



Norton Conservation Commission

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NORTON TOWN CLERK
2019 AUG 12 P 1:35

Monday, February 25, 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, Julian Kadish, Daniel Doyle Jr, Dan Pearson, Conservation Director Jennifer Carlino

Absent:

WETLAND HEARINGS

Wetland hearings will be taken in order.

A. Request for Determination of Applicability. (DET 1079). Dylan Ribiero. 32 Eisenhower Dr (map 20, parcel 133). The proposed project is to repair a septic system within 100 feet of wetland.

Document List

1. *Request for Determination prepared by BDO Engineering, dated 2-8-19*
2. *"Upgrade of Subsurface Disposal System at 32 Eisenhower Dr., Norton Massachusetts" dated 1-30-19.*
3. *Site photos*

David Oberlander attended the meeting to describe the project. There is an existing house about to be sold that requires a repaired septic system. Carrozza asked how the site would be accessed. Oberlander said it would be via the east side of the house. Carlino stated she couldn't tell if there was compost in the wetland. It looked like it might be within the 25 foot No Disturbance Zone. If in the NDZ, the permit should reflect its removal.

Carlino showed pictures of the property.

Motion was made to close the public hearing by Carrozza, second by Kadish. Approved.

Motion was made to issue a negative determination for DET# 1079 by Kadish seconded by O'Reilly. Motion passes.

B. Notice of Intent (#250-1038). Brian Murphy. 13 Richmond Dr (map 35, parcel 187) for a proposal to construct a 14' x 18' addition within 100 feet of wetlands and a potential vernal pool.

Document list

1. *Notice of Intent (NOI) application prepared by received 2-4-19.*
2. *"Proposed House Addition at HSE. NO.13 Richmond Dr ", prepared by RIM Engineering Co Inc., signed and stamped by Craig Cygawnoski, dated 1-28-19.*
3. *Site photographs*

Craig Cygawnoski of RIM Engineering attended the meeting to describe the project. There is an existing deck/sunroom and the owners would like to make it an addition. There is a potential vernal pool in the wetland. Carlino showed pictures of the property. Pearson asked about the trash seen in the photos. Cygawnoski will ask clients about removing it. Carrozza asked about dewatering location. Cygawnoski stated it was as far from wetland as possible on the lot. Pearson asked about the firepit. If proposing to continued use, should show on the plans. If not using, should relocate materials outside No Disturbance Zone. Ollerhead asked about the visual barrier requirement. Carrozza said it was her feeling that if there are no violations, it isn't needed.

Motion was made to continue the hearing for DEP# 250-1038 to March 11, 2019 by Carrozza seconded by Pearson to find out about the firepit. Motion passes.

C. Notice of Intent (#250-1037). Next Grid Redwood LLC. 54 Plain St. (Map 18, parcel 9). (continued from 1/28/19) For proposed plans to install a ground mounted solar array, driveway, stormwater, utilities within 100 feet of wetland in the Three Mile River Area of Critical Environmental Concern.

The applicant requested a continuance. Motion was made by to continue the public meeting for DEP# 250-1037 to March 11, 2019 by Pearson seconded by Kadish. Motion passes.

D. Notice of Intent (#250-1036). NextSun Energy LLC. 210 Bay Rd. (Map 6, parcels 6 and 11). (continued from 1/28/19 and 2/11/19) 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 March 25, 2019 by Kadish seconded by Carrozza. Motion passes.

E. Notice of Intent (#250-1034). Mass Dept. of Transportation. East Main Street (Route 123) Elm Street to Rt 495 overpass. (continued from 1/28/19 and 2/11/19) For proposed plans to perform roadway improvements including new sidewalks, wider road shoulders, rehabilitation of existing roads and sidewalks, installation of traffic signals at Rte 495, and stormwater management within 100 feet of wetland and 200 feet of the Canoe River within the Canoe River Area of Critical Environmental Concern. Alteration includes 174 square feet of wetland and 89,924 sf of Riverfront Area.

The applicant requested a continuance. Motion was made by to continue the public meeting for DEP# 250-1034 to March 11, 2019 by Kadish seconded by O'Reilly. Carrozza and Ollerhead recused. Motion passes.

F. Abbreviated Notice of Resource Area Delineation (#250-1030). John Quattrochi. East Hodges Street (Map 36 Parcel 2-0) (cont. from 10/22/18, 11/19/18, 12/17/18, 1/28/19 and 2/11/19). For proposed plans to verify wetland resource areas.

The applicant requested a continuance. Motion was made by to continue the public meeting for DEP# 250-1030 to March 11, 2019 by Kadish seconded by Pearson. Motion passes.

G. Notice of Intent (#250-1032). Albert Faxon. Oak Street (Map 15 Parcel 9). (cont. from 10/22/18, 11/19/18, 12/17/18, 1/28/19 and 2/11/19). For proposed plans to construct a driveway associated with a new single-family house within 100 feet of wetlands.

The applicant requested a continuance. Motion was made by to continue the public meeting for DEP# 250-1032 to March 11, 2019 by Kadish seconded by Pearson. Motion passes.

H – M, DEP files #250-1023 through #250-1028

Mark Dibb, Jeff O'Neill and Don O'Neill of Condyne, Attorney Susan Bernstein, Scott Smeyers of Oxbow Associates and Brad Holmes of Environmental Consulting & Restoration, LLC attended the meeting to update the commission on their progress with Commission letters and requests from the town's consultant Horsley Witten.

Dibb updated the commission on the 2/4/19 resubmitted plans and binders. He discussed the staff meeting of 2/13/19 with Conservation Director, Planner, and Horsley Witten. Dibb has been making grading edits in conjunction with Horsley Witten.

Dibb submitted new summary of a narrative, and itemized revisions to the narrative. All documents are anticipated to be officially submitted week of 2/4/19.

Jeff O'Neill gave the update of the summary of the narrative.

- *Buildings are targeted for online purchasing rather than in store purchase.*
- *Claims a scarcity of that type of commercial/industrial along Rt 495.*
- *Avoided/minimized and mitigated at building 5, the critical part of the whole project, describing flipping the building around on the lot and reduction of the size from original proposal.*
- *Some underground stormwater storage. Carlino asked if they have exhausted all options for more underground storage and if that evaluation was in the revised narrative submitted that evening. Pearson asked about rainwater harvesting opportunities. O'Neill claims it is too complicated. Carlino asked if they looked at drought resistant plants that wouldn't need any irrigation instead of an irrigation well in the aquifer.*
- *Upgrading 3 culverts on Leonard st and new utilities to the site*
- *Cleaning up all trash on the site.*
- *Completed archaeological reviews*
- *Fitting rooves for solar installations*
- *Creating walking path/parking lot*

Dibb described reduced resource area impacts in riverfront and reduction of nitrogen use from golf range. Dibb gave summary of impacts by resource area. Carlino asked if this is included in the new documents to be submitted. Dibb replied yes.

O'Reilly asked if they can get more water under paved areas. O'Neill said groundwater is too high near building 5.

Oren Sigal, 28 pine st, asked about parking associated with building 5. O'Neill stated parking is needed by tenant.

Pearson asked about other layouts for building 5 outside of floodplain. Dibb stated wetland would then be impacted.

Motion was made by Pearson, seconded by Kadish to continue the public hearing for DEP files #250-1023 through #250-1028 to March 11, 2019. Motion passes.

H. 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, 1/28/19 and 2/11/19). Proposed plans to construct one 10,935 s.f. commercial/retail building and associated parking and utilities discharging to wetland resources.

I. 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, 1/28/19 and 2/11/19). Proposed plans to construct one 14,400 s.f.

commercial/retail building and associated parking and utilities discharging to wetland resources

- J. 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, 1/28/19 and 2/11/19). 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.
- K. 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, 1/28/19 and 2/11/19). Proposed plans to construct one 125,000 s.f. warehouse building, parking, grading, utilities and stormwater management within 100 feet of wetlands.
- L. 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, 1/28/19 and 2/11/19). 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.
- M. 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, 1/28/19 and 2/11/19). 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.
- N. Notice of Intent (#250-10XX). Condyne Capital Partners Bldg 7 Leonard North (Map 11 Parcel 22).** (cont. from 12/17/18, 1/28/19 and 2/11/19) 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 March 11, 2019 by Kadish seconded by O'Reilly. Motion passes.

- O. Notice of Intent (#250-1035). Condyne Capital Partners Leonard Street reconstruction (Rte 123 to west of house #54).** (continued from 1/28/19 and 2/11/19) 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 March 11, 2019 by Kadish seconded by O'Reilly. Motion passes.

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

REQUEST FOR PARTIAL/FULL CERTIFICATE OF COMPLIANCE

REVIEW DRAFT MINUTES

2-11-19 Motion was made to accept meeting minutes of 2-11-19 as edited by Carrozza seconded by Blood. Motion passes. Pearson, Doyle and Kadish abstain.

2-11-19 Executive session Motion was made to accept Executive Session meeting minutes of 2-11-19 by Carrozza seconded by O'Reilly. Motion passes. Pearson, Doyle and Kadish abstain.

OLD BUSINESS

NEW BUSINESS

Edith Read Conservation Land caretaker house demolition Carlino stated the house would be demolished the week of 3/4/19.

Article 97 Ollerhead recounted the meeting held on 2/20/19 with Board of Selectmen, Town Manager, Conservation, Kingsbury Hill Condo Trustees their attorney and engineer regarding the request to remove certain parcel of land from the Conservation Restriction on East Main St and Leonard St. Carlino noted that she spoke with Town Counsel and they will recommend that Kingsbury Condos submits their proposal to the Commission for a discussion at a public meeting.

Site Inspections

Violations

211 Oak, 215 Oak, 219 Oak, 68 Dean, 54 W Hodges, 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 January 28, 2019- February 25, 2019
FY2019**

Vendor	Amount	Town Account #	Item
Verizon	\$35.99	242-171-100-5700 Wetland Protection Fund	Agent phone bill 11/13/18-12/12/18
National Grid	\$8.47	001-171-570-5308 Operations Maint. Cons. Areas	Charges 12/28/18-1/29/19 Edith Read
MACC	\$250.00	001-171-570-5716 Education	2 attend AEC
National Grid	\$93.25	001-171-570-5308 Operations Maint. Cons. Areas	Charges overdue from pool meter Edith Read

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

- *Carlino thought that Founder's Day June 15, 2019 would be a great opportunity to showcase Edith Read Conservation Area and get some volunteer projects done. Members agreed and are interested in attending. Carlino will organize.*

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 _____ 3-11-19 _____ (Date)

Conservation Commission Signature:



Scott Ollerhead, Conservation Commission Chairman

8-8-19

Date