



**Norton Conservation Commission**

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**Monday, August 27, 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 6:30 pm.*

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

*Absent: n/a*

**WETLAND HEARINGS**

Wetland hearings will be taken in order.

**Enforcement Order – Mary Manchester. 13 South Worcester St**

For cutting and clearing of Bank vegetation to Chartley Pond and regrading a parking lot without valid wetland permits.

*Daniel Rich attorney for Mary Manchester appeared at the hearing. Rich asked the Commission what needs to be done to rectify the issue and Carlino replied that Manchester needs to apply for a permit. Manchester needs a plan showing the property line, wetland and work that was done. Rich informed the Commission that Manchester inherited the property through a death and so he does not believe there is an existing plan, it would need to be made. Carlino indicated that Manchester will need some permanent marking indicating the wetland no disturbance zone. Rich asked if a mortgage plot plan would be acceptable? Carlino said that she would accept that to start but someone would need to draw the wetlands and work on it. Carlino asked Rich if he knew what was done with the parking lot. Rich did not know. Rich asked if he could work with Carlino directly and she said yes. Rich apologized for Manchester's absence as she was planning to attend. Carlino asked him to have Manchester call to make an appointment to meet with her and that she will need the plan with her when she comes. Carrozza indicated that the planting season is coming up and if Manchester misses it it will be a year before restoration plantings can be done. A post and rail fence will be required to help her so that she doesn't make a similar error in the future. Rich asked what address the enforcement order was sent to as he felt Manchester did not get this notice. Carlino pointed out to Rich that she did get the notice as it is included in the enforcement order, which he had in his possession and said he got it from Manchester. Carlino showed Rich where in the enforcement order the notice to appear at a hearing was written.*

**A. Notice of Intent (#250-1021). Lukas Rei. 276R Taunton Ave (Map 29, Parcel 53).** Proposal to construct a garage with associated parking area/driveway and grading within 100 feet of a wetland.

*Applicant requested a continuance. Motion was made to continue to 9/10/18 by Kadish, seconded by Carrozza. Motion to Continue 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, 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, 7/23/18, 8/13/18). 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 9/10/18 by Kadish, seconded by Carrozza. Motion to Continue passes.*

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

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

*A motion was made by Carrozza to issue an Order of Conditions for 250-1019, seconded by Doyle. Motion passes.*

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

*Draft conditions were discussed. Commissioners were concerned about future possible development on the shared driveway and possible associated required stormwater management. They discussed and finalized language around these conditions.*

*A motion was made by Carrozza to issue an Order of Conditions for 250-1018, seconded by Kadish. Motion passes.*

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

*Ollerhead asked about the off-site flood storage. Carlino informed him that they heard back from DEP and DEP said they can place stormwater storage in the floodplain. They agreed it would still cause flooding, but it is allowed under the current regulations. However, they agreed that this compensation does need to at the same elevation. The elevation of the on-site storage proposed in this project is not at the same elevation and therefore the Commission will require off-site storage compensation. Kadish asked if the excavation material will be left on site. Carlino is meeting applicant's representative tomorrow to talk about off-site compensation on nearby conservation-owned land. Some wordsmithing of drafted*



conditions was requested by the Commission members of Carlino. An elevation certificate will be required with the As-Built.

A motion was made by Carrozza to issue an Order of Conditions for 250-1017, seconded by Kadish. Motion passes.

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

**#250-396                      T & M Realty Corp.    11 Fuller Drive (Lot 10A)**  
**Full    Map 12 Parcel 185**

Plans to construct a cranberry bog, canals, dike road, and associated grading within 100 feet of bordering vegetated wetlands.

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

**#250-259                      Harry Forster    19 Leonard Street**  
**Full    Map 11 Parcel 32**

Plans to establish a golf learning center, portions of which are proposed within 100 feet of the Canoe River and within 100 feet of wetlands bordering the river.

*The applicant did not supply an As-Built plan that showed regulatory compliance with request for a COC nor after a follow-up email from Carlino asking for it. Therefore, a motion to deny the request for a full Certificate of Compliance was made by Carrozza, seconded by Kadish. Motion passes.*

### **REVIEW DRAFT MINUTES**

7/23/18 *Motion made to accept the minutes by Kadish, seconded by Carrozza. Motion passes.*

8/13/18 *Motion made to accept the minutes by Carrozza, seconded by Kadish. Motion passes.*

### **OLD BUSINESS**

### **NEW BUSINESS**

#### **— Bills**

Summary list of bills signed period August 13- August 26, 2018

FY2019

Vendor	Amount	Town Account #	Item
Chartley Landscape	\$200.00	001-171-570-5315 Operations Outside Svcs	Mowing at Reservoir and Chartley Pond
Chartley Landscape	\$225.00	001-171-570-5308 Operations Maint. Cons. Areas	Mowing at Johnson Acres and Edith Read
Chessia Consulting	\$900.00	243-171-100-5700 Outside Consulting Fees	Review of 250-1006 0 & 15 South Washington
Pare Corporation	\$2,267.50	448-171-000-5800 Chartley Construction	Chartley Dam Repair Project
McGregor & Legere	\$61.25	242-171-100-5700 Wetland Protection Fund	Island Brook Appeal
Home Depot	\$96.39	001-171-570-5308 Operations Maint. Cons. Areas	Materials for repairs and cleans up Edith Read

\* those with asterisk are also signed by Town Manager

- Site Inspections
- Violations
- Reservoir Update
- Chartley Pond update
- Report from Staff
- Waterbodies Committee update
- Grants
- Reed and Barton, Elm Street

*Carlino received a complaint about work being done with no permit. Upon inspection, it turns out it was the EPA. The Rumford River is being remediated from the jewelry business. EPA is removing the bank and putting clean fill in between the factory and the river. Carlino had a lot of questions for the EPA. They will put in port-a-dams to control water flow. They will send Carlino plans when they have them. They are exempt from filing for a permit, though are required to follow all applicable laws. They will be working there until December. There is a trailer onsite. This area has been contemplated as the new town hall site, once it is remediated. No one purchased the property. It was abandoned after bankruptcy.*

*Merrill engineering submitted an RDA for Columbia Gas for work on East Main Street. This project will need an NOI because they are proposing work IN a resource area, not just the buffer. Carlino reached out to them to inform them but has not received a response. We will advertise the hearing for the RDA to be in compliance with our regulatory timeframes but it would require a positive determination and require a NOI.*

*Ollerhead asked about using the same engineer as planning department for the Leonard St project. This idea was well receive. Carrozza asked about the town consultant process we did a few years ago and Carlino replied that the town manager didn't select one and no one has been hired. Now the bids are too old. New town planner is Paul Giuseppe.*

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

*Motion to adjourn by Pearson, seconded by Carrozza. Motion passes and meeting closes at 7:16 pm.*

Respectfully submitted by:   
Regen Milani, Conservation Secretary

Minutes approved by the Commission on 9/10/18 (Date)

Conservation Commission Signature:

  
Scott Ollerhead, Conservation Commission Chairman