



Norton Conservation Commission
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NORTON TOWN CLERK
2020 OCT -1 P 3:18

Monday, August 10, 2020

6:30 pm

Remote Participation Only

The Public Remote Participation Procedure is found at the end of this Agenda

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

6:33pm Open meeting

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

Attendance: Scott Ollerhead, Julian Kadish, Lisa Carrozza, Ron O'Reilly, Dan Pearson, Daniel Doyle, Jr., Conservation Secretary Melissa Quirk, Conservation Director Jennifer Carlino

Absent: Gene Blood

WETLAND HEARINGS AND POSSIBLE COMMISSION DELIBERATIONS

Wetland hearings will be taken in order.

A. Notice of Intent (#250-1060) Alice M. Dumenigo Realty Trust, 64 Elm Street (Map 17, Parcel 33). The proposed project is to repair and replace the existing septic system with associated grading, utilities and tree removal within 100 feet of bordering vegetated wetland.

Jamie Bissonette of Zenith Consulting Engineers attended the hearing on behalf of the applicant. Bissonette explained there are 3 individual multi-family buildings, each containing 8 bedrooms. They are not meeting current Title V standards. They are upgrading the system to bring it into compliance. Since a conventional repair would put them too close to the resource

area, they opted for the three bottomless sand filters they are proposing. Each building will have its own tank and pump system. This allows them to meet the 50-foot requirement under Title V to the wetland resource area. He stated he has no issue with the comments received from Conservation and will make the changes on the plan. He has spoken with BOH and they will be having a consultant look at this due to the technology involved.

Carlino stated the presumption under Wetland Protection Act is that if you meet Title V, then its okay under Wetland Protection Act. They may want to get the BOH's consultant's okay first.

Carrozza suggested they add a note stating the dewatering basin will be within the limits of the sediment controls. Bissonette will do that.

The applicant requested a continuance to 8/24/2020. Motion was made to continue the public hearing for DEP #250-1060 to August 24, 2020 by Pearson, seconded by O'Reilly. Motion passes.

A roll call vote was taken:

O'Reilly – Aye Pearson - Aye

Carrozza – Aye Kadish - Aye

Doyle – Aye

B. Notice of Intent (250-1061) The Judge Rotenberg Educational Center, Inc., 31 Shelly Road (Map 21, Parcel 164). The proposed project is to repair the existing septic system within 100 feet of bordering vegetated wetland. Files can be viewed here <https://tinyurl.com/31ShellyRd>

Patrick of PMP Associates attended the hearing on behalf of the applicant. He explained the current system has failed. The house is considered to be a 6-bedroom single-family dwelling. However, these centers use more water than a typical single-family dwelling. Therefore, the proposed system is far larger than the current leaching field. All of the proposed work is outside of the 25-foot buffer zone. There is some work within the 50-foot buffer zone. They are waiting for BOH approval. There will be a few trees removed for access.

Ollerhead asked if the existing fence delineates the wetland. Patrick states no. The wetland was delineated by Brad Holmes. They have proposed wetland markers along the 25-foot buffer zone.

Doyle clarified if it is just one white pine being removed. Patrick stated there could be one more near the driveway outside the 100-foot buffer zone. It will depend on the contractor and the equipment brought in.

Ollerhead asked where the material will be stockpiled. Patrick stated most will be off-site.

Carrozza suggested moving the sediment fence to the other side of the trees being removed. Patrick stated they will do that when they stake out the erosion control. They will move it beyond the 100-foot buffer on that side.

Resident Earl Morris of 94 Oak Street asked where they will be staging the equipment. Patrick replied they will be accessing the property through the existing driveway. Mr. Morris does not want them on his property. Patrick stated they would have no reason to be on his property. Mr. Morris expressed concern about a previous permit for work on the driveway. Carlino explained that permit was approved, but the work has not begun yet. Mr. Morris said the plans show staging on his property. Carlino stated the plans were changed to make sure that any staging of material would only be on their own property.

The applicant requested a continuance to 8/24/2020. Motion was made to continue the public hearing for DEP #250-1061 to August 24, 2020 by O'Reilly, seconded by Pearson. Motion passes.

A roll call vote was taken:

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

C. Request for Determination of Applicability (DET #1098) Brandon Noble, 1 Gaffney Farm Drive (Map 32, Parcel 135). The proposed project involves plans to replace the existing deck and add irrigation system, fence and shed with associated landscaping within 100 feet of wetlands. Files can be viewed here <https://tinyurl.com/DET1098-1Gaffney>

Brandon Noble attended the hearing. He explained he had removed some vines and trees following storms that had caused damage. A complaint was filed and he stopped the work immediately. Carlino did a site visit. Noble apologized. He had the property surveyed so he knows where the property lines and easements are. The Norton Highway Department has since done a great job working on the detention basin. Carlino stated Highway cleaned out the basin, reshaped it and stabilized the area. Carlino asked if the surveyors put flags in behind the house. Yes, per Noble.

Motion was made to close the public hearing for DET #1098 by Pearson, seconded by Doyle. Motion passes.

A roll call vote was taken:

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

Motion was made to issue a Negative 3 Determination for DET #1098 by Kadish, seconded by Carrozza. Motion passes.

A roll call vote was taken:

O'Reilly – Aye Pearson - Aye

Carrozza – Aye Kadish - Aye

Doyle – Aye

D. Notice of Intent (250-XXXX) Wheaton College, 5-7 Pine Street (Map 17, Parcel 14). The proposed project is to reconstruct an existing paved emergency access road within 100 feet of bordering vegetated wetland. Files can be viewed here <https://tinyurl.com/wheatonHaas>

Anthony Damiano and Kimberly Degutis of GZA Geo-Environmental attended the hearing on behalf of the applicant. Ollerhead recused himself.

Damiano stated they are requesting a variance for work within the 25-foot No Disturb Zone to rehabilitate an aging emergency access road. The work would involve milling and grinding of the existing surface in place. They will be recycling that material and supplementing it with new asphalt. There is no widening or expansion proposed.

Pearson questioned sediment control. Damiano stated erosion and sediment control would be installed before work commences. It is shown on the permit plans. Carrozza commented the plans are difficult to read. She does not know how a contractor could read them. She can not see the proposed work on the plan and there is no detail of the work such as the milling and grinding. Damiano stated these plans are for permitting purposes, not construction. Carlino stated the plans must have sufficient detail for the ConCom to see the actual work and all the resource areas. Kadish commented this is not a new project. It is a repair project. It will be clarified in the field. He does not see the value of requesting a whole new set of plans. To him, it is clear. Doyle asks if there is a spec for sediment control on the detail sheet. Damiano states yes. Kadish asks if the plans could be made less busy in order to clarify.

DeGutis, Project Manager, responded. She understands the concerns regarding the plans and that they may be difficult to understand. These were the only plans available at the college. She does not believe resubmission of the plans is warranted at this time because the project is only rehabilitation. It is not new development. Erosion and sediment controls are clearly defined on the plan. Carrozza stated again, the plans are barely legible. At a minimum, she would ask they put the work zone shown in figure 7 of the NHESP plans onto the aerials. She can not see on the aerials where the work zone is. Carrozza is requesting details of the proposed work. This would include an existing cross-section of the pavement. Also, the width and depth of the pavement after construction and instructions to the contractor regarding the milling and grading. Typically, we are permitting an activity and we can not see the activity on these plans in enough detail. There

was also a catch basin that needed to be cleaned. Kadish suggested the applicant meet with Carlino before the next meeting to address the concerns.

The applicant requested a continuance to 8/24/2020. Motion was made to continue the public hearing for DEP #250-XXXX to August 24, 2020 by Carrozza, seconded by O'Reilly. Motion passes.

A roll call vote was taken:

O'Reilly – Aye

Carrozza – Aye

Kadish - Aye

Doyle – Aye

E. Files can be viewed here <https://tinyurl.com/64Elmseptic> Request for Determination of Applicability (DET #1097) Robert & Julie Tarsa, 178 Lincoln Street (Map 7, Parcel 7-02). (continued from 7/27/2020) The proposed project involves plans to clear vegetation to add a pool and shed within 100 feet of bordering vegetated wetland. Files can be viewed here <https://tinyurl.com/DET1097-178Linc>

Motion was made to close the public hearing for DET #1097 by Kadish, seconded by O'Reilly. Motion passes.

A roll call vote was taken:

O'Reilly – Aye

Carrozza – Aye

Kadish - Aye

Doyle – Aye

Motion was made to issue a Negative 3 Determination for DET #1097 by Doyle, seconded by Kadish. Motion passes.

A roll call vote was taken:

O'Reilly – Aye

Carrozza – Aye

Kadish - Aye

Doyle – Aye

F. Notice of Intent (#250-1058) Amy & John Call, 12 South Highland Road (Map 3, Parcel 718). (continued from 7/27/2020) The proposed project is to demolish/rebuild an existing house/garage, install a dock, and restore buffer area within 100 feet of bordering vegetated wetland, bank and floodplain. Files can be viewed here <https://tinyurl.com/12-SHighland>

Motion was made to close the public hearing for DEP #250-1058 by Kadish, seconded by O'Reilly. Motion passes.

A roll call vote was taken:

O'Reilly – Aye

Carrozza – Aye Kadish - Aye

Doyle – Aye

Motion was made to issue the Order of Conditions as discussed for DEP #250-1058 by Carrozza, seconded by Kadish. Motion passes.

A roll call vote was taken:

O'Reilly – Aye

Carrozza – Aye Kadish - Aye

Doyle – 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)

G. 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 <https://tinyurl.com/250-1040BerniePhyl>

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

REQUEST FOR PARTIAL/FULL CERTIFICATE OF COMPLIANCE

REVIEW DRAFT MINUTES

7/27/2020 - Motion was made to accept meeting minutes for 7/27/2020 as amended by Carrozza, seconded by Kadish. Motion passes.

A roll call vote was taken:

Doyle – Aye Ollerhead - Aye

Carrozza – Aye Kadish - Aye

NEW BUSINESS

OLD BUSINESS

Site Inspections --

Violations

NEW: 1 Gaffney Farm Dr --
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

Reservoir Update -

Chartley Pond Update -

Barrowsville Dam

Report from Staff

Waterbodies Committee update

Grants

Town Meetings -STM on Sat Aug 29th at 9am, articles due Aug 4.

FTM on Sat, Oct 17th at 1pm, articles due Aug 20.

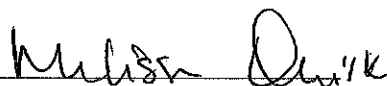
BILL SUMMARY

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

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

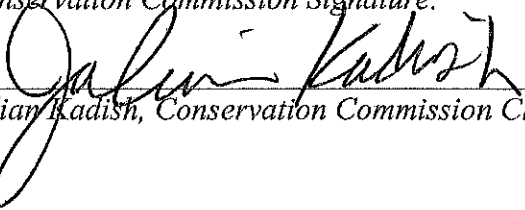
Motion to adjourn by Kadish, seconded by Doyle. Motion passes and meeting closes at 7:50PM.

Respectfully submitted by: _____Melissa Quirk_____



Minutes approved by the Commission on _____8/24/2020_____

Conservation Commission Signature:




Julian Kadish, Conservation Commission Chairman

10/1/20

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/88353282262?pwd=cnIrazV6amJOcWM3U1VFVt3RXdlZz09>
When prompted, enter the **Meeting ID: 883 5328 2262, Password: 196999.**
 - 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.