



**Norton Conservation Commission**

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**Monday, February 24, 2020**

**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, Ron O'Reilly, Gene Blood, Dan Pearson, Daniel Doyle, Jr., Conservation Secretary Melissa Quirk, Conservation Director Jennifer Carlino*

*Absent: Julian Kadish, Lisa Carrozza*

**WETLAND HEARINGS AND POSSIBLE COMMISSION DELIBERATIONS**

Wetland hearings will be taken in order.

**A. Request for Determination of Applicability (DET #1094) Dylan Ribeiro, 15 Robinson Lane (Map 9, Parcel 234).** The proposed project involves plans to replace an existing septic system within 100 feet of wetlands.

*Document List – 15 Robinson Lane*

- 1. WPA Form 1 – Request for Determination of Applicability received 2/14/2020*
- 2. Plans entitled, "Upgrade of Subsurface Disposal System at 15 Robinson Lane, Norton, MA" prepared by BDO Engineering, signed and stamped by David Oberlander, dated 2/6/2020*

*David Oberlander of BDO Engineering attended the hearing on behalf of the applicant. Oberlander explained it is a small lot, just 10,000 square feet. The only wetlands are a small inlet from the reservoir called Pino Cove. They are able to stay 55 feet from that as they install an improved cesspool. Carlino noted there are no wetland violations. There is an actual buffer to the wetland that the ConCom must decide if they want marked somehow. Ollerhead asked Oberlander if he was amenable to putting up markers as a visual barrier. Oberlander agreed.*

*Motion was made to close the public hearing for DET #1094 by Pearson, seconded by Blood. Motion passes.*

*Motion was made to issue a Negative 3 Determination of Applicability for DET #1094 by Pearson, seconded by Blood. Motion passes.*

**B. 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, 10/7/19, 10/28/19, 11/4/19, 11/18/19, 12/2/19, 12/16/19, 1/13/2020, 1/27/2020). For proposed plans to verify wetland resource areas.

*Quattrochi East Hodges Street ANRAD*

*Document list*

1. *Request for Determination prepared by Goddard Consulting. dated 10/8/18*
2. *“Land owned by Court Com vtrgpany, Inc. in Norton, Massachusetts” prepared by E. Otis Dyer, R.P.L. S. Signed and stamped by Everett Otis Dyer. Dated 3/21/18, revised 11/1/18.*
3. *Email from Carlino to Goddard re: topo missing from the plans dated 11/7/18.*
4. *Letter to Goddard from Carlino dated 11/26/18.*
5. *Goddard letter to Conservation dated 1/8/19.*
6. *Peer review RFP 1/25/19, peer review responses from Garrett Group, EcoTec and Garner, Letter that peer review is required dated 2-12-19*
7. *2-19-19 Goddard letter re: inspections, con com email dated 2/25/19 re: inspections*
8. *Request for continuance for 4/8/19 hearing to review wetland line in response to EcoTec*
9. *Email from Carlino to Goddard re: EcoTec peer review 3-21-19*
10. *Goddard letter to Conservation re: Response to Peer Review dated 5/23/19*
11. *StreamStats Report for Stream West of Court Co. Property dated 5/23/19*
12. *Site plans entitled “Land Owned by Court Company, Inc. in Norton, Massachusetts” prepared by E. Otis Dyer, R.P.L.S., signed and stamped by Everett Otis Dyer. Dated 3/21/18, revised 12/20/18. (5 sheets)*
13. *Goddard response letter dated 11/18/19 re vernal pool survey results*
14. *Site plans entitled “Land Owned by Court Company, Inc. in Norton, Massachusetts” prepared by E. Otis Dyer, R.P.L.S., signed and stamped by Everett Otis Dyer. Dated 3/21/18, revised 10/28/19. (5 sheets)*
15. *RIM letter to Scott Goddard dated 1/21/2020 regarding ILSF areas*

16. Site plans entitled "Land Owned by Court Company, Inc. in Norton, Massachusetts" prepared by E. Otis Dyer, R.P.L.S., signed and stamped by Everett Otis Dyer. Dated 3/21/18, revised 1/21/2020
17. RIM letter to Scott Goddard dated 1/29/2020 regarding ILSF calculations
18. Site plans entitled "Land Owned by Court Company, Inc. in Norton, Massachusetts" prepared by E. Otis Dyer, R.P.L.S., signed and stamped by Everett Otis Dyer. Dated 3/21/18, revised 2/3/2020. (5 sheets)

*Mark Arnold of Goddard Consulting attended the hearing on behalf of the applicant. He reviewed the stamped ILSF calculations that were provided by RIM Engineering. He stated the submitted calculations were done using the TR-55 program with Hydrocad. Using the 7" rainfall from the 100 year storm estimating a peak high groundwater elevation of 99 and a storm peak elevation of 100.14, Arnold states the calculations meet the qualifications for ILSF in Depression G, H and H101. Carlino clarified that did not include any infiltration in the calculation. In Area F, Arnold states the elevation high was 99 and the stormwater peak was 100.06 which only resulted in 4,287 cubic feet. That means it does not meet the requirements for ILSF which need to be at least 10,890 cubic feet. Carlino noted the table on sheet 5 of the revised plans do not match the RIM calculations. Arnold agreed. The RIM letter is dated 1/29/2020. The stamped plans are dated 2/3/2020. The stamped plans have the correct numbers.*

*Motion was made to close the public hearing for DEP #250-1030 by Pearson, seconded by Blood. Motion passes.*

*Motion was made to issue the ORAD with modifications as discussed for DEP #250-1030 by Doyle, seconded by Blood. Motion passes.*

- C. Notice of Intent (#250-1052) Scot & Joan Stormo, South Worcester Street (Map 26, Parcel 103 & 103-1)** (continued from 12/2/19, 12/16/19, 1/13/2020, 1/27/2020). For a proposed project to construct 2 Triplex units and 5 Six-Family units with an associated roadway and 2 infiltration basins within 100 feet of bordering vegetated wetland.

*The applicant requested a continuance to 3/9/2020. Motion was made to continue the public hearing for DEP#250-1052 to March 9, 2020 by Pearson, seconded by Blood. Motion passes.*

- D. 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, 10/7/19, 11/18/19, 12/2/19, 12/16/19, 1/27/2020) 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 3/23/2020. Motion was made to continue the public hearing for DEP#250-1040 to March 23, 2020 by Pearson, seconded by Blood. Motion passes.*

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

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

### **REVIEW DRAFT MINUTES**

*1/27/2020 - Motion was made to accept meeting minutes of 1/27/2020 by O'Reilly, seconded by Blood. Motion passes*

### **NEW BUSINESS**

Proposed 40B – Reservoir Apartments at 253 Mansfield Avenue

- Comments due to MassHousing by March 12<sup>th</sup>
- Site visit with Local Boards Friday, February 28<sup>th</sup> at 11:00 a.m.

*Carlino showed where the wetlands are on the plan and the grading is right up against it. They will get the standard letter stating there is a minimum 25 foot no disturbance zone and it appears the proposed work is in the flood plain. They have also requested waivers from the Stormwater Management requirements and the stormwater bylaw. It looks like they want to fill wetland and replicate it to do the project. Blood asked how many units. It is 60 units of rental housing on 1.95 acres. There is a large building there now. They want to want to expand it up into the wetland.*

Cumberland Farms Gas Station & Convenience Store project at 60 West Main Street – An ENF was submitted to MEPA for review. Comments due by March 11, 2020

*This project is still being reviewed by the Planning Board. Carlino states it is based on traffic so she does not expect comments from MEPA*

Town Manager has requested a transfer of \$5,000.00 from the Wetlands Protection Fund to the FY21 Town of Norton operating budget.

*The ConCom agreed to wait until the full Board is present to discuss.*

### **OLD BUSINESS**

DEP #250-1036 Fairland Farm Solar, Bay Rd/MEPA review EEA#16138 Secretary Certificate  
*A Secretary Certificate was issued which requires an Environmental Impact Report. They will have to provide significantly more information on the whole project and water quality and how it will impact the aquifer.*

DEP #250-507 Mass DOT, request DEP to issue another extension

*This was a permit for regular cleaning of drainage systems. It was issued in 2002. They appealed the Order of Conditions. DEP did issue a permit. Since 2002, they have been requesting extensions from DEP. Carlino noted extensions are typically not done for more than 3 years. It's been almost 20 years. In addition, extensions are being given while new regulations have been put in place such as stormwater management. The ConCom agrees to send a letter to DEP.*

DEP #250-1053 TPC, Request for Departmental Action (appealed Denial OOC)

*Site inspection is this Wednesday at 11:00.*

Site Inspections -

Violations

122 W Hodges St.

184 W Main St.

77 Charlotte

68 Dean - *Update letter received 1/27/2020 – Ollerhead states we are at a crossroads. The resident is not going to do what the ConCom suggested. He reviews the previous email from the resident where he states he is just going to use sand bags. The ConCom had explained that using sand or soils will not stop the driveway from washing away. The driveway will still be undercut. Something like rip rap or larger stone is needed to stay in place with the rain water coming from the street. Ollerhead asks what the options are. Carlino will look into additional Enforcement Order options for the next meeting.*

211 Oak and 21 Kensington

4 Kensington

Reservoir Update -

Chartley Pond Update -

Barrowsville Dam

Report from Staff

Waterbodies Committee update

Grants

## **BILL SUMMARY**

**Summary list of bills signed – January 28, 2020 – February 24, 2020**

**FY2020**

<b>Vendor</b>	<b>Amount</b>	<b>Town Account #</b>
<b>Item</b>		

Verizon Wireless Director cell phone	\$36.49	242-171-100-5700 – Wetland Protection Fund
National Grid Areas pool meter	\$10.00	001-171-570-5308 – Maintenance of Conservation
W.B. Mason office supplies	\$55.74	001-171-570-5420 – Office Supplies
PARE H&H Analysis/IDF Study	\$3,437.50	001-171-614-6071-17-08 – Chartley Dam Phase II
B&B Landscaping Fund Edith Read tree work	\$3,600.00	001-171-613-6087-19-10 – Capital Improvement
B&B Landscaping Areas Edith Read tree work	\$2,000.00	001-171-570-5308 – Maintenance of Conservation
Sun Chronicle Advertising balance	\$3.68	242-171-100-5700 – Wetland Protection Fund
W.B. Mason Office Supplies	\$24.57	001-171-570-5420 – Office Supplies
Sirchie Areas snowprint wax	\$118.15	001-171-570-5308 – Maintenance of Conservation

**RATIFY LAST MEETING'S OPEN SESSION (TOPICS NOT REASONABLY ANTICIPATED 48 HOURS IN ADVANCE)**

Update of Emergency Certificate work at 72 Reservoir St

*The resident has completed the emergency water line that was needed. They will be filing for a permit and go through the normal application and plan requirements.*

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

*Carlino will be attending the Finance Committee meeting next Monday, March 2<sup>nd</sup> to present the Conservation budget. There is nothing new in the budget.*

*There is a proposal to put 2 additions and a new building at 10 Commerce Way. It looks like they are trying to have all work outside of the 100 foot buffer zone, However, if any of the new impervious cover has stormwater discharge to the existing system, then it would require a new wetland permit.*

*Motion to adjourn by O'Reilly, seconded by Pearson. Motion passes and meeting closes at 7:00pm.*

*Respectfully submitted by:     Melissa Quirk         Melissa Quirk*

*Minutes approved by the Commission on     3/9/2020*

*Conservation Commission Signature:*

    Scott M. Oller      
*Scott Ollerhead, Conservation Commission Chairman*

    4/16/20      
*Date*