



Norton Conservation Commission  
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**Monday, June 11, 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: Lisa Carrozza, Julian Kadish, Gene Blood, Daniel Doyle Jr., Dan Pearson, Agent Jennifer Carlino, and Secretary Regen Milani*

*Absent: Scott Ollerhead, Ron O'Reilly*

**WETLAND HEARINGS**

**A. Request for Determination of Applicability (DET 1067). Dylan Ribeiro. 13 Boutas Drive (Map 11, Parcel 67-2)** The proposed project involves upgrade of a subsurface disposal systems within 100 feet of floodplain.

*Document list*

- 1. Request for Determination prepared by BDO Engineering, dated 5/25/18*
- 2. "Upgrade of Subsurface Disposal System at 13 Boutas Drive, Norton, MA", dated May 15, 2018, revised June 12, 2018.*

*David Oberlander of BDO Engineering was here to present the project to the Commission. It's a septic repair off of S. Washington Street near 495. Floodplain elevation- FEMA flood map shows the whole area as floodplain so it required a permit. He got the plan and the base flood elevation is 74 feet. They used that information along with the as-built plan on the original subdivision and added the septic design. They show silt fence to make sure no run off will enter into the flood plain area. Carlino clarified to the Commission that Oberlander has documentation that the site where the septic is being repaired is outside the flood plain via his survey. Carrozza asked what year the subdivision plan was and Oberlander replied 1989. Carrozza indicated that the FEMA maps were updated since that time. Carrozza stated that she wants to see a note on the final RDA plan for this application that the FEMA map has been cited "according to FEMA the entire area is an AE Zone" etc. FEMA Panel # etc. Carlino said Oberlander can provide two revised copies and that would be adequate.*

*Motion was made to close the public hearing for DET 1067, made by Carrozza, seconded by Pearson. Motion passes.*

*Motion was made to issue a negative (#4) Determination of Applicability for DET file 1067 pending receipt of FEMA map information on the plan as discussed by Carrozza, seconded by Pearson. Motion passes.*

**B. Request for Determination of Applicability (DET 1066). Columbia Gas of MA. Commerce Way (public roadway layout)** (cont. from 5/21/18). The proposed project involves gas main installation within 100 feet of wetlands.

*Applicant requested a continuance. Motion was made to continue the public hearing for DET 1066 to 6/25/18 by Carrozza, seconded by Pearson. Motion passes.*

**C. 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, 5/21/18). 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 250-1006 to 6/25/18 by Pearson, seconded by Doyle. Motion to Continue passes.*

**D. 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, 5/21/18). Proposal for the construction of a 150-foot monopole communications tower within 100 feet of a wetland and rare species habitat.

*Carlino informed the commission that no request for a continuance has been received from this applicant prior to this hearing. There was been several turn overs in project manager staff by this applicant. The Commission has not had discussion at an open hearing on this application since September 2017. This applicant was told in May via email that they would no longer receive reminders of meetings. No request for a continuance allows the Commission to deny the permit request and close the file. Kadish said that a clear letter has to be sent to the applicants once last time with a detailed explanation that if we do not hear from them in the form of a request for a continuance that their project will be denied. Carrozza made a motion for this letter to be sent to the applicants, seconded by Pearson. Motion passes.*

*Motion was made to continue 250-1001 to 6/25/18 by Carrozza, seconded by Pearson. Motion passes.*

**E. 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, 25-01; Map 12 Parcel 15) NORTH** (Cont. from 3/12/18, 3/26/18, 4/9/18, 4/23/18, 5/21/18). Proposed plans to verify wetland resources areas.

*Carrozza recused. Hearings on both 250-1011 and 250-1010 were opened. Mark Dibb was here to present the project. Dibb indicated that all comments were incorporated and Chessia reviewed the*

calculations for the isolated wetland areas and determined they were not Isolated Land Subject to Flooding (ILSF). However the site visit showed one additional area is now listed on the plan as a vernal pool. This was added to the plan. On the North Plan the A –series flags were added as another sheet. ILSF was updated as they were labeled. Added FEMA to all plans. They added the culvert to the driveway and a FEMA note. They removed the revision “clouds”. Carlino asked if there were clean copies, and these were given to her. For the record, the Commission submitted documentation to overcome the presumption that there are no vernal pools on the site. Carlino submitted the Observation Forms to Dibb for vernal pools at the b20 series wetland, northwest of the field isolated wetland and isolated wetland L. they are vernal pools.

Motion was made to close the public hearings for NOI 250-1011 and 250-1010 by Pearson, seconded by Doyle. Motion passes.

Motion to accept the Order of Resource Area Delineation for NOI 250-1011 was made by Pearson, seconded by Blood. Motion passes.

**F. 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, 5/21/18). Proposed plans to verify wetland resources areas.**

Motion to accept the Order of Resource Area Delineation for NOI 250-1010 was made by Pearson, seconded by Blood. Motion passes.

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

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

**#250-965**

**Collins Civil Engineering Group**

**57 Evergreen Road**

**Full**

**Map 9 Parcel 76**

Plans to elevate a house within 100 feet of wetlands.

*Buffer zone signs were picked up from the Conservation Offices as required of the applicants. However, no request to schedule an inspection has been made and the \$125 re-inspection fee has not been paid. This item will be taken off the agenda until fee is paid and another inspection is completed. Therefore, no action.*

### **Extension Request**

**Request for an Extension (DEP # 250-960). Condyne Construct, 60 Commerce Way (Map 24, Parcel 116). Proposed plans to construct a 20,860 square foot building with truck/parking access, employee parking and fuel facility within 100 feet of wetlands.**

*Mark Dibb was here to present the project. The initial order was issued years ago. Construction will be wrapped up in the fall. There are no issues with construction as it is moving along as planned. The reason they need an extension is that they amended the project several times to change the proposed building size and specifications.*

*Motion to issue an Extension for one year for NOI 250-960 was made by Pearson, seconded by Blood. Motion passes.*

## **REVIEW DRAFT MINUTES**

*5/21/18 No quorum.*

## **OLD BUSINESS**

### **NEW BUSINESS**

#### **— Sign Edith Read Baseline Monitoring Plan**

*Carlino informed the Commission that the Edith Read Baseline Monitoring Plan needs to be signed by all commission members. This item does not require a motion. All in attendance signed.*

#### **— June 16 Founders Day picnic**

*Plans for the Founders Day Picnic is moving forward with a Conservation Commission table staffed by Blood and Doyle. Blood will be bringing a table and Doyle is bringing a pop-up tent. Other commission members will show up as their time permits.*

#### **— Bills**

*Summary list of bills signed period May 22- June 11, 2018*

<i>Vendor</i>	<i>Amount</i>	<i>Town Account #</i>
<i>Pare Corporation*</i>	<i>\$1,285.00</i>	<i>001-171-613-6014-17-15 Chartley Pond Upstream Wall Repairs</i>
<i>Bristol County Registry of Deeds</i>	<i>\$228.00</i>	<i>242-171-100-5700 Wetland Protection Fund</i>
<i>Verizon Wireless</i>	<i>\$35.99</i>	<i>242-171-100-5700 Wetland Protection Fund</i>
<i>Pare Corporation*</i>	<i>\$3,780.00</i>	<i>001-171-604-6001-18-01 Prior Year Bill FY17</i>
<i>Chartley Landscape</i>	<i>\$100.00</i>	<i>011-171-570-5315 Operating Budget Outside Services</i>
<i>McGregor &amp; Legere**</i>	<i>\$36.75</i>	<i>242-171-100-5700 Wetlands Protection Fund</i>

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

*\*\*Notes:*

*May 21 Meeting item McGregor & Legere\* \$73.50      242-171-100-5700 Wetlands Protection Fund was signed, but not processed and sent. We inadvertently overpaid Invoice 25100 by \$3,146.35 or the balance forward from an earlier McGregor & Legere invoice. We received a reimbursement from*

*McGregor & Legere on 6/4/18 for the \$3,146.35 and \$36.75 on that invoice was paid. So only \$36.75 of the May invoice 25137 is due which is now listed above. See attached "Ins and Outs" spreadsheet for clarification.*

— Violations

- *4 Kensington – this property was given a violation notice and Carlino is waiting to schedule an inspection- needs a follow up letter. The owners were dumping compost in a wetland.*
- *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. The Chairman will issue. Carlino still needs to draft the letter.*
- *127 Reservoir St – This is the old daycare. It will now be a house and not a business and new owner wants to put grass there. Owner has filled out permit application with the help of Carlino and this item will be on the next meeting agenda.*

— Site visits

*Milani created a doodle poll and sent it to members to try and schedule a monthly site visit – locations TBD each month. The idea is to get dates that work for multiple members into the calendar in advance, as schedules get busy.*

*Carlino will forward the email from DEP for Island Brook regarding a site visit to that project regarding the Appeal. This visit is scheduled and attended by a DEP representative (see below for date).*

— Reservoir Update

*Carlino is waiting for the final as-built plan to close out dam repair project.*

— Chartley Pond update

*The contractors were supposed to start work [June 11, 2018] today.*

— Report from Staff

— Waterbodies Committee update

— Grants

*The Commission received a Municipal Vulnerability Preparedness grant for \$38,000. Carlino indicated that she will be working on this in the near future.*

*In order to be in compliance with the land grant for the Edith Read property Carlino stated that she is having tomorrow [June 12, 2018] and volunteers coming to work on clearing the trails and cleaning up the property and the roof work will begin soon.*



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

**#250-954**

**RIM Engineering/Derwin & Ana Brown**

**40 Power Street**

**Full**

**Map 27 Parcel 40**

Plans for tree cutting, installation of a shed, demolition of a foundation, and grading within 100 feet of Barrowsville Pond (postfacto).

*Motion issue a full Certificate of Compliance for 250-954 was made by Carrozza, seconded by Pearson. Motion passes.*

*DEP sent a letter today that they will inspect Island Brook. This is in response to a revised wetland delineation sent in by Goddard. Carlino asked them to let her know if they would like to attend this DEP site walk which is scheduled on July 10, 2018 at 9:30am. Carrozza asked if Carlino will do an inspection and asked if there are both flags set up. Carrozza asked Carlino to ask the DEP representative if both sets of flags will be up. Carrozza asked if this was just another step in the process- Carlino replied that yes, it is.*

*Wheaton called today to say they need an Emergency Certificate for a leak in a condensation supply system to do work. It is 60 feet from Peacock Pond. Work will take two to three days. If they don't do it today dorms don't have hot water. Motion to issue an Emergency Certificate made by Pearson, seconded by Carrozza. Motion passes.*

*Kadish is up for reappointment and so Carlino asked him to please send an email to Selectmen's Office.*

*Motion to adjourn by Pearson, seconded by Doyle. Motion passes and meeting closes at 7:18 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