



Norton Conservation Commission

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NORTON TOWN CLERK

2018 SEP -4 P 2: 09

Monday, July 23, 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: Gene Blood, Lisa Carrozza, Julian Kadish, Ron O'Reilly, Daniel Doyle Jr., Dan Pearson, Agent Jennifer Carlino, and Secretary Regen Milani

Absent: Scott Ollerhead

WETLAND HEARINGS

Wetland hearings will be taken in order.

- A. Request for Determination of Applicability (DET 1069). Philip E. Horton. 3 Woodward Street (Map 28, Parcel 63)** The proposed project involves site grading associated with construction of a new house within 100 feet of wetland.

Philip Horton was here to present the project. He wants to demolish the house, and the new house will be a total new construction single-family house. A ranch style, retirement home. The garage will remain in place. There is only the small portion of the project that is within wetland jurisdiction.

Motion was made to close the public hearing for DET 1069 by Carrozza, seconded by O'Reilly. Motion passes.

Motion was made to issue a negative (#3) Determination of Applicability for DET file 1069 pending by Carrozza, seconded by O'Reilly. Motion passes.

- B. Request for Determination of Applicability (DET 1070). Zack Pike. 115 Burt Street (Map 12, Parcel 14)** The proposed project involves cutting and clearing vegetation for a new lawn within 100 feet of wetland.

Zack Pike was here to present the project. He wants to make a side yard and a back yard; a new lawn. Kadish asked him if he was aware of the 25 feet where there is no work allowed and asked if he would create a barrier. Pike was actually asking for a waiver for a portion of the 25 foot no disturb area. He is asking to go to the edge of the BVW. Carrozza asked him if he would make the lawn in both the back of

the lot and the sides of the lot and Pike replied that that is what he wished to do. Carlino said she did not see any fill/clippings in the wetlands when she did her inspection and it is a credit to the owners that there are none when they have lived in the house for 17 years. Carlino saw no previous wetland alteration. Carlino explained to the commission that the question before them is how far into the 25 feet would they allow Mr. Pike to clear for a lawn. She explained that the distance from edge of the deck to the wetland is approximately 10 feet. (Carlino showed the Commission a visual of this this in a PowerPoint slide as a yellow line at the wetland boundary). Carrozza asked if there were any additional plans for the back yard and Pike replied that there were not. Carrozza suggested 10 feet off the deck. Carlino clarified that this would mean she would be approving to the very edge of the wetland. Carrozza then suggested that they approve a non- uniform line with more off the steps of the deck so that they can move from one part of the yard to the next past those steps. At this point- the steps- it would be the closest to the wetland border. Kadish said it could be semicircular around. They suggest 5 feet off the steps and 10 feet off the house in the rear. It will need to be staked out so Mr. Pike knows the limit of work.

Motion was made to close the public hearing for DET 1070 by O'Reilly, seconded by Carrozza. Motion passes. Kadish recused.

Motion was made to issue a negative (#3), with condition as stated, Determination of Applicability for DET file 1070 by Carrozza, seconded by O'Reilly. Motion passes. Kadish recused.

C. Notice of Intent (#250-1020). Paul Freeman. 117 Lincoln Street (Map 13-20, Parcel 20).
Proposal to tear down the existing house and construct a new single-family house within 100 feet of a wetland.

Paul Freeman was here to present the project. Freeman wants to tear down the existing house and build a colonial. It is pre-existing, non-conforming zoning. It is a tight project on a small lot. The front yard will get built up for the septic system. Carrozza asked if there is any way the stone trench can discharge into the catch basin? Freeman replied no. The Commission didn't want the trench to illegally discharge into the catch basin. Basin will contain inlet to protect from sedimentation during construction. Carlino pointed out that the no disturbance is 10 feet in one section in the back of the house, but it is met in the other places. Kadish asked if the siltation control is at the limit of work and Freeman responded that it was. O'Reilly asked if Freeman understood that there will be a fence required and Freeman said that he is aware that is a requirement and it would be no problem.

Motion was made to close the public hearing for NOI 250-1020 by Carrozza, seconded by Doyle. Motion passes.

D. Notice of Intent (#250-1019). Timothy Russell. 4-6-8 Bay Road (Map 19, Parcel 94). Proposal to re-pave an existing parking lot adding infiltration trenches within the 100-year floodplain and 100 feet of a wetland.

John DeLano of DeLano Associates and Timothy Russell was here to present the project. The project is a gravel driveway that was paved in the past and they want to repave and include infiltration systems.

When sewer systems were put in there were odors that were present and no drainage in the parking lot but when work was done to correct this (sewer project) the pavement was removed. Russell would like to restore it back to a paved blacktop parking area. He is proposing to put in infiltration trenches. Two-foot-deep by three-foot-wide crushed stone trench at the surface with a filter fabric two inches below the surface. A silt fence would be around the area where they would dig the trenches. Carlino asked if there is an Operations and Maintenance (O & M) plan for the trenches. DeLano did not yet provide an O & M plan but said that he would. Carlino stated that the property is entirely within the 100-year floodplain and that it is also in the Canoe River of Critical Environmental Concern. Carrozza asked DeLano if they were going to add spot shots along the driveway for the contractors and DeLano said that they could do that. Carrozza had a concern that if they sold off the house lot (at 10 Bay Road) that there could be a future issue maintaining the infiltration trench serving 4-6 Bay Rd, . If Russell sold the house lot, he would be trespassing if he went in to clean out the infiltration trench there that is needed for the commercial parking area based on this current plan. Russell spoke up that has no plans to split up the two lots. DeLano asked if they could do a stormwater easement to solve this potential issue. DeLano will talk to the owner about recording the easement. Carrozza next asked what is to stop people from parking on the trenches. If people park there, it would compact the trenches and they will become ineffective. DeLano said they could propose concrete parking bumpers and will add those to the plan. Carrozza asked if he would apply sand in the winter to the parking lot. Russell said that at this time he has no plans to. Carrozza asked that in the O & M plan they tie inspection timing to the late spring. DeLano will be away on 8/13/18 but the applicant is available for a hearing that date.

Motion was made to continue 250-1019 to 8/13/18 by Carrozza, seconded by Pearson. Motion to Continue passes.

E. Notice of Intent (#250-1018). Matthew Fernandes. 0 South Worcester Street (Map 32, Parcel 182). (cont. from 7/9/18). Proposal to construct a single-family house with associated driveway within rare species habitat and 100 feet of a wetland.

Motion was made to continue 250-1018 to 8/13/18 by Carrozza, seconded by Pearson. Motion to Continue passes.

F. Notice of Intent (#250-1017). Thomas Powers. 21 Samoset Street (Map 25, Parcel 29). (cont. from 6/25/18, 7/9/18). Proposal to construct a single-family house, driveway, utilities, and associated grading within the 100-year floodplain.

Motion was made to continue 250-1017 to 8/13/18 by Carrozza, seconded by Pearson. Motion to Continue passes.

G. 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, 6/11/18, 6/25/18, 7/9/18). 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 8/13/18 by Carrozza, 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

REVIEW DRAFT MINUTES

6/25/18 *Motion to accept the minutes made by Carrozza, seconded by Blood. Motion passes.*

7/9/18 *Motion to accept the minutes made by Carrozza, seconded by Doyle. Motion passes.*

7/9/18 Exec Session *Motion to accept the minutes made by Carrozza, seconded by Doyle. Motion passes.*

OLD BUSINESS

NEW BUSINESS

— Policy Amendment

There was a question by a recent applicant as to why a civil engineer is required and not an electrical engineer is not good enough on site plans for the Conservation Commission. Carrozza said she does not believe the regulations specify a civil engineer, but all members were in agreement that this should be obvious since a civil engineer does a different job than an electrical engineer. They agreed that if applicants had confusion over what type of professional is needed for plot plans and site plans this needs to be articulated in the town policy to be clear.

A motion was made to accept this change to the town policy was made by Carrozza, seconded by O'Reilly. Motion passes.

— Bills

FY2018 "Encumbered" (paid in FY19 but against FY18 budget)

<i>Vendor</i>	<i>Amount</i>	<i>Town Account #</i>	<i>Item</i>
<i>None</i>			

FY2019

<i>Vendor</i>	<i>Amount</i>	<i>Town Account #</i>	<i>Item</i>
<i>REI Roofing*</i>	<i>\$24,500</i>	<i>Edith Read Repairs</i>	<i>Edith Read Roofing</i>
<i>Chessia</i>	<i>\$2,520.00</i>	<i>Outside Consulting</i>	<i>250-1006, SWP-1, 199 Mansfield Consulting</i>
<i>Dandel Constr*</i>	<i>\$107,582.75</i>	<i>Chartley Dam Repairs</i>	<i>Chartley Pond Dam Repairs</i>

<i>Dandel Constr*</i>	<i>\$20,520.00</i>	<i>Chartley Dam Repairs</i>	<i>Chartley Pond Dam Repairs</i>
<i>AquAeTer, Inc.</i>	<i>\$3,417.00</i>	<i>Outside Consulting</i>	<i>Refund of 250-1001 consulting fees due to denial</i>
<i>Allegra</i>	<i>\$2.50</i>	<i>WPF</i>	<i>Copy of plan for 119 Freeman (paid by L. Gordon)</i>
<i>WB Mason</i>	<i>\$86.43</i>	<i>Maint. Cons. Areas</i>	<i>Cleaning supplies for Edith Read after break in</i>

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

— Site Inspections

- S Washington St

No comments.

- DEP 250-983 Island Brook DEP site walk

DEP wanted to get an overview of the site. DEP rep was not making decisions that day. She would go back the following day to do some soil samples. She will go back with Carlino and Goddard to talk about any potential revisions to the wetland boundary.

— Violations

- 183 Taunton Ave

A violation of the wetland permit and stormwater bylaw. Received plan which shows unauthorized work in the floodplain. The fill will need to be removed. Carlino has asked via email for them to provide a schedule for removal. A cease and desist was issued. Work was still done. The enforcement order was approved and it was presented to Commission. Carlino presented the plan to the Commission. Carlino read the enforcement order to the Commission.

Carrozza made the motion to issue the enforcement order, seconded by Pearson. Motion passes.

- 109 Dean St

Restoration took place last week. Now in compliance.

- Sportsman's Pub

Clearing of vegetation up against the building without a permit. Photos of the clearing was shown. This is an on-going issue at this location. There was grading in the parking lot. Commission members were encouraged to drive by to observe this activity. They are not in the floodplain so if they want to get a permit for fill then they could do this. They will be requested to come to the meeting on 8/13/18.

Carrozza made the motion to issue an enforcement order against 13 S. Worcester Street, seconded by O'Reilly. Motion passes.

— Reservoir Update

— Chartley Pond update

- Report from Staff
- Waterbodies Committee update
- Grants

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 7:49 pm.

Respectfully submitted by: 
Regen Milani, Conservation Secretary

Minutes approved by the Commission on 8/27/18 *(Date)*

Conservation Commission Signature:


Scott Ollerhead, Conservation Commission Chairman