



**Norton Conservation Commission**

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**Thursday, November 7, 2019**

**5:00 pm**

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

**Norton Town Hall**

**Minutes**

5:00pm Open meeting

*The meeting was called to order at 5:00pm.*

*Attendance: Scott Ollerhead, Lisa Carrozza, Gene Blood, Daniel Doyle, Jr., Conservation Secretary Melissa Quirk and Conservation Director Jennifer Carlino*

*Absent: Julian Kadish, Dan Pearson, Ron O'Reilly*

**Compliance meeting regarding 68 Dean Street**

*Zach & Alex Schleicher of 68 Dean Street attended the hearing to discuss the Enforcement Order issued regarding their property. Zach explained they are looking to find a basis of what conservation land is and what they can and cannot do. They bought the property August of last year. They are looking to see what is expected of them. Ollerhead explained that although they may not have been told when they moved in, their property does border vegetated wetland. The wetlands regulations say that you have a wetlands boundary and there is a buffer zone 100 feet from that wetland boundary which is where jurisdictional portion starts. Any work in that buffer zone needs a permit from the ConCom. Carrozza explained almost the entire lot is in the buffer zone according to the plot plan. Blood asked if they got a plot plan when they bought the house. Zach showed the plot plan he has from 1989 that he received showing border discrepancies with previous owners.*

*Ollerhead asked what work they have done. Zach explained they had a home inspection done and was told to cut down trees away from the house. They were overhanging the house causing moss and roof damage. He had the trees cut down which is when he received the cease and desist letter from Carlino. They stopped all operations. They had no idea they lived on conservation land. Ollerhead asked if they took the stumps. They did not. Ollerhead asked if they have more trees they want to cut down. Zach stated they are done.*

*Ollerhead asked about fill that was brought in. Zach stated he brought fill on the side of his driveway and out of the 100 foot buffer zone. He went off of the plot plan he has which shows he is outside of the 100 foot buffer zone. Therefore, he didn't think he needed to pull a permit.*

*Carrozza stated that area is in fact in the buffer zone. She showed him the plot plan from the septic system and explained where the buffer zone is on his property.*

*Zach explained he put the fill in because the water is running from Dean Street and eroding the driveway. Carrozza suggested the best way to solve that problem is to dig a trench or excavate and fill it with stone. Blood felt it would be best to put a berm in front of the driveway. Carrozza suggested they get an engineer to design a solution. Right now, they have unconsolidated material. Every time it rains, this material has the potential to run off towards the wetlands. This is an exposed surface not good for the wetlands. Zach asked about all of the car oil and antifreeze that runs off the street and down his driveway towards the wetlands. Carrozza agreed that is an issue, but it's a DPW issue. Zach stated he has no issue pulling a permit if that is what he needs to do. They were not trying to cause any harm, but they were working off of a different plan and thought they were okay. Carrozza suggests they get an as-built plan of what was cleared so the ConCom has a record. Then they can come up with a solution. She suggested they hire a surveyor and/or engineer to come out. The ConCom needs to know what was cleared since it is usually a requirement to replicate what was taken down. Carrozza gives a copy of the last plan the ConCom has which is from the septic system in 2007 and states it needs to be updated.*

*Zach asks what the compliance check (inspection) involves. He does not want to be held responsible for work from the previous owner. Carrozza explains the ConCom can tell what has happened on the site from aerial photos. The first order of business is to get a survey and update the plot plan to show the extent of the cleared area. Zach asked who does the surveying and who pays for it. Carrozza explained Zach would be responsible for the cost. Zach expressed concern about the cost. Carrozza explained everyone is held to the same standard. Everyone is accountable. Everyone that has come before the ConCom has done an as-built and replicated it. Carrozza explained this is an enforcement issue and the ConCom is trying to work with them. They need to get it surveyed. Then they will look at the number and type of trees that were taken down and what a reasonable replanting would look like. There also needs to be a better solution for the pile of material. This is not a long-term solution. An unconsolidated pile in the buffer zone cannot stay there. Zach felt the stone mixed fill would alleviate the water. Carrozza explained over time the mix will wash out. It is not solid enough to handle the water flow. Stone would be best. But first, they need a survey of existing conditions so they can discuss how to fix it.*

*Ollerhead asked if all the brush is gone. Zach states all the brush and wood that was cut is gone. The fill is still there. Ollerhead asked how much fill was brought in. Zach states about 4 dump trucks of approximately 15 to 20 yards of fill. Carrozza asked how many trees were taken down. Zach states about 10, but some were out front. The stumps are still there so they can see. Zach showed pictures of the fill, the stream and his driveway. Carlino provided a list of surveyors in the area.*


*It was agreed that after the survey was done, they would meet with the ConCom again. Zach questioned if he would be held responsible for what previous owners have dumped in the wetland*

*and a bordering neighbor that may or may not be putting anything there. Carrozza states for now, the ConCom is just interested in what is happening by the driveway. She asked Zach to keep an eye on the pile to make sure it is not eroding. Ollerhead stated the ConCom will wait for the survey to be done and submitted to Carlino and then set up another meeting. No other work should be done there in the meantime.*

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


*Ollerhead asked if there is a way that we could send new property owners an informational packet if their property contains wetlands to make them aware of the regulations. He will look into it.*

*Motion to adjourn by Blood, seconded by Doyle. Motion passes and meeting closes at 5:45pm.*

Respectfully submitted by:     Melissa Quirk     

Minutes approved by the Commission on     11/18/19     (Date)

Conservation Commission Signature:

  
\_\_\_\_\_  
Scott Ollerhead, Conservation Commission Chairman

    1/13/20      
Date