



**Norton Conservation Commission**

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**Monday, October 7, 2019**

**6:30 pm**

**2<sup>nd</sup> Floor Conference Room**

**Norton Town Hall**

**Minutes**

6:30pm Open meeting

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

*Attendance: Scott Ollerhead, Lisa Carrozza, Julian Kadish, Dan Pearson, Ron O'Reilly, Conservation Secretary Melissa Quirk and Conservation Director Jennifer Carlino*

*Absent: Gene Blood, Daniel Doyle, Jr.*

**WETLAND HEARINGS AND POSSIBLE COMMISSION DELIBERATIONS**

Wetland hearings will be taken in order.

- A. Request for Determination of Applicability (DET #1087). CIL Realty of Mass Inc., 183 John Scott Blvd (Map 31, Parcel 144).** (continued from 9/23/19) The proposed project involves plans to repair an existing septic system within 100 feet of wetlands.

*Document List*

1. *WPA Form 1 – Request for Determination of Applicability – received 8/5/19*
2. *Plans entitled, "Repair Sewage Disposal System", prepared by Hutchins Trowbridge Associates, signed and stamped by Michael Trowbridge, dated 8/2/19*
3. *Plans entitled, "Septic As-Built", prepared by Hutchins Trowbridge Associates, signed and stamped by Michael Trowbridge, dated 9/13/19, rev 10/7/19.*

*Bob Salvo, contractor, attended the hearing on behalf of the applicant. Project was previously brought to the commission as an Emergency and approved with an Emergency Certificate. The EC requires the issuance of the permit. All work is done and site is stabilized with sod. As-built plans were submitted on the prior Order of Conditions that needed to be done.*

*Motion was made to close the public hearing for DET#1087 by Kadish, seconded by O'Reilly. Motion passes.*

*Motion was made to issue a Negative 3 Determination for DET#1087 by Kadish, seconded by O'Reilly. Motion passes.*

**B. Notice of Intent (#250-1048). Frank Fournier of the Town of Norton, Pine Street.** (continued from 9/23/19) For proposed plans to install a water main along Pine Street within 100 feet of wetlands.

*Document List – Pine Street Water Main Improvements*

- 1. WPA Form 3 – Notice of Intent received 9/9/19*
- 2. Stormwater Report, signed and stamped by James Pearson, PE, dated 9/6/19*
- 3. Wetland Delineation Report, prepared by Weston & Sampson, dated 12/2018*
- 4. Plans entitled, "Town of Norton, Massachusetts Pine Street Water Main Improvements", prepared by Weston & Sampson, signed and stamped by Leah Stanton, PE, dated 9/9/19*

*Carlino received the letter from Natural Heritage that the ConCom was waiting for. They did a time of year restriction for some of the work which is included in the draft Order of Conditions. Carlino is just waiting for applicants to provide the book and page number to issue the permit.*

*Motion was made to close the public hearing for DEP#250-1048 by Kadish, seconded by O'Reilly. Motion passes.*

*Motion was made to issue the Order of Conditions as discussed for DEP#250-1048 by Carrozza, seconded by Kadish. Motion passes.*

**C. Notice of Intent (#250-1040). Michael Trowbridge of Hutchins-Trowbridge Assoc. 306-308 East Main Street. (Map 5, parcel 38 and 252).** (continued from 4/29/19, 6/10/19, 7/8/19, 7/22/19, 8/12/19) The proposed project is to construct an addition to warehouse, detention basin and grading within 100 feet of BVW.

*The applicant requested a continuance to 11/18/19. Motion was made to continue the public hearing for DEP#250-1040 to November 18, 2019 by Kadish, seconded by O'Reilly. Motion passes.*

**D. Request for Amendment to Existing Order of Conditions (#250-996). Thomas Powers, 19 King Philip Road (Map 25, Parcel 73-19).** (continued from 9/9/19) The proposed project is to raise the existing house above the floodplain elevation within 100 feet of wetlands and within the 100-year floodplain.

*The applicant requested a continuance to 10/28/19. Motion was made to continue the public hearing for DEP#250-996 to October 28, 2019 by Kadish, seconded by O'Reilly. Motion passes.*

- E. 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, 2/11/19, 2/25/19, 3/11/19, 3/25/19, 4/8/19, 4/29/19, 6/10/19, 6/24/19, 7/8/19, 7/22/19, 9/19/19, 9/23/19). For proposed plans to verify wetland resource areas.

*Carlino states the applicant has drafted revised plans according to our site visit in the spring. Our consultant, Art Allen, wants to review the plans before they print them. They did not submit the vernal pool observation forms, which should be included.*

*The applicant requested a continuance to 10/28/19. Motion was made to continue the public hearing for DEP#250-1030 to October 28, 2019 by Kadish, seconded by Pearson. Motion passes.*

- F. Notice of Intent (#250-1032). Albert Faxon. Oak Street (Map 15 Parcel 9).** (cont. from 10/22/18, 11/19/18, 12/17/18, 2/11/19, 2/25/19, 3/11/19, 3/25/19, 4/8/19, 4/29/19, 6/10/19, 6/24/19, 7/8/19, 7/22/19, 9/9/19, 9/23/19). For proposed plans to construct a driveway associated with a new single-family house within 100 feet of wetlands.

*Carlino did receive revised plans in a new packet of information addressing our wetland consultant's comments. However, they did not address our consulting engineer's comments on the proposed culvert within the driveway.*

*The applicant requested a continuance to 10/28/19. Motion was made to continue the public hearing for DEP#250-1032 to October 28, 2019 by Kadish, seconded by Pearson. Motion passes.*

- G. Notice of Intent (#250-1037). Next Grid Redwood LLC. 54 Plain St. (Map 18, parcel 9).** (continued from 1/28/19, 2/25/19, 3/11/19, 4/8/19, 4/29/19, 5/20/19, 6/10/19, 6/24/19, 7/22/19, 9/9/19, 9/23/19) For proposed plans to install a ground mounted solar array, driveway, stormwater, utilities within 100 feet of wetland in the Canoe River Area of Critical Environmental Concern.

*Carlino states no new documentation has been submitted since the last request from the consulting engineer. Carlino drove by last week and saw they have completely clear cut a new road. They have removed most of the understory and grubbed the majority of the site without*

*having their wetland permit. Carlino issued the Enforcement Order and told them they needed to stop all work. They must stabilize all of the area that has been disturbed. She did get a response saying they would stop all work. They are in contact with their construction team. It was not their intention to allow clearing except for the small path. The civil construction firm from North Carolina contracted with a company out of New York to do the work. Carlino stated they did hire a local landscaper that she spoke with today to come up with the stabilization plan. They are supposed to be doing the work this week since it is going to rain. They plan to have information for the ConCom and John Chessia to review this week.*

*Carrozza wants the person that authorized the tree clearers to mobilize to the site to appear before the ConCom. And what information was used to make that decision. She would like a representative from NextGrid that was directly responsible to authorize the work to be at the next meeting. ConCom members agreed.*

*Motion was made to ratify the Enforcement Order on DEP #250-1037 by Kadish, seconded by Pearson. Motion passes.*

*The applicant requested a continuance to 10/28/19. Motion was made to continue the public hearing for DEP #250-1037 to October 28, 2019 by Pearson, seconded by Kadish. Motion passes.*

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

**Notice of Intent (#250-1049). Charles Conant IV. 148 North Washington Street (Map 4, Parcel 186).** For proposed plans to construct an inground pool within 100 feet of bordering vegetated wetland.

#### *Document List – 148 North Washington Street*

- 1. WPA Form 3 – Notice of Intent received 9/9/19*
- 2. Plans entitled, "Proposed In-Ground Pool Location Plan at NO. 148 North Washington Street in Norton, MA" prepared by RIM Engineering Co., Inc., signed and stamped by Craig Cygawnoski, dated 8/27/19*

*Motion was made to issue the Draft Order of Conditions as discussed with modifications for DEP #250-1049 by Carrozza, seconded by Kadish. Motion passes.*

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

### **REVIEW DRAFT MINUTES**

8-12-19 *Motion was made to accept meeting minutes of 8/12/19 by Carrozza, seconded by Kadish. Motion passes.*

9-9-19 *Motion was made to accept meeting minutes of 9/9/19 by Carrozza, seconded by Kadish. Motion passes.*

9-23-19 *Motion was made to accept meeting minutes of 9/23/19 as amended by Pearson, seconded by Kadish. Motion passes.*

### **OLD BUSINESS**

#### **NEW BUSINESS**

Site Inspections

Violations:

Carlino discussed a new violation at **77 Charlotte Ave.** A letter went out Thursday. Abutters claim at least 3 dump loads of fill were brought to the site. It is within wetland and flood plain. Owner came in today and scheduled a site inspection.

**68 Dean Street:** At the last meeting ConCom discussed scheduling a site visit. A date of 10/10/19 was sent to the resident which the resident cannot make. Carlino has only done an inspection from the road. The resident did not feel that an inspection was necessary. Kadish questioned the nature of the concern for the site. Carlino explained the ConCom had issued an enforcement letter about all of the cutting and clearing that was done up against the wetland and the certified vernal pool. Another letter was issued stating the resident must file for a permit and a copy of the permit was given to the resident and never filled out. A follow-up letter was sent looking for the permit. Carlino noted loads of fill dumped on the site when she drove by, again without a permit. Another violation letter was issued. The ConCom then said they needed to go out and do the inspection. Carlino has had several phone conversations with the resident. Carrozza suggested having the resident give the ConCom 2 or 3 dates in the next 2 weeks that they can make and the ConCom would make it work. After that would be an Enforcement Order.

10 Dean St  
211 Oak and 21 Kensington  
4 Kensington

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

## Grants

Carlino needs to change the meeting for the review and discussion of MACC Wetlands Buffer Zone Guidebook to October 24<sup>th</sup>

## **BILL SUMMARY**

### **Summary list of bills signed period – September 23 – October 7, 2019**

#### **FY2020**

<b>Vendor/ Item</b>	<b>Amount</b>	<b>Town Account #</b>
Verizon agent cell phone	\$36.49	242-171-100-5700 – Wetland Protection Funds
Patrick Garner site walk with DEP	\$550.00	243-171-100-5700 – Outside Consultant Fees
C & B Pest Control treatment of lodge & garage	\$455.00	001-171-570-5308 – Maint. Conservation Areas
W.H. Riley & Son Inc. repaired gas leak – Edith Read	\$278.78	001-171-570-5308 – Maint. Conservation Areas
Home Depot Edith Read	\$390.55	001-171-570-5308 – Maint. Conservation Areas
Pare Corporation Chartley Dam site visit/review	\$435.00	448-171-000-5800 – Chartley Dam
W.B. Mason Edith Read	\$26.65	001-171-570-5308 – Maint. Conservation Areas
W.H. Riley & Son Inc. Edith Read – Lp gas	\$437.44	001-171-570-5308 – Maint. Conservation Areas
D’Alessandro Corp. Chartley Dam repairs	\$41,798.75	448-171-000-5800 – Chartley Dam repairs
Jennifer Carlino Edith Read	\$38.03	001-171-570-5308 – Maint. Conservation Areas
Town of Norton water	\$70.38	001-171-570-5308 – Maint. Conservation Areas

National Grid pool meter	\$10.00	001-171-570-5308 – Maint. Conservation Areas
Chartley Landscaping reservoir & chartley	\$425.00	001-171-570-5315 – Professional Services
Chartley Landscaping read & johnson	\$225.00	001-171-570-5308 – Maint. Conservation Areas

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

**(DEP #250-478) 183 John Scott Boulevard** – Request for Certificate of Compliance. This was discussed earlier in the meeting with the hearing for DET #1087.

*Motion was made to issue a Full Certificate of Compliance for DEP#250-478 by Kadish, seconded by Carrozza. Motion passes. Carlino noted this will be added to the next agenda to be ratified.*

**(DEP #250-282) 51 Clapp Street** – Request for Certificate of Compliance. Carlino explained there was a wetland violation, but she was there today and they were cleaning everything up. They just could not finish everything today. The closing happened about a week ago. Carlino is confident the work will be completed tomorrow.

*Motion was made to issue a Full Certificate of Compliance for DEP#250-282 by Kadish, seconded by O'Reilly. Motion passes. Carlino noted this will be added to the next agenda to be ratified.*

Carlino will be attending **Finance Committee meeting** Wednesday for the fall town meeting. She has requested funding for the Secretary to be restored to full-time. This is the last department to not have the position restored from 10 years ago and others have had additional staffing added as well. Carlino has also requested a part-time seasonal person to help in the summer with Camp Edith Read which abutters have requested. Kadish noted the numerous grants Carlino has brought in. Almost 2 million dollars in grants which he feels should be considered.

Ollerhead read a letter for the record to Stacey Minihane of Beals & Thomas regarding the Bay Road solar project **(DEP#250-1035)** from DEP. Carlino also noted we received a letter from the abutters today about the appeal that they copied the ConCom on.

Ollerhead stated the ConCom was invited to join the **Charter Commission meeting** following tonight's meeting. Pearson, Carrozza and Ollerhead will attend.

*Motion to adjourn by Kadish, seconded by Pearson. Motion passes and meeting closes at 7:30pm.*

*Minutes approved by the Commission on* 10/28/19 *(Date)*

*Conservation Commission Signature:*

Date \_\_\_\_\_