



Norton Conservation Commission
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RECEIVED
NORTON TOWN CLERK
2020 AUG 20 P 12:12

Monday, June 22, 2020
6:30 pm
Remote Participation Only
Zoom Meeting ID: 886 4760 5231 Password: 156176

Chairperson to read:

Pursuant to Governor Baker's March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, §18, and the Governor's March 15, 2020 Order imposing strict limitation on the number of people that may gather in one place, this meeting of the **Norton Conservation Commission** will be conducted via remote participation to the greatest extent possible. Specific information and the general guidelines for remote participation by members of the public and/or parties with a right and/or requirement to attend this meeting can be found at the end of this agenda.

No in-person attendance of members of the public will be permitted, but every effort will be made to ensure that the public can adequately access the proceedings in real time, via technological means. In the event that we are unable to do so, despite best efforts, we will post on the **Norton Cable website** (<https://www.nortonmediacenter.org/>) an audio or video recording, transcript, or other comprehensive record of proceedings as soon as possible after the meeting.

Minutes

6:30pm Open meeting

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

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

Absent: Daniel Doyle, Jr.

WETLAND HEARINGS AND POSSIBLE COMMISSION DELIBERATIONS

Wetland hearings will be taken in order.

Chairperson to read about Public Hearings:

No in-person attendance of members of the public will be permitted, but the public can listen to/view this public hearing/meeting while in progress by logging into the Zoom conference meeting listed at the END of this agenda. Members of the public attending this public hearing/meeting virtually will be allowed to make comments if they wish to do so, during the portion of the hearing designated for public comment, by raising their hand virtually or pressing *9 if participating by phone.

ConCom member Julian Kadish asked Carlino what the current situation is at Town Hall. Are employees and/or members of the public allowed to enter? Carlino responded that Town Hall is still open to employees only at this time. It is not open to the public yet. Kadish asked if there was any discussion as to when it would be open to the public. Carlino stated not to her knowledge.

A. DEP #250-988 - Amendment to Order of Conditions – Lukasz & Janice Wasiak – 183 Taunton Avenue, (Map 28, Parcel 151) - The proposed project is to amend an existing permit to construct an inground pool and patio with landscaping within 100 feet of wetlands and 200 feet of riverfront area. Files can be viewed here <https://tinyurl.com/250-988-183taunton>

Craig Cyganowski of RIM Engineering and applicant Lukasz Wasiak attended the hearing. Cyganowski explained the first Order of Conditions was filed in 2016. There have been several changes over the years. He reviewed the current plans to explain the proposed changes. They are looking to remove the existing patio/deck and add a new porch/patio/deck area with inground pool. There is also a proposed storage area for pool and filter equipment on a concrete pad. There is an existing post and rail fence along the 25 foot buffer zone and floodplain area. Although that area is a floodplain area, Cyganowski states it has been lawn since 2016 when the project began.

Pearson questioned the previous violation of altering the floodplain area. Carlino responded the proposed plan is to restore the previous area as part of this permit.

Carlino questioned the buried propane tank. Is that allowed to be buried and what is the purpose? Wasiak responded that he is converting his heating system from oil to propane. His plumber said the size of his house and pool will require a larger tank that will be buried.

Kadish asked what the water table is there. Cyganowski stated it is in the area of the existing septic system. Kadish does not think you can put a buried propane tank near the water table. He just wanted to make them aware. Wasiak stated his landscaper may raise the tank once they excavate.

Carlino showed photos of the site. Carrozza asked if there is any additional tree clearing proposed. Cyganowski stated no. All work will be done within the lawn area.

Motion was made to issue an Amendment to the Order of Conditions for DEP #250-988 by Kadish, seconded by Pearson. Motion passes.

A roll call vote was taken for electronic signatures:

Kadish – Aye

Carrozza- Aye

Blood – Aye

Pearson - Aye

O'Reilly – Aye

B. DEP# 250-980 - Amendment to Order of Conditions - Chartley Pond invasive plant treatment (continued from 6/8/2020) -request to allow additional chemical treatment options like Sonar (fluridone), flumioxazin and ProcellaCOR (florpyrauxifen-benzyl). File can be viewed here: <https://tinyurl.com/250-980ChartleyAmendReq>

This project was continued from the last hearing to allow for comments from the public. Carlino stated there were none.

Motion was made to close the public hearing for DEP #250-980 by Kadish, seconded by Pearson. Motion passes.

A roll call vote was taken for electronic signatures:

<i>Kadish – Aye</i>	<i>Carrozza - Aye</i>
<i>O'Reilly – Aye</i>	<i>Pearson - Aye</i>
<i>Blood – Aye</i>	

Motion was made to issue an Amendment to the Order of Conditions for DEP #250-980 by Kadish, seconded by Carrozza. Motion passes.

A roll call vote was taken for electronic signatures:

<i>Kadish – Aye</i>	<i>Carrozza - Aye</i>
<i>O'Reilly – Aye</i>	<i>Pearson - Aye</i>
<i>Blood – Aye</i>	

C. Request for Determination of Applicability (DET #1095) Edward and Rosemary Hargreaves, 418 Reservoir Street (Map 3, Parcel 12). (continued from 6/8/2020) The proposed project involves plans to remove trees within 100 feet of wetlands. Files can be viewed here <https://tinyurl.com/DET1095-418-reservoir>

This project was continued from the last hearing to allow for comments from the public. Carlino stated there were none.

Motion was made to close the public hearing for DET #1095 by Kadish, seconded by O'Reilly. Motion passes.

A roll call vote was taken for electronic signatures:

<i>Kadish – Aye</i>	<i>Carrozza - Aye</i>
<i>O'Reilly – Aye</i>	<i>Pearson - Aye</i>

Blood – Aye

Motion was made to issue a negative 3 Determination of Applicability for DET #1095 by Carrozza, seconded by Kadish. Motion passes.

A roll call vote was taken for electronic signatures:

Kadish – Aye

Carrozza - Aye

O'Reilly – Aye

Pearson - Aye

Blood – Aye

D. 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, 2/24/2020, 3/9/2020, 4/13/20, 4/27/20, 4/27/2020, 5/11/2020, 6/8/2020). 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. Files can be viewed here <https://tinyurl.com/250-1052-Stormo-SWorcester>

Brian Dunn, Tracy Duarte and Justin of MBL Land Development & Permitting attended the hearing on behalf of the applicant.

Duarte reviewed the economic alternatives analysis. Duarte stated the only work within the Riverfront Area is for the basin. This is the only location suitable for the basin based on the test pits that were done throughout the site. She questioned the need for an additional or more detailed alternatives analysis. Carlino stated they must talk about the four items in the definition of practicable. Dunn reminded the ConCom the basin was moved to this location per the direction of the ConCom's peer reviewer. Carlino agreed. However, she stated it previously was not in a resource area and now it is. Therefore, the economic alternatives analysis needs to be done. The ConCom could have required a wildlife habitat evaluation. However, in exchange, Carlino stated they could provide detailed notes on how they would maintain the turtle nesting habitat that is left after the proposed project is constructed. She is just looking for a note on the plan with a sign designating the turtle nesting habitat area and how it will be maintained.

The applicant requested a continuance to 7/13/2020. Motion was made to continue the public hearing for DEP #250-1052 to July 13, 2020 by Carrozza, seconded by Kadish. Motion passes.

A roll call vote was taken for electronic signatures:

Kadish – Aye

Carrozza - Aye

O'Reilly – Aye

Pearson - Aye

Blood – Aye

HEARINGS CONTINUED TO A DATE NOT MORE THAN 45 DAYS FROM THE END OF THE STATE OF EMERGENCY PURSUANT TO CHAPTER 53 OF THE ACTS OF 2020 “AN ACT TO ADDRESS CHALLENGES FACED BY MUNICIPALITIES AND STATE AUTHORITIES RESULTING FROM COVID-19”, SECTION 17(b)(v)

- E. 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, 2/24/2020, 4/13/20) The proposed project is to construct an addition to warehouse, detention basin and grading within 100 feet of BVW. Files can be viewed here

Carlino stated she has received new information which she has asked John Chessia to review. Carlino has suggested meeting with Chessia and the applicant before they are scheduled for a public hearing.

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

REQUEST FOR PARTIAL/FULL CERTIFICATE OF COMPLIANCE

- Request for Full Certificate of Compliance. (File #250-960). Condyne Engineering, 60 Commerce Way, (Map 24, Parcel 116).

Motion was made to issue a Full Certificate of Compliance for DEP #250-960 by Kadish, seconded by O'Reilly. Motion passes.

A roll call vote was taken for electronic signatures:

Kadish – Aye Carrozza - Abstain

O'Reilly – Aye Pearson - Aye

Blood – Aye

- Request for Full Certificate of Compliance. (File #250-1002). Condyne Engineering, 240 South Washington Street, (Map 25, Parcel 7).

Motion was made to issue a Full Certificate of Compliance for DEP #250-1002 by Kadish, seconded by O'Reilly. Motion passes.

A roll call vote was taken for electronic signatures:

Kadish – Aye Carrozza - Abstain

O'Reilly – Aye Pearson - Aye

Blood – Aye

- Request for Full Certificate of Compliance. (File #250-1008). New England Power Company, 315 & 327 Transmission Line ROW, (Map 30, Parcel 31).

Motion was made to issue a Full Certificate of Compliance for DEP #250-1008 by Kadish, seconded by O'Reilly. Motion passes.

A roll call vote was taken for electronic signatures:

<i>Kadish – Aye</i>	<i>Carrozza - Aye</i>
<i>O'Reilly – Aye</i>	<i>Pearson - Aye</i>
<i>Blood – Aye</i>	

REQUEST FOR AN EXTENSION

F. DEP #250-988 – Request for One-Year Extension – Lukasz & Janice Wasiak – 183 Taunton Avenue, (Map 28, Parcel 151) - The proposed project is to amend an existing permit to construct an inground pool and patio with landscaping within 100 feet of wetlands and 200 feet of riverfront area. Files can be viewed here <https://tinyurl.com/250-988-183taunton>

Motion was made to issue a one-year extension for DEP #250-988 by Carrozza, seconded by Kadish. Motion passes.

A roll call vote was taken for electronic signatures:

<i>Kadish – Aye</i>	<i>Carrozza- Aye</i>
<i>Blood – Aye</i>	<i>Pearson - Aye</i>
<i>O'Reilly – Aye</i>	

REVIEW DRAFT MINUTES

6/8/2020 - Motion was made to accept meeting minutes for 6/8/2020 as amended by Carrozza, seconded by Kadish. Motion passes.

NEW BUSINESS

OLD BUSINESS

Site Inspections -

Violations

NEW- 388 Reservoir

Carlino stated the owner is cooperating. She has a meeting Wednesday with the owner to finish the permit application. The violation is grading and concrete poured by the reservoir. Sediment controls have been installed.

S Worcester/Old Colony
S Worcester, m 27 pcl 193
122 W Hodges St.
184 W Main St.
77 Charlotte
68 Dean
211 Oak and 21 Kensington
4 Kensington

ADMINISTRATIVE APPROVALS

- 424 reservoir st- hazard tree removal

Waterbodies were posted for upcoming treatments anticipated on:

Reservoir Update - Fri 6/26

Chartley Pond Update - Tue 6/23

Winneconnet Pond - Tue 6/23

Barrowsville Pond – *Carlino stated, per Town Counsel, we own a portion under the road. We will need to record the dam ownership registration form listing just that portion.*

Info on waterbodies can be found here: <https://tinyurl.com/NortonWaterbodies>

Barrowsville Dam- received letter from Office of Dam Safety saying we own portion of dam sluiceway under the road and need to register our portion.

Report from Staff

Waterbodies Committee update

BILL SUMMARY

Summary list of bills signed – June 9, 2020 – June 22, 2020

FY2020

Vendor Item	Amount	Town Account #
Chartley Reservoir & Chartley	\$200.00	001-171-570-5315 – Professional Services
Chartley Areas Edith Read & Johnson	\$225.00	001-171-570-5308 - Maintenance of Conservation

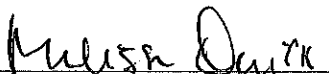
W.H. Riley	\$609.22	001-171-613-6087-19-10-Edith Read Capital Imp.
Fund Heating/Duct work		
W.H. Riley	\$860.78	001-171-570-5308 – Maintenance of Conservation
Areas Heating/Duct work		
Merrill Engineers	\$480.00	001-171-570-5308 – Maintenance of Conservation
Areas Parking lot plans – Edith Read		
Staples	\$10.80	242-100-100-5700 - Wetland Protection Fund
Plans Copies		
Comcast	\$119.59	001-171-570-5308 – Maintenance of Conservation
Areas Edith Read		
Verizon	\$156.24	242-100-100-5700 - Wetland Protection Fund
Director cell phone		

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

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

Carlino noted Town Meeting is this Saturday at 9AM at the high school field. The ConCom's only item is the regular budget.

Motion to adjourn by Pearson, seconded by Kadish. Motion passes and meeting closes at 7:25PM.

Respectfully submitted by: Melissa Quirk 

Minutes approved by the Commission on 7/27/2020

Conservation Commission Signature:



Scott Ollerhead, Conservation Commission Chairman

8/20/20

Date

PUBLIC REMOTE PARTICIPATION PROCEDURE

For this meeting, members of the public who wish to participate in the meeting may do so in the following manner:

1. On the meeting date and time, turn to Norton Cable Station Channel 15 to simply watch the meeting.
2. To participate in the meeting, we recommend downloading the zoom app  before the meeting. (This may not be necessary because you can click the link below but we have found that this makes logging in to the meeting easier.)
3. Join the Zoom Meeting at 6:30pm.
 - Using your computer or smart phone go the Zoom app and click “join a meeting” or click on:
 - <https://us02web.zoom.us/j/81164529944?pwd=NWQraDNON2RIM3ByZFpKWmlicXF0UT09>

When prompted, enter the **Meeting ID: 811 6452 9944, Password: 010444.**

- The site can be a little tricky so if it doesn’t work the first time, try again. Try copying and pasting the link into a google chrome browser if internet explorer or another browser doesn’t work for you.
 - Using “connecting to video and audio through the computer” has been the easiest method. So make sure your computer’s video/audio is on.
 - If you cannot hear, you may need to phone in by calling 1-646-558-8656, same meeting ID and password as above. If it asks for a participant id you can just hit #. Please put your phone on mute until the Chairman asks for your comments.
 - Everyone will be placed on mute at the beginning of the meeting as you sign in but you should be able to hear. We will unmute you when we reach the public question and answer portion of our meeting.
4. If, for some reason, neither Zoom option is working for you, you can watch the cable station live feed and email the Conservation Commission at conservation@nortonmaus.com to ask your questions. We will read your email address, name and comments into the public record.
 5. The standard procedure for a public hearing is a presentation by the applicant’s representative; questions and comments by the Conservation Commission and Director; then opening questions and comments to the abutters. Please be patient and wait for your turn to participate.

6. If there are no additional questions by the Conservation Commission or Director, the hearing would typically close; however, to ensure adequate opportunity for public participation, those specific hearings will be continued until the next meeting. This will be announced. You will have until the next meeting to provide your comments and questions before the Commission closes the hearing and makes a decision.