



Norton Conservation Commission
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RECEIVED
NORTON TOWN CLERK
2019 MAR 12 P 3:50

Monday, February 11, 2019
6:30 pm
2nd Floor Conference Room
Norton Town Hall

Minutes

recorded by Jennifer Carlino

6:30pm Open meeting

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

Attendance: Scott Ollerhead, Gene Blood, Ron O'Reilly, Lisa Carrozza, Conservation Director Jennifer Carlino

Absent: Julian Kadish, Daniel Doyle Jr, Dan Pearson,

6:30pm Open meeting

EXECUTIVE SESSION: Wetland Protection Funds

Discuss strategy in executive session with respect use of Wetland Protection Funds, pursuant to G.L. c. 30A, §21(a)(3), if discussing the matter in open session will have a detrimental effect on the Town's litigating position and the chair so declares; votes may be taken.

O'Reilly stated that the Board now intends to go into executive session to discuss the use of Wetland Protection Fund, as noted in the public notice."

O'Reilly made a motion to enter into executive session: I move that the Commission enter into executive session to discuss the use of Wetland Protection Fund, pursuant to G.L. c. 30A, §21(a)(3), because discussing the matter in open session will have a detrimental effect on the Town's litigating position.

O'Reilly announced that at the conclusion of the executive session, the Commission will reconvene in public to address all other regularly scheduled business.

Roll call vote to enter into Executive Session was held.

Scott Ollerhead-yes, Gene Blood-yes, Ron O'Reilly-yes, Dan Pearson-yes, and Lisa Carrozza-yes.

Commission entered into Executive Session.

Commission voted to return to regular meeting in motion by Carrozza, seconded by O'Reilly. Approved.

WETLAND HEARINGS

Wetland hearings will be taken in order.

- A. Notice of Intent (#250-1036). NextSun Energy LLC. 210 Bay Rd. (Map 6, parcels 6 and 11).** For a proposal to construct a 2MW dual use solar energy facility on existing cranberry bogs with 48 linear feet of Bank alteration, 17,900 square feet of floodplain alteration, 15,150 square feet of wetland alteration and 7,000 square feet of riverfront alteration within the Canoe River Area of Critical Environmental Concern.

The applicant requested a continuance. Motion was made by to continue the public meeting for DEP# 250-1036 to Feb 25, 2019 by Carrozza seconded by Pearson. Motion passes.

The applicant requested a continuance. Motion was made by to continue the public meeting for DEP# 250-1023 through #250-1028 to Feb 25, 2019 by O'Reilly seconded by Blood. Carrozza recused. Motion passes.

- B. 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, 11/19/18, 12/17/18). Proposed plans to construct one 10,935 s.f. commercial/retail building and associated parking and utilities discharging to wetland resources.
- C. 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, 11/19/18, 12/17/18). Proposed plans to construct one 14,400 s.f. commercial/retail building and associated parking and utilities discharging to wetland resources
- D. Notice of Intent (#250-1025). Condyne Capital Partners Lot 3 Leonard South Subdivision Plan (Map 11 Portions of Parcels 32 & 35)** (10/22/18, 11/19/18, 12/17/18). 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.
- E. 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, 11/19/18, 12/17/18). Proposed plans to construct one 125,000 s.f. warehouse building, parking, grading, utilities and stormwater management within 100 feet of wetlands.
- F. 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, 11/19/18, 12/17/18). 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.

G. 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, 11/19/18, 12/17/18). 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.

H. Notice of Intent (#250-10XX). Condyne Capital Partners Bldg 7 Leonard North (Map 11 Parcel 22). (cont. from 12/17/18) Proposed plans to construct one 130,000 s.f. warehouse building and associated parking and utilities within 100 feet of bordering vegetated wetland, with alteration of 1,702 sf of riverfront area and 10,871sf/17,091cf of 100-year floodplain.

The applicant requested a continuance. Motion was made by to continue the public meeting for DEP# 250-10XX to Feb 25, 2019 by O'Reilly seconded by Blood. Carrozza recused. Motion passes.

I. Notice of Intent (#250-1035). Condyne Capital Partners Leonard Street reconstruction (Rte 123 to west of house #54). for proposed plans to widen Leonard Street, install utilities, replace culverts and stormwater management. Project involves alteration of 4,607sf wetland, 12,918 sf of 100-year floodplain and 2600 sf of Riverfront area within Canoe River Area of Critical Environmental Concern.

The applicant requested a continuance. Motion was made by to continue the public meeting for DEP# 250-1035 to Feb 25, 2019 by O'Reilly seconded by Blood. Carrozza recused. Motion passes.

REQUEST FOR EXTENSION

DEP# 250-963 MFN Regional Wastewater District 74 Hill Street (map 29, parcel 60)
For improvements to existing wastewater facility and stormwater management

Motion was made to issue a one year extension for DEP# 250-963 by Carrozza seconded by O'Reilly. Motion passes.

DEP# 250-969 MFN Regional Wastewater District Pine Street (map 24, parcels 4, 6, 8, and 63)
For construction of wastewater effluent basins, utilities and stormwater management

Motion was made to issue a one year extension for DEP# 250-963 by Carrozza seconded by O'Reilly. Motion passes.

REVIEW DRAFT MINUTES

1-28-19 Motion was made to accept the minutes with edits by Carrozza seconded by Blood. Motion passes.

OLD BUSINESS

1. Commission reviewed the bid estimates for consulting services under MGL Chapter 44 Section 53G for **DEP#250-1030 East Hodges Street**

- Pat Garner \$3,550.00
- EcoTech \$3,840.00
- BSC \$5,220.00

Motion was made to hire EcoTec for DEP# 250-1030 by Carrozza seconded by Blood. Motion passes.

2. Commission reviewed the bid estimates for consulting services under MGL Chapter 44 Section 53G for **DEP#250-1032 219 Oak Street.**

- Garrett Group \$1500.00
- EcoTech \$3,840.00
- Pat Garner \$3,550.00

Motion was made to hire Garrett Group for DEP# 250-1030 by Carrozza seconded by Blood. Motion passes.

3. Carrozza and Ollerhead recused. Commission did not have a quorum to discuss the estimate from John Chessia of \$3600.00 for consulting services under MGL Chapter 44 Section 53G for **DEP#250-1034 DOT East Main St.** Commission reviewed Helpline information from MACC. Commission requested Carlino send all documents to Town Counsel for discussion at next meeting.

NEW BUSINESS

- Site Inspections
- Violations

-New notices to 211 Oak, 215 Oak, 219 Oak, 68 Dean and 54 W Hodges

-Update requests for 4 Kensington and 21 Kensington

- Reservoir Update
- Chartley Pond Update
- Barrowsville Dam
- Report from Staff
- Waterbodies Committee update
- Grants

BILL SUMMARY

Summary list of bills signed period Dec 17, 2018-Jan 27, 2019

Vendor	Amount	Town Account #	Item
Patricia Tarrantino	\$2.25	242-171-100-5700	Wetland Protection Fund postage reimbursement
Pare Corporation*	\$1,870.00	448-171-000-5800	Chartley Construction Chartley Construction
Verizon	\$35.99	242-171-100-5700	Wetland Protection Fund Agent phone bill 11/13/18-12/12/18
Norton Sewer & Water	\$105.00	001-171-570-5308	Operations Maint. Cons. Areas Q2 FY19 water/sewer bill Edith Read
National Grid	\$10.00	001-171-570-5308	Operations Maint. Cons. Areas Charges 11/28/18-12/28/18 Edith Read
Bristol Cnty Registry of Deeds	\$76.00	242-171-100-5700	Wetland Protection Fund Record COC for Chartley pond dam 250-1012
WB Mason	\$104.18	001-171-570- 5420	Operations Office Supplies Office supplies/portable power bank

* those with asterisk are also signed by Town Manager

Summary list of bills signed period January 28, 2019- February 11, 2019

Vendor	Amount	Town Account #	Item
Pare Corporation*	\$2,598.45	448-171-000-5800	Chartley Construction Chartley Construction
National Grid	\$10.00	001-171-570-5308	Operations Maint. Cons. Areas Charges 11/28/18-12/28/18 Edith Read
WB Mason	\$104.18	001-171-570- 5420	Operations Office Supplies Office supplies/portable power bank
Chessia Consulting	\$1,497.50	243-171-100-5700	Outside Consultant Fees DEP 250-1032, 219 Oak St
Chessia Consulting	\$125.00	243-171-100-5700	Outside Consultant Fees DEP 250-XXX 54 Plain St
Chessia Consulting	\$1,250.00	242-171-100-5700	Wetland Protection Fund DEP 250-983 Island Brook appeal review

* those with asterisk are also signed by Town Manager

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

- *Capital budget was due 2-5-19, Carlino submitted funds for renovations to Edith Read Conservation Land on North Worcester Street. Capital Budget meeting was held 2-11-19.*
- *Spring Town Meeting Articles were due 2-6-19. Carlino submitted 2 annual revolving fund articles for Forestry and Edith Read property.*
- *FY20 Budget is due 2-14-19. Carlino is submitting budget with Full Time Secretary. This is the only department who hasn't been restored to full staffing since last recession about 10 years ago.*
- *25 Meadowbrook lane- request for tree removal directly adjacent to a certified vernal pool. Carlino met with owners a few years ago and required tree replanting in place of removal of 6 trees. Recently met with owners for new request to remove more trees. Replacement trees were never planted. Commission approved removal of hazard trees but is requiring replacement planting of two native trees.*
- *10 Park lane- New owner wants to cut vegetation within No Disturbance Zone. Carlino advised it was unlikely but they would apply for permit and explained new plan is required. Owners didn't want to provide new plan. Carlino suggested they attend meeting informally before they spend funds on a project that is unlikely to be approved. Owners question why they need to come. Commission stated they were not inclined to approve this request and would uphold the No Disturbance Zone Policy. Commission recommended contacting owners so they do not spend funds for a project not likely to be approved.*
- *Kingsbury Condos meeting regarding release of Conservation Restriction land- Trustees requested meeting with Town manager, con com and selectmen to go over options to release Conservation Restriction. Carlino provided documentation regarding Article 97 conversion and offered to add discussion to agenda once they submitted request and all documentation. Trustees don't want to meet at public hearing. Scheduled meeting with Town Manager Wed, Feb 20, at 5pm. Carlino and Ollerhead will attend.*

Motion to adjourn by Kadish, seconded by O'Reilly. Motion passes and meeting closes at 8:00 pm.

Respectfully submitted by: _____ Jennifer Carlino _____

Minutes approved by the Commission on _____ 2-25-19 _____ (Date)

Conservation Commission Signature:

Scott M. Ollerhead
Scott Ollerhead, Conservation Commission Chairman

3-11-19
Date