



Norton Conservation Commission

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RECEIVED
NORTON TOWN CLERK

2019 JAN 11 P 12:00

Monday, November 19, 2018

6:30 pm

2nd Floor Conference Room

Norton Town Hall

MINUTES

recorded by Jennifer Carlino

6:30 pm Open meeting

The meeting was called to order at 6:30 pm.

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

Absent: Scott Ollerhead

6:30pm Open meeting

WETLAND HEARINGS

Wetland hearings will be taken in order.

- A. Request for Determination of Applicability (DET 1076). Mary Manchester. 13 South Worcester St.** For cutting and clearing of Bank vegetation and repairs of a parking lot within 100 feet of Chartley Pond.

Document List

- 1. Request for Determination prepared by Mary Manchester dated 10/30/18*
- 2. "Plan of land of Chartley Norton MA" dated 4/25/86.*

Ron O'Reilly recused himself from hearing. Mary Manchester attended the hearing to discuss the work that was previously done. Carlino mentioned that this was originally a violation with an Enforcement Order. Ms. Manchester cooperated and Carlino assisted her complete the permit application. Trees/shrubs were removed from directly adjacent to the existing building but that is also the bank of Chartley Pond. The existing gravel driveway and parking lot were regraded. Ms. Manchester understands the small pile of gravel must be removed from adjacent to Chartley Pond. She also understands that she cannot cut any more vegetation. Commission requires revegetation of area between building and Chartley pond with erosion control seed mix in Spring 2019, installation of No Disturbance Zone signs and removal of the gravel pile. Ms. Manchester agrees. Commission makes clear no further vegetation cutting, mowing or other activity.

Motion was made to close the public meeting for DET 1076 by Carrozza, seconded by Doyle. Motion passes.

A motion was made by Pearson to issue an -3 Determination for DET 1076, seconded by Blood. Motion passes.

B. Request for Determination of Applicability (DET 1077). Marta Joppich. 58 South Worcester St.
For proposed plans to upgrade a septic system within 100 feet of wetlands.

Document List

- 1. Request for Determination prepared by Collins Civil Engineering Group dated 10/31/18*
- 2. "Plan and details subsurface sewage disposal system upgrade" dated 10/25/18.*

Peter Lions of Collins Engineering represented the applicant. Proposed project is to upgrade an existing septic system. Carlino completed inspection, no violations, no other questions. Pearson asks about distance of sediment control to wetland. Lions states it is 5-10 feet. Kadish asks if this can be a little further per our No Disturbance Zone Policy. Lions can make move to 10, will change plan. Pearson asks of height of visual barrier, 2' too low. Lions agrees to 3'. Carrozza asks about timing of construction and winter stabilization. Lions says working this year before winter. Carrozza asks for notes on plan for winter stabilization of mulch; Lions will add note. Commission agrees silt fence is adequate, no need for additional mulch sock, prefer funds spent on mulch.

Motion was made to close the public meeting for DET 1077 by Carrozza, seconded by O'Reilly. Motion passes.

A motion was made by Doyle to issue an -3 Determination for DET 1077, seconded by Pearson. Motion passes.

C. Notice of Intent (#250-1033) John Brunelle. 65 Plain Street (Map 18, Parcel 7). For proposed plans to construct a single-family house, driveway and utilities within 100 feet of wetlands and a Certified Vernal Pool.

Document List

- 1. Notice of Intent (NOI) application prepared by RIM engineering, dated 11/5/18.*
- 2. "Proposed House Location Plan for No. 65 Plain Street", prepared by RIM Engineering Co. Inc., signed and stamped by Craig Cygawnoski, dated 10/19/18.*

Brad Holmes attended the meeting to represent the applicant. Submitted revised plans and green certified mail cards. Driveway is directly adjacent to wetland but not altering wetland. Carlino's questions were sent to engineer prior to meeting. Holmes answered questions of:

- Dewatering location is on the plan for house, but means/methods description needed on plans. Holmes will ask engineer to revise. Dewatering for utilities discussed. Will add to plan.*

- Maintenance of curtain drain added to plans but need long term maintenance for homeowner. Will add to plan.
 - Will add note to plan and detail regarding footings for retaining wall.
 - Wire backed silt fence may be needed for work so close to wetland, will add condition. Orange snow fence for limit of work may be conditioned.
 - Holmes to address sediment control adjacent to certified vernal pool.
- Carrozza asked about utilities clearing. Holmes thought it was underground installation under driveway but will confirm. Add location of poles and maintenance clearing envelope if needed.

A motion was made by Pearson to continue hearing for 250-1033 to December 17, 2018 for revised plans and draft Order of Conditions, seconded by Carrozza. Motion passes.

D. Request for Determination of Applicability (DET 1075). Matthew Pickett. 3 Eddy Street (Map 33 Parcel 8-01). (cont. from 10/22/18). The proposed project is to build a single-family house, detached garage, paved driveway, on-site septic system, and private well.

Document List

1. Request for Determination prepared by RIM Engineering dated 10/4/18
2. "Proposed House Location Plan for No. 3 Eddy Street in Norton, Ma" dated 10/2/18, revised 11/2/18.

Brad Holmes attended the meeting to represent the applicant. At last meeting commission had questions about jurisdiction of intermittent stream channel between two certified vernal pools. Inspection was held with Holmes and Carlino. Carlino agreed resource areas are accurately depicted on plans. All work is out of jurisdictional areas and buffer zones.

Sherry Widak, representing abutter Charlene Widak, stated she did not receive notification of the hearing. Holmes states RDA does not require notification under Wetland Protection Act. Carlino confirms and adds the documentation submitted to the commission listed the wrong parcel number. Carlino required new legal notice to correct so abutters would have correct notification. Applicant did pay for 2nd legal notice and Widak has been notified and has appeared at tonight's meeting. Widak concerned about trees being cleared near Meadowbrook Pond, here sister's property. Holmes, commission and applicant Pickett all confirm, Meadowbrook Pond is more than 100 feet from property line and no work will occur beyond property line.

Motion was made to close the public meeting for DET 1075 by Carrozza, seconded by Doyle. Motion passes.

A motion was made by Pearson to issue an -4 Determination for DET 1075, seconded by Carrozza. Motion passes.

E. Notice of Intent (#250-1031) Robert Burk. 49 John Scott Blvd (Map 31, Parcel 37-1). (cont. from 10/22/18). For proposed plans to construct a single-family home, driveway, utilities and associated grading within 100 feet of bordering vegetated wetland.

Document list

1. *Notice of Intent (NOI) application prepared by Silva Engineering Associates, P. C., dated 10/4/18.*
2. *"Septic System Design Plan", prepared by Silva Engineering Associates, P. C., signed and stamped by Lawrence P. Silva, dated 9/7/18, final revision 11/7/18.*
3. *Email from J. Carlino to info@silvaeng.com regarding comments and questions on the NOI as submitted. Dated 10/3/18.*
4. *Aerial photographs of 49 John Scott Blvd from 2010, 2012, 2015 and 2018.*
5. *"Overlay" prepared by Silva Engineering Associates, P.C., dated 9/7/18.*

Larry Silva attended hearing to represent the applicant. At last hearing commission questioned unauthorized clearing of vegetation adjacent to the bordering vegetated wetland.

- *Silva investigated previous plan compared to proposed plan and confirms this was done by previous owner. Silva proposed to restore area per commission's previous request. Carlino requests more detail on restoration plan including number, size and species of plants. Also asked about preparation of plans by wetland professional and adherence to standard restoration spacing practices. Silva will address with wetland scientist.*
- *Turtle nesting area enhancements are proposed, Silva will include wetland scientist direction*
- *Stone added at driveway to mitigate potential damage to wetland from erosion. Carlino asks for detail and depth of stone. Silva to add maintenance information for new owners.*
- *Carrozza asks for haybales to be removed from plan and replaced with straw bales. Add poly liner for concrete washout area.*
- *Carrozza asks about utilities and maintenance. Silva to add poles and clearing envelope if needed or underground utility detail to plan.*
- *Carlino asks for retaining wall detail.*
- *Carlino asks about abutter collaboration from the last meeting. Silva gave abutter contact information but hasn't received call. Added vinyl fence and plantings along abutter lot line.*

Motion was made to continue the public hearing for 250-1031 to 12/17/18 by Doyle, seconded by Pearson. Motion passes.

F. Abbreviated Notice of Resource Area Delineation (#250-1029) Scot & Joan Stormo. South Worcester Street (Map 26, Parcel 103 & 103-1). (cont. from 10/22/18). For proposed plans to verify wetland resource areas.

The applicant's representative hasn't received the Commission's emails or the letter sent last week and requested a continuance to December.

Motion was made to continue the public hearing for 250-1029 to 12/17/18 by O'Reilly, seconded by Doyle. Motion passes.

G. Abbreviated Notice of Resource Area Delineation (#250-1030). John Quattrochi. East Hodges Street (Map 36 Parcel 2-0) (cont. from 10/22/18). For proposed plans to verify wetland resource areas.

The applicant emailed and requested a continuance to December. Carlino will send a letter regarding comments on the initial site inspection and require topo on the plans.

Applicant requested a continuance. Motion was made to continue the public hearing for 250-1030 to 12/17/18 by Carrozza, seconded by Pearson. Motion passes.

H. Notice of Intent (#250-1032). Albert Faxon. Oak Street (Map 15 Parcel 9). (cont. from 10/22/18). For proposed plans to construct a driveway associated with a new single-family house within 100 feet of wetlands.

Applicant requested a continuance. Motion was made to continue the public hearing for 250-1032 to 12/17/18 by Pearson, seconded by O'Reilly. Motion passes.

I. Notice of Intent (#250-1022). Mansfield Municipal Airport. North Washington Street (Map 4 Parcel 141) (cont. from 9/24/18, 10/22/18). Proposal to conduct invasive species herbicide control within 100 feet of wetlands and a certified vernal pool.

Applicant requested a continuance. Motion was made to continue the public hearing for 250-1022 to 12/17/18 by Pearson, seconded by Doyle. Motion passes.

Document list

- 1. Notice of Intent (NOI) application prepared by Condyne Engineering Group LLC, dated 9/5/18.*
- 2. "Site Plans - Blue Star Business Park - Leonard Street - South", prepared by Condyne Engineering Group LLC, signed and stamped by Mark Dibb, P. E., dated 8/29/18.*
- 3. Letter from J. Carlino to M. Dibb with comments. Dated 11/6/18.*
- 4. MEPA letters from J Carlino to EEA dated September 12, 2017 and April 12, 2018*
- 5. Secretary's Certificate for project EEA 15750, dated August 17, 2018.*
- 6. Proposed Grassland Management Area submitted by M Dibb at the hearing of 11-19-18 with plan entitled, "Area Management Plan-Draft" dated 11-19-18.*
- 7. McMahon Transportation Engineers and Planners "Transportation Engineering Peer Review" dated November 2, 2018.*
- 8. Horsley Witten Group "Peer Review of Site Plans (lots 1-5) and Stormwater Management, Blue Star Business Park-Leonard Street South" dated November 2, 2018.*

9. *Horsley Witten Group "Peer Review of Preliminary Subdivision Blue Star Business Park-Leonard Street South" dated October 22, 2018 revised*
10. *Horsley Witten Group "Wetlands and Wildlife Peer Review- Blue Star Business Park-Leonard Street South" dated November 5, 2018.*
11. *Mark Dibb and Janet Bernardo emails re: floodzone elevations dated November 9, 2018, and re: follow up floodplain questions dated November 15, 2018.*
12. *Laurie Pleshar email to conservation dated November 18, 2018*

All hearings were opened for DEP file numbers 250-1023 through 250-1028. Carrozza recused herself from the hearings. Mark Dibb, Condyne Engineering appeared to represent the applicant. Dibb provided project update. He received letters from town's peer reviewers Horsley Witten regarding preliminary subdivision, transportation, wetland and wildlife and stormwater. He also received letters from Conservation Commission and Planning Board. He will formally respond to each letter but provided a brief overview of major topics tonight.

Carlino submitted letters for the record from MEPA process (add letter dates), conservation commission letter (add date) and Secretary's Certificate (add date).

Dibb provided list of main topics to review.

- *Dibb questioned need to further review wildlife habitat in a golf course. Carlino stated he would need to respond to Commission and Horsley Witten letters regarding this.*
- *Dibb described a reduction in roof runoff contributing to the drainage system. He has provided new roof runoff treatment under the parking lots. Will show on revised plans. This reduces alteration in floodplain by 2 acres. Carlino stated that was a good idea.*
- *Regarding the Canoe River Greenbelt, Dibb provided greater clarification on the proposed restoration areas. Dibb submitted new management plan and description of field habitat (list actual plan info). Brad Holmes will assist with the revisions to show management of old hayfield to meadow and wet meadows as well as naturalized greenbelt areas. They will also remove all of the junk dumped on the property.*
- *Three light poles will be retrofit into bird perching platforms with removal of light service. Other habitat features will be added to greenbelt area. Dibb described periodic mowing in periods of 5-10 years.*

Pearson asked if building 5 can be redesigned to be outside the floodplain and connect the 2 proposed greenbelt areas.

Dibb had 2 questions for Horsley Witten regarding pretreatment in the Bordering Land Subject to Flooding (BLSF) and that HW feels there cannot be any infiltration of the basins if they are within the floodplain (BLSF). Dibb's third item was the FEMA elevation for design purposes. Carlino requested the difference in area between the FEMA elevations for design purposes between the 73.5-foot and 74-foot elevations. Dibb will provide. Carlino stated HW's email said they would be able to address these questions on Tuesday when they have returned from vacation. Dibb will provide more detail on the existing culverts and Leonard St widening. Carlino will request that HW attend next conservation meeting and asked Dibb if his responses would be submitted by then. Doyle reminded

Dibb all responses must be in at least one week before the meeting. Dibb said they would be submitted in time.

Commission agreed to inspection on Saturday Dec 1, 2018 at 9am.

No abutters had questions.

Motion was made to continue 250-1023, 250-1024, 250-1025, 250-1026, 250-1027, 250-1028 public hearings to 12/17/18 by Pearson, seconded by O'Reilly. Motion passes.

- J. Notice of Intent (#250-1023). Condyne Capital Partners Lot 1 Leonard South Subdivision Plan (Map 11 Portions of Parcels 34 & 32)** (cont. from 9/24/18, 10/22/18). Proposed plans to construct one 10,935 s.f. commercial/retail building and associated parking and utilities discharging to wetland resources.
- K. Notice of Intent (#250-1024). Condyne Capital Partners Lot 2 Leonard South Subdivision Plan (Map 11 Portions of Parcels 32 & 35)** (cont. from 9/24/18, 10/22/18). Proposed plans to construct one 14,400 s.f. commercial/retail building and associated parking and utilities discharging to wetland resources
- L. Notice of Intent (#250-1025). Condyne Capital Partners Lot 3 Leonard South Subdivision Plan (Map 11 Portions of Parcels 32 & 35)** (cont. from 10/22/18). Proposed plans to construct one 16,480 s.f. retail building and associated parking, grading, and drainage within 100 feet of a wetland and within 200 feet of the Canoe River.
- M. Notice of Intent (#250-1026). Condyne Capital Partners Lot 4 Leonard South Subdivision Plan (Map 11 Portions of Parcels 32, 33, & 35)** (cont. from 9/24/18, 10/22/18). Proposed plans to construct one 125,000 s.f. warehouse building, parking, grading, utilities and stormwater management within 100 feet of wetlands.
- N. Notice of Intent (#250-1027). Condyne Capital Partners Lot 5 Leonard South Subdivision Plan (Map 11 Portions of Parcels 32 & 66)** (cont. from 9/24/18, 10/22/18). Proposed plans to construct one 258,000 s.f. warehouse building and associated parking and utilities within 100 feet of wetlands, fill of 6 acres of the 100-year floodplain, and within 200 feet of the Canoe River.
- O. Notice of Intent (#250-1028). Condyne Capital Partners Lot 6 Leonard South Subdivision Plan (Map 11 Portion of Parcel 32)** (cont. from 9/24/18, 10/22/18). Proposed plans to construct an asphalt foot path and creation of compensatory storage area within 100 feet of wetlands, within the 100-year floodplain, and 200 feet of a perennial stream.

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

Proposal to construct a garage with associated parking area/driveway and grading within 100 feet of a wetland.

REQUEST FOR PARTIAL/FULL CERTIFICATE OF COMPLIANCE

8

10/22/18 Motion made to accept the minutes by Kadish, seconded by O'Reilly. Motion passes.

OLD BUSINESS

NEW BUSINESS

— Acceptance of land on Union Rd for conservation/passive recreation. Motion was made by Carrozza to accept the land donation, seconded by Pearson, motion passes.

— Bills

Summary list of bills signed period Oct 23- Nov 19, 2018

FY2019

Vendor	Amount	Town Account #	Item
Chartley Landscape	\$200.00	001-171-570-5315 Operations Outside Svcs	Mowing at Reservoir and Chartley Pond 10/1/18
Chartley Landscape	\$225.00	001-171-570-5308 Operations Maint. Cons. Areas	Mowing at Johnson Acres and Edith Read 10/1/18
Jennifer Carlino	\$31.92	001-171-570-5308 Operations Maint. Cons. Areas	Reimbursement for Ace Hardware purchase CER
Chessia Consulting	\$660.00	243-171-100-5700 Outside Consulting fees	0 & 15 S. Washington 250-1006
Adrian Name Plates	\$460.68	242-171-100-5700 Wetland Protection Fund	250 Wetland Buffer markers
SRPEDD*	\$1125.27	367-171-100-5700 MVP grant \$38500	MVP Assistance
Verizon	\$35.99	242-171-100-5700 Wetland Protection Fund	Agent phone bill 10/13/18-11/12/18
Pare Corporation*	\$3,137.50	448-171-000-5800 Chartley Construction	Chartley Construction
National Grid	\$21.37	001-171-570-5308 Operations Maint. Cons. Areas	Charges Aug 29-October26, 2018 Edith Read
Home Depot	\$17.54	001-171-570-5308 Operations Maint. Cons. Areas	Items for Edith Read
Chartley Landscape	\$200.00	001-171-570-5315 Operations Outside Svcs	Mowing at Reservoir and Chartley Pond 11/1/18
Chartley Landscape	\$225.00	001-171-570-5308 Operations Maint. Cons. Areas	Mowing at Johnson Acres and Edith Read 11/1/18
WB Mason	\$41.47	001-171-570- 5420 Operations Office Supplies	Office supplies

* those with asterisk are also signed by Town Manager

- Site Inspections
- Violations
- Reservoir Update
- Chartley Pond update
- Report from Staff
- Waterbodies Committee update

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

- *Carlino stated she received a third update regarding EPA/DEP clean up of Reed and Barton on Elm Street. Carlino stated abutters on Cross St have complained about excessive flooding since the installation of the coffer dams.*
- *Request for Certificate of Compliance for DEP file number 250-1014. Carlino state work is complete. Motion was made by O'Reilly to issue full Certificate of Compliance, seconded by Blood. Motion passes.*
- *Oren Sigal and Maureen 283 E main St, requested to discuss general process questions. Sigal asked about NOI process. Kadish explained public hearing process. Sigal asked about Commission's concerns of floodplain alteration. Carlino stated those concerns are documented in letters already sent and will be discussed once Condyne responds to peer reviewer letters. Maureen asked about coordination with Zoning Board of Appeals. Stated conservation and water department letters about flooding and water quality were ignored. Kadish explained conservation jurisdiction.*

Motion to adjourn by Kadish, seconded by O'Reilly. Motion passes and meeting closes at 8:17 pm.

Respectfully submitted by: _____

Minutes approved by the Commission on 12-18-18 (Date)

Conservation Commission Signature:

Scott M. Ollerhead 1/10/19
Scott Ollerhead, Conservation Commission Chairman