducks migrating during the winter. Stone has come loose due to chemical and physical wearing. The plan is to have the contractor bring the materials- a pre-mix of mortar and any additives like an acrylic latex that might be added. Remove rock that is loose and damaged with hand tools such as a rock hammer. The rock should be easily liberated. There is no plan to do anything at the base of the wall. Sandbags will be placed into the pond 10 feet into the pond up to 2 feet high. The water will be pumped to a dirt bag and allowed to discharge. Muse indicated to Carlino where the dirt bag would be located. The area behind the wall will be removed and replaced within the area of disturbance. The walkway will also be repaired. The work would be late spring/early summer. It is anticipated that it would take less than a month. There are other areas that are in need similar repairs, and Muse stated that the applicants would possibly like to come back next year to ask for an amended order of conditions to add other sections of the wall to this current

project. These repairs are not in the scope of this year. Pearson asked what the latex sealant is and Muse responded that it is an acrylic binding agent and it is aquatic safe; Silko or something similar. Muse can provide a Safety Data Sheet (SDS). Pearson also suggested having the whole pond in one Order. But Muse explained that those other areas are not well defined at this time. A mini excavator or small backhoe will remove the material from behind the wall. Muse was asked what the sediment control will be during construction and there was some discussion about this between the applicants and the Commission. Pipe for dewatering will be screened at the intake. Provisions will be made for any wildlife caught in the screen or the dewatered area to be put back into the water on the other side of the sandbags.

Motion was made to close the public hearing for NOI 250-1014 by Pearson, seconded by Doyle. Motion passes.

Motion to issue an Order of Conditions for NOI 250-1014 was made by Pearson, seconded by Blood. Motion passes.

D. Notice of Intent (#250-1014). Massachusetts Electric Company. 122 & 0 West Hodges Street (Maps 35 & 34, Parcels 5_0 & 2_0) (cont. from 4/23/18) Proposal to remove five trees along the 8L2/8L4 distribution lines within 100 feet of wetlands.

Chase Bernier of BSC Group was here to present the project. Commission asked if the trees have been marked, and Bernier indicated that they have been marked by orange paint. One of the snags that was included in this project came down naturally since the last hearing. The other four trees still need to be removed. Carlino has completed the inspection.

Motion was made to close the public hearing for NOI 250-1014 by O'Reilly, seconded by Pearson. Motion passes.

Motion to issue an Order of Conditions for NOI 250-1014 was made by O'Reilly, seconded by Pearson. Motion passes.

E. 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, 2/12/18, 2/26/18, 3/12/18, 4/9/18, 4/23/18). 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 6/11/18 by Pearson, seconded by O'Reilly. Motion to Continue passes.

F. 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, 3/12/18, 3/26/18, 4/23/18). 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 6/25/18 by Pearson, seconded by O'Reilly. Motion to Continue passes.

G. 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) NORTH (Cont. from 3/12/18, 3/26/18, 4/9/18, 4/23/18). Proposed plans to verify wetland resources areas.

Mark Dibb was here to present the project. Carlino completed her inspection prior to this hearing and Holmes walked the site with her to review her concerns. Comments were incorporated. Some flags were re-set in the field. Dibb presented a color version of the ANRAD plans. Carlino stated that the flags A1-20 will be needed on the plan for road reconstruction. Dibb can give the commission another sheet with those flags on the plan. Carlino stated that sheet one zone AE elevation there were no spot grades. He said there are some in the base CAD file so he can turn those on. Regarding the riverfront area Carlino asked about B116 to 115- she felt this was odd and possibly not marked correctly. Carlino continued to go through a number of additional requested revisions to the plans. Drainage calculations were given to Carlino the morning of the hearing [5/21/18]. The area that contributed to the calculations are marked on the plans. She also had numerous other specific questions for Dibb. Carlino indicated to Dibb that ILSF calculations are normally sent out for peer review. He said he was aware of this. Carlino said she will have to get a peer review estimate and will provide it to Dibb.

A Motion was made to continue 250-1011 to 6/11/18 by O'Reilly, seconded by Doyle. Motion to Continue passes.

H. 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) SOUTH (Cont. from 3/12/18, 3/26/18, 4/9/18, 4/23/18). Proposed plans to verify wetland resources areas.

Carlino asked Dibb to add the FEMA floodplain information to both maps for both North and South. Carlino went through her specific questions on the revised plans with Dibb on the SOUTH side of the project as she had for the North [250-1011]. Dibb wrote down the items needed and indicated he would get them to the agent ASAP.

Motion was made to continue 250-1010 to 6/11/18 by O'Reilly, seconded by Doyle. Motion to Continue passes.

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

REQUEST FOR PARTIAL/FULL CERTIFICATE OF COMPLIANCE

#250-902 Brian Coulter 186 North Worcester Street
Full Map 14 Parcel 41-02 & 35-01
Plans to construct an addition within 100 feet of bordering vegetated wetlands.

Motion to issue a full Certificate of Compliance for 250-902 was made by Pearson, seconded by O'Reilly. Motion passes.

#250-965 Collins Civil Engineering Group 57 Evergreen Road
Full Map 9 Parcel 76
Plans to elevate a house within 100 feet of wetlands.

Required buffer zone signs were not picked up from the Conservation Offices as required of the applicants. Therefore, a Motion to Deny the request for a Certificate of Compliance for 250-965 was made by Pearson, seconded by Doyle. Motion passes.

#250-986 Craig Kilburn/ Wheaton College 42 Howard Street
Full Map 17 Parcel 14-03
Plans to decommission a sewer treatment plant, abandon sewer manholes, and removal of invasive species within 100 feet of wetlands.

Motion to issue a full Certificate of Compliance for 250-986 was made by Pearson, seconded by O'Reilly. Motion passes.

#250-522 Adam & Julie Crossman 120 Bay Road
Full Map 12 Parcel 190
Plans to construct a single-family home within 100 feet of wetlands.

- **Vote to release bond for 250-522 to Town Conservation Department to pay DeLano & Associates and close out the file.**

Motion to issue a full Certificate of Compliance for 250-522 was made by Pearson, seconded by O'Reilly. Motion passes.

Motion to release the bond for 250-522 to the town Conservation Department to pay to close out the file was made by O'Reilly, seconded by Pearson. Motion passes.

#250-460

Kenneth & Sookjin Martin

7 Wetherell Way

Full

Map 4 Parcel 373

Plans to construct a single-family home with associated Title V septic system, driveway, private well, site grading, and appurtenances within 100 feet of wetlands.

- **Vote to release bond for 250-460 to Town Conservation Department to pay DeLano & Associates and close out the file.**

Motion to issue a full Certificate of Compliance for 250-460 was made by Pearson, seconded by O'Reilly. Motion passes.

Motion to release the bond for 250-460 to the town Conservation Department to pay to close out the file was made by Pearson, seconded by O'Reilly. Motion passes.

#250-575

Cobb Corner Condominium Unit Owners

227 Reservoir Street

Full

Map 10 Parcel 414

Plans to construct a 4-unit condominium, parking lot, associated grading and landscaping within 100 feet of wetlands.

- **Vote to release bond for 250-575 to Town Conservation Department to pay DeLano & Associates and close out the file.**

Motion issue a full Certificate of Compliance for 250-575 was made by Pearson, seconded by O'Reilly. Motion passes.

Motion to release the bond for 250-575 to the town Conservation Department to pay to close out the file was made by O'Reilly, seconded by Pearson. Motion passes.

#250-1003

Ryan Crowell

56 Oak Street

Full

Map 21 Parcel 56

Plans to repair and replace a septic system within 100 feet of wetlands.

- **Vote to release \$500 bond to applicant for 250-1003 and close out the file.**

Motion to release the bond and issue a full Certificate of Compliance for 250-1003 was made by Pearson, seconded by O'Reilly. Motion passes

Motion to release the bond for 250-1003 to the applicant was made by O'Reilly, seconded by Blood. Motion passes.

#250-935

Jane & Edwin Clare

119 Freeman Street

Full

Map 16 Parcel 146

Plans to install a boardwalk and dock on the Norton Reservoir.

Motion to issue a full Certificate of Compliance for 250-935 was made by Pearson, seconded by O'Reilly. Motion passes.

REVIEW DRAFT MINUTES

4/23/18 Motion to accept by O'Reilly, seconded by Doyle. Motion passes.

4/23/18 Executive Session Motion to accept by O'Reilly, seconded by Doyle. Motion passes.

OLD BUSINESS

NEW BUSINESS

— June 16 Founders Day picnic

Carlino asked the Commission if want to have a table at Founders Day Picnic. New policy is that the Commission has to pay for the table. She asked if the commission want to add this into the budget. Blood said he could give some time. Doyle also said he could give some time that day. Hours are 5 to 9pm. The cost is \$50. Carlino is going to ask if that is waived for the town, and if the Commission has to bring their own table or if they are supplied. They are given a 10x 10 area. Blood will confirm his schedule. Guest appearances by O'Reilly and Pearson.

— Bills

Motion that Gene Blood will be the Commission representative to sign all bills for the Conservation Commission and report on these at each regular meeting per the Municipal Modernization Act October 2016 was made by O'Reilly and seconded by Pearson. Blood will be the signer of the bills. Motion passes.

A Motion to sign the Pare Corp bill prior year form for a charge of \$3,780.00 as required by Norton Accounting Department was made by Pearson, seconded by Doyle. Motion passes.

Summary list of bills for signature May 21, 2018

| <i>Vendor</i> | <i>Amount</i> | <i>Town Account #</i> |
|-------------------------------|-------------------|---|
| <i>Pare Corporation*</i> | <i>\$800.00</i> | <i>001-171-613-6014-17-15 Chartley Pond Upstream Wall Repairs</i> |
| <i>Pare Corporation*</i> | <i>\$1490.00</i> | <i>444-171-000-5800 Norton Reservoir Engineering Services</i> |
| <i>SPREDD</i> | <i>\$3,246.89</i> | <i>001-122-614-6006-16-09 Open Space Plan PO # 7133</i> |
| <i>WB Mason</i> | <i>\$100.99</i> | <i>001-171-570-5420 Operations Budget Supplies Line</i> |
| <i>WB Mason</i> | <i>\$11.37</i> | <i>001-171-570-5420 Operations Budget Supplies Line</i> |
| <i>Chartley Landscape</i> | <i>\$300.00</i> | <i>001-171-570-5315 Operations Budget Outside Services Line</i> |
| <i>McGregor & Legere*</i> | <i>\$73.50</i> | <i>242-171-100-5700 Wetlands Protection Fund</i> |
| <i>Verizon Wireless</i> | <i>\$35.99</i> | <i>242-171-100-5700 Wetlands Protection Fund</i> |

| | | |
|--------------------------------|---------|--|
| <i>Sun Chronicle</i> | \$73.60 | <i>Chartley Pond Dam Legal Notice</i> |
| <i>DeLano & Associates</i> | \$2,000 | <i>TBD this will be transferred from bonds to pay these invoices</i> |
| <i>FedEx</i> | \$61.01 | <i>001-171-570-5420 Edith Read Purchase</i> |

** those with asterisk are also signed by Town Manager*

A Motion to have Blood sign the summary list of bills as presented by Milani for the purposes of this meeting was made by Pearson and seconded by O'Reilly. Motion passes.

— Violations

- *4 Kensington – this property was given a violation notice and Carlino is waiting to schedule an inspection*
- *54 Sturdy St – The Commission needs to send them a letter informing them they are in violation following up on the verbal cease and desist. Chairman will issue.*
- *127 Reservoir St – they are doing grading on the corner. Carlino will issue a violation notice to this property owner.*

— Site visits

Chairman thinks it is nice to get out into the field and familiarize the commission with the physical sites. Perhaps once a month. A visit to Leonard Street before June 11th will be scheduled. They can schedule an on-site inspection. Milani offered that she could create a doodle poll. A site inspection is not a hearing. It is fact finding. Cannot have a discussion. They can take photographs.

— Reservoir Update

— Chartley Pond update

— Report from Staff

— Waterbodies Committee update

— Grants

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

Carlino provided the Commission with an update on the Island Brook appeal. Goddard consulting sent a revised plan and information to go to MA DEP. The wetland was completely revised. Carlino is going to draft a response. Since the project was approved it opened up the entire project to DEP review, including the wetland boundary. Had the Commission denied it, the scope would have been limited to the stormwater review.

Kadish and Carrozza's terms expire this year, so Carlino needs to notify them to request re-appointment from the Selectmen.

A member of the public audience spoke, Mike Doyle (no relation to Daniel Doyle Commission member). Doyle is an abutter to the girl scout camp recently purchased by the town. He asked what the activity on

the land was recently. Carlino informed him that the land had to be surveyed as part of the process of receiving grant funds from the state for the purchase. Mr. Doyle was relieved and said that abutters got nervous. He is interested in volunteering on the property. Carlino said she would welcome that and provided him with her contact information.

Motion to adjourn by O'Reilly, seconded by Doyle. Motion passes and meeting closes at 8:15 pm.

Respectfully submitted by: 
Regen Milani, Conservation Secretary

Minutes approved by the Commission on June 25, 2018 (Date)

Conservation Commission Signature:


Scott Ollerhead, Conservation Commission Chairman