



**Norton Conservation Commission**  
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<https://www.nortonma.org/conservation-commission>

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NORTON TOWN CLERK  
2020 OCT -1 P 3:17

**Monday, September 14, 2020**

**6:30pm**

**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**

6:30pm      Open meeting

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

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

*Absent: Lisa Carrozza*

**WETLAND HEARINGS AND POSSIBLE COMMISSION DELIBERATIONS**

Wetland hearings will be taken in order.

**A. Request for Determination of Applicability (DET #1100) Michael Trowbridge, 305 Oak Street (Map 8, Parcel 16-04).** The proposed project is to construct a driveway with electrical and associated grading within 100 feet of bordering vegetated wetland. Files can be viewed here <https://tinyurl.com/DET1100-305Oak>

*Document List – 305 Oak Street*

*1. WPA Form 1 – Request for Determination of Applicability received 8/28/2020*

2. Plans entitled, "Sewage Disposal System", prepared by Hutchins-Trowbridge Associates, Inc., signed and stamped by Ralph Maloon and Michael Trowbridge, dated 7/30/2020
3. Plans entitled, "Sewage Disposal System", prepared by Hutchins-Trowbridge Associates, Inc., signed and stamped by Ralph Maloon and Michael Trowbridge, dated 7/30/2020, rev 8/24/2020

David Mills attended the hearing on behalf of the applicant. He explained the parcel is approximately 3 acres. They are looking to build a single-family home. This parcel is currently owned by the PGA golf course and he is looking to buy it. There was an existing cart path which was used for the perc test for the well. Part of the proposed driveway goes through the 100-foot buffer area. It is approximately 15 feet from the stone corner marker of the neighboring property. Carlino noted the existing cart path disturbed for the well will all be restored. The rest of the work, including the house, garage, well and septic is more than 100 feet so it will be out of the wetland jurisdiction. They are proposing the post and rail fence along the limit of work. Mills explained they are proposing trees and shrubs for the restoration area as noted on the plan. Carlino stated her comments have been addressed and changes were noted on the plans.

Motion was made to close the public hearing for DET #1100 by Doyle, seconded by Kadish. Motion passes.

A roll call vote was taken:

Blood– Aye	Pearson - Aye
O'Reilly – Aye	Doyle – Aye
Kadish - Aye	

Motion was made to issue a Negative 3 Determination for DET #1100 by Kadish, seconded by O'Reilly. Motion passes.

A roll call vote was taken:

Blood– Aye	Pearson - Aye
O'Reilly – Aye	Doyle – Aye
Kadish - Aye	

**B. Notice of Intent (#250-1066). Chad Dubuc, 0 Old Colony Road (Map 26, Parcel 57).** The proposed project is to maintain an existing parking area and lawn within 100 feet of bordering vegetated wetland. Files can be viewed at <https://tinyurl.com/OldColonyDubuc>

*Document List - 0 Old Colony Road*

1. WPA Form 3 – Notice of Intent received 8/28/2020

2. Plans entitled, "0 Old Colony Road", prepared by .W. Engineering, LLC, signed and stamped by Evan Watson, dated 8/18/2020
3. Emails 8/22/2020 – 9/8/2020 between DOT/Carlino
4. Plans entitled, "0 Old Colony Road", prepared by .W. Engineering, LLC, signed and stamped by Evan Watson, dated 8/18/2020, rev 9/14/2020

*Evan Watson of W Engineering attended the hearing on behalf of the applicant in addition to the property owner, Chad Dubuc. Watson explained Dubuc has rehabbed the existing garage on the property. They are within 100 feet of the wetland and the majority of the site is within the buffer zone. There is an existing lawn and many weeds. It has not been maintained. He would like to reestablish the top soil layer and put down seed. Much of the existing pavement is cracked and has holes. They would like to clean it up and put a thin overlay of asphalt. They are not adding any impervious area or expanding the limit of clearing. Watson did submit a Stormwater Report that shows they meet the ten Stormwater Standards. They will put crushed stone along the side of the site by Old Colony Road to catch any possible erosion. They are asking to extend the limit of work within the 25-foot No Disturb Zone to the existing limit of clearing and the existing lawn area. They will loam and seed the area to improve the site and maintain it. Pearson noted the site is across from Chartley Pond. He asked Carlino if she was satisfied with the Stormwater Management. Carlino stated the water would go through the back to the wetland and through the culvert under the road. It would not go across the road to the pond. O'Reilly asked if any testing for contamination had been done since this was a gas station for many years. Watson stated Dubuc has records from the Fire Department from when the tanks were removed and signed off on. Carlino requested copies of those records. Dubuc stated he will send copies of the permits. Ollerhead asked if we need anything from DOT since there is a DOT ROW. Watson explained his initial plan had some work within the ROW. He revised the plan so there will be no work within the ROW, so they do not need anything from DOT.*

*Motion was made to close the public hearing for Dep #250-1066 by Doyle, seconded by Pearson. Motion passes.*

*A roll call vote was taken:*

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

**C. Notice of Intent (#250-1065) Leonard Street Phase II Owner, LLC, 0 Leonard Street (Map 11, Parcels 22, 25-0, 25-01 and Map 12, Parcel 15.** The proposed project is the construction of road and associated utilities within Riverfront Area and 100 feet of bordering vegetated wetland. Files can be viewed here <https://tinyurl.com/LeonardSt-Condylne>

*Mark Dibb and Jeff O'Neill of Condyne Engineering Group attended the hearing along with Scott Smyers of Oxbow Associates on behalf of the applicant. Dibb explained the plans submitted will accompany a preliminary subdivision application that will be submitted to the Planning Board. The plans are for the roadway only. Each individual lot will be permitted at a later date with its own NOI. The current roadway design is consistent with MEPA roadways approved in the past.*

*Smyers explained the location of the project and where it crosses a stream, BVW, wetland, riverfront and resource areas. He stated there is an existing cart path that follows the general direction of the proposed road. They pushed the road as far to the east as possible to avoid the wetland and stay on the outside of the Riverfront Area. It is fairly flat requiring minimal grading. They have avoided the BLSF with any fill. There will be some cutting which will provide more flood storage than is there now. There will be some impact to the Riverfront, but it will be in the outermost area. In the outer riparian which is across the street, there will be 6,934sf impacted within the inner 100 feet of the Riverfront Area and 14,000sf within the 100 to 200 foot area. They are looking at those numbers to see if they can reduce them. Smyers described the inner 100 foot Riverfront Area. He stated the Riverfront Area to the west of the road is completely maintained with no disturbance. The only area disturbed is by the road itself.*

*Dibb discussed the 100-year flood plain. There is some disturbance, however there is no fill. There is a slight cut. There is no loss of flood storage. He showed the 100-foot buffer zone to the BVW and the limit of work on the plans. He discussed the property line of an abutting neighbor as shown on the plan. The neighbor's driveway is actually on their LOCUS. They are trying to provide the best possible screening they can. There would be significant disturbance and grade change to the Riverfront Area to relocate the driveway. They may grant an easement. They have also provided a full Stormwater Management Plan. He explained towards the back of the site, there are some areas that are difficult to add swales due to BVW on both sides. He noted all of the resource areas are exactly per the ANRAD previously brought before the ConCom. There has been no change. As you go off the site, there are some areas with a traditional drainage system. However, they have the additional treatment needed to meet stormwater standards. Towards the back of the site where there is additional space, they have reincorporated as much as possible low impact development, swales, bio-retention areas and infiltration basins. He noted the staging/stockpile area is completely out of the buffer zone. Also, though they show the future buildings on the plans, they are not seeking any approvals or permits for them. They are for reference only. They do not anticipate any future resource area impact other than limited buffer zone for those lots.*

*Smyers discussed mitigation for work in the Riverfront Area. He stated they have limited options. They are trying to preserve as much of a natural Riverfront Area as they can. The proposed work area does not have room for plantings and restoration in that location. They are proposing some invasive plant control along the road in the existing Riverfront Area.*

*Ollerhead read 4 questions from resident Steven Novick to be read into the record.*

- *Is there specific information in the context of the report that describes in detail how the access road will bridge the wetlands?*
- *Currently it is my understanding that the existing dirt road can be submerged during various times of the year and during high rain events. Does the developer provide specific information on the construction of the road, the final width, elevation above current grade, and water management? If so, do they conform to the requirements currently set forth by your office?*
- *Are the proposed road setbacks from the wetlands in compliance with both Town and state requirements?*
- *Has the developer or the Town evaluated the ecological impacts and the risk of a hazardous cargo accident in this aquifer which is immediately upgradient of the Town wells?*

*Carlino will forward the questions to the applicant for their response.*

*Resident James Foley of 54 Leonard Street spoke about the easement discussed earlier. He stated when he purchased his property 20 years ago, Billy was given an easement up Foley's driveway so Billy could access his back field. Foley stated he has been here 20 years and nothing here is dry like they are saying. There is a dry season here and there. He hasn't seen anything noted as property lines. When their surveyors were there, Foley walked with them and they could not find anything. He stated the original plan was to stay away from the Conservation Area and they said no. Also, the original plan did not have the building right behind his house. Why are they talking about building a road for Phase II when they haven't finished Phase I? They said they wouldn't do Phase II until Phase I was done. They haven't broken ground on the building and have no anticipation date for it, but want to build a road to it. They paved the road today and left everything there today as a drop of water coming into his driveway. They are supposed to start work at 7AM and end at 5PM. That has not happened one day for the Phase I project. Do you have definitive lines for property abutters, and if so, he would like to see them. He was in the trailers at Condylne and the property lines did not match up.*

*Dibb responded they have a professional licensed surveyor on the project who has identified property lines. They can stake out the corners associated with Mr. Foley's lot that are adjacent to Condylne's lot and review those with him. With regard to construction of this roadway prior to completing Phase I, it is due to the time the permitting process takes. He does not believe they would build the road until they have Lot 7/Building 7 built or they have a specific tenant. He does not believe they would build the road until they have another lot fully permitted. O'Neill responded that in order to access the back lots, they need the road there first. The road has to be constructed*

*before the construction of any of the buildings in Phase II. Dibb asked the anticipated date for construction of the roadway. O'Neill responded sometime in the spring.*

*Resident Wayne LaCasse of 19 Downing Drive explained he abuts the field the proposed road goes up to. With the permission of the farmer, they have been hiking the field and the surrounding woods for over 20 years. The field is elevated from Leonard Street. Everything is going to flow down. They need drainage for the road, but also for the whole perimeter. Everything flows down into the wetlands. They have seen yellow spotted salamanders and blue spotted salamanders. They would be in jeopardy if something like this happens. He doesn't know if any wildlife studies have been done, but there could be some serious impact to the environment. Have there been any wildlife studies done of the surrounding field, and what kind of drainage will be guaranteed around the perimeter of the field? He also thinks that Phase I should be completely done and signed off on before anything is done with Phase II.*

*Carlino responded that Dibb will go over the Stormwater portion at another meeting and the ConCom will have an engineer do a peer review of the Stormwater. She stated a discussion of the wildlife may come into the Riverfront Area portion which Smyers will discuss at another meeting. LaCasse noted that area does stay wet year-round, and the river flows from the wetlands down towards Leonard Street. Carlino stated it is now listed as a perennial stream and that's why they have Riverfront Area. She stated the yellow spotted salamander is a common salamander. It does indicate a vernal pool is nearby. The blue spotted salamander is not common and she asked him to provide photos to the ConCom if he can. He agreed the hours of operation are not being adhered to. Carlino stated that is not something under the ConCom's jurisdiction. They should notify the appropriate Board.*

*Resident Frank Bettencourt Jr. of 10 Janet Street asked Carlino if the ConCom questions submitted to Condylne were public. She stated they should be in the Google folder listed on the agenda, but she will make sure they are there. Bettencourt said he did not think Phase I was a big concern for abutters. This part needs to be a primary focus for the abutters. This is a residential area that was rezoned. We are putting a big construction site in the middle of this. He hopes the ConCom is very cognizant of the impact to the environment which would cause a problem to the abutters. There are a number of abutters literally sitting next to these buildings. We are talking about working within the 25-foot buffer and the 100-foot buffer. It needs to be staked out better and stand a little more stringently with concern for the abutters as well as Conservation.*

*Carlino responded there are nine interests of the Wetland Protection Act. Nine reasons why wetlands are important. Those are the topics that we need to look at and make sure all wetland permits are complying with. She will put that list in the Google folder, as well. Bettencourt said he is talking about the conditions granted that may have a major impact on abutters.*

*The applicant requested a continuance to 10/19/2020. Motion was made to continue the public hearing for DEP #250-1065 to October 19, 2020 by Pearson, seconded by Doyle. Motion passes.*

*A roll call vote was taken:*

*Blood– Aye                      Doyle - Aye*  
*O'Reilly– Aye                  Pearson – Aye*  
*Kadish - Aye*

**D. Notice of Intent (#250-1060) Alice M. Dumenigo Realty Trust, 64 Elm Street (Map 17, Parcel 33).** (continued from 8/10/20, 8/24/2020) 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. Files can be viewed here <https://tinyurl.com/64Elmseptic>

*The applicant requested a continuance to 9/28/2020. Motion was made to continue the public hearing for DEP #250-1060 to September 28, 2020 by Pearson, seconded by Kadish. Motion passes.*

*A roll call vote was taken:*

*Blood– Aye                      Doyle - Aye*  
*O'Reilly– Aye                  Pearson – Aye*  
*Kadish - Aye*

**E. Notice of Intent (250-1061) The Judge Rotenberg Educational Center, Inc., 31 Shelly Road (Map 21, Parcel 164).** (continued from 8/10/20, 8/24/2020) 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>

*Document List – 31 Shelly Road*

- 1. WPA Form 3 – Notice of Intent received 7/22/2020*
- 2. Plans entitled, “Notice of Intent”, prepared by PMP Associates, signed and stamped by Gregory Driscoll Jr., dated 7/20/2020*
- 3. Plans entitled, “Notice of Intent”, prepared by PMP Associates, signed and stamped by Gregory Driscoll Jr., dated 7/20/2020, rev 8/28/2020*

*Josh White of PMP Associates attended the hearing on behalf of the applicant. Since the last meeting, White has received approval from the Board of Health. Carlino stated this is all the ConCom was waiting for.*

*Resident Earl of 94 Oak Street spoke about a survey from July of this year that shows no cut-outs. He believes they are doing work on his property. He believes there is a culvert going into his*

*property without permission. He says there are Do Not Disturb signs on his property which tells him they will be working around them.*

*Carlino explained the plans do not show any work beyond the Judge Rotenberg property lines. The engineer has staked the property. They've surveyed it and put the flags up, so we know they are on their property. If he still feels they are doing work on his property, he would need to provide a survey that shows the contradiction and then it's really between the two property owners. A property line dispute is not within the ConCom's purview, particularly where we've made sure the work is being done on the applicant's property and the engineer has staked that property before they did any clearing. Earl questioned the cut-outs on the July 2020 survey. White stated the original plans were dated July 2020, but the revised plans are August 2020 per the Board of Health comments. White stated he would send a copy of the revised plans to Earl. The No Disturb Signs are the wetland buffer. Carlino explained that means there is no work happening in that area. Earl questioned the culvert on his land. Carlino again explained that does not appear to be on his property. He would need to speak to the property owner about that with a surveyed plan.*

*Motion was made to close the public hearing for Dep #250-1061 by Pearson, seconded by Kadish. Motion passes.*

*A roll call vote was taken:*

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

**F. Notice of Intent (DEP#250-1064) Hannah Norwood. 3 Mary Joe Road (Map 36, Parcel 114-04).** (continued from 8/24/2020) The proposed project is the construction of a two-story single-family home, grading and utilities within 100 feet of wetlands and rare species habitat. Files can be viewed here: <https://tinyurl.com/3MaryJoeRdNOI>

*Document List – 3 Mary Joe Road*

- 1. WPA Form 3 – Notice of Intent received 8/11/2020*
- 2. Plans entitled, "Layout, Materials and Grading Plan (Notice of Intent)", prepared by NESRA Engineering, LLC, signed and stamped by Arsen Hambardzumian, dated 8/5/2020*
- 3. WPA/MESA determination letter dated 9/4/2020*

*Arsen Hambardzumian of Nesra Engineering, LLC and property owner Hannah Norwood attended the hearing. Since the last meeting, Hambardzumian received correspondence from Natural Heritage regarding some requirements that were in the original approval for the property*



*and will need to be maintained for this permit as well. He revised the plans to show the limit of work and no disturbance zone as specified at the last meeting.*

*Motion was made to close the public hearing for Dep #250-1064 by Kadish, seconded by Pearson. Motion passes.*

*A roll call vote was taken:*

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

**G. Notice of Intent (DEP#250-1063) Norton Water/Sewer Department. 0 King Philip Road (Map 19, Parcel 2).** (continued from 8/24/2020) The proposed project is the replacement of two wells, a 48-hour pumping test and connection to existing infrastructure within 200 feet of the Canoe River and Bordering Land Subject to Flooding. File can be viewed here: <https://tinyurl.com/WellsKPhilipRd>

*Tara McManus of Weston & Sampson attended the hearing on behalf of the applicant. Since the last meeting, they updated the plans with the requested information. They highlighted the degraded vs the Riverfront Area and added a more detailed LOCUS map to the plan. They added information about the overall layout including the canopy layer. Almost 99% of the project is in the degraded area. The majority of the area is already cleared out. The temporary impact will be just about everything within the scope of work. The below-ground pipeline, vaults and the connections to the existing water mains will be below ground. The area will be restored to its existing elevation. The only permanent impacts will be the new wells which are 3 feet in diameter and will stick 2-3 feet out of the ground. Also access hatches to the underground vaults which are 4 feet by 4 feet and roughly 1 foot above the ground. They counted the compensatory storage area as permanent alteration and have included that in the square footage calculations. A note was added to the plan to make it very clear that unless otherwise noted, all areas disturbed during construction shall be graded to existing elevations and shall be loamed and seeded and returned to existing conditions as needed. The entire project limits will be surrounded by straw wattles, as requested. At the last meeting, there was a comment that the detail on the plans for the sedimentation bag was slightly different than the Stormwater Report. They went with the more robust dewatering situation. The detail on the plan is the actual detail they will be requiring the contractor to install.*

*Carlino stated she just received the new information today. At the last meeting, she questioned Well #5 being in a forested area. Why isn't it in an already disturbed area? The reply was that it was in a disturbed area. But, with this canopy layer on the plan, it clearly is not. Could it be moved over to an area that is already disturbed? McManus replied the well sites were chosen based on test well drilling. They have to be within so many feet of the existing well to do a replacement well*

*project. This was the most advantageous area for water quality. She showed a different map to show it is in a disturbed area. The trees are several hundred feet tall and their canopy overlaps. A winter aerial shot shows the area is cleared except for brush. No trees would be disturbed.*

*Pearson asked how far the Canoe River is from the extent of work. Carlino stated it is within 200 feet because they are in Riverfront Area, but at the very outer limits.*

*The applicant requested a continuance to 9/28/2020. Motion was made to continue the public hearing for DEP #250-1063 to September 28, 2020 by Pearson, seconded by Kadish. Motion passes.*

*A roll call vote was taken:*

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

**H. Notice of Intent (#250-1057) Ruscito Brothers LLC, 253 Mansfield Avenue (Map 3, Parcel 722).** (continued from 7/27/2020) The proposed project is to convert a commercial building to a 40B multi-story, multi-unit residential apartment building, stormwater management, parking and utilities within 100 feet of bordering vegetated wetland. Files can be viewed here <https://tinyurl.com/253-mansfield>

*The applicant requested a continuance to 10/19/2020. Motion was made to continue the public hearing for DEP #250-1057 to October 19, 2020 by Pearson, seconded by Kadish. Motion passes.*

*A roll call vote was taken:*

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

**I. Notice of Intent (#250-1059) AR Building Company, Inc, 195 Mansfield Avenue (Map 9, Parcel 273).** (continued from 7/27/2020, 8/24/2020) The proposed project is to install stormwater management associated with construction of a 40B apartment building within 100 feet of bordering vegetated wetland. Files can be viewed here <https://tinyurl.com/195-Mansfield>

*The applicant requested a continuance to 9/28/2020. Motion was made to continue the public hearing for DEP #250-1059 to September 28, 2020 by Kadish, seconded by Pearson. Motion passes.*

*A roll call vote was taken:*

*Blood– Aye                      Doyle - Aye*  
*O'Reilly– Aye                  Pearson – Aye*  
*Kadish - 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)**

**J. 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**

**Ratify Order of Conditions (DEP#250-1062) Wheaton College, 5-7 Pine Street (Map 17, Parcel 14).** (continued from 8/10/20) 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>

*Ollerhead recused.*

*A roll call vote was taken to ratify the Order of Conditions for DEP #250-1062.*

*A roll call vote was taken:*

*Blood– Aye                      Doyle - Aye*  
*O'Reilly– Aye                  Pearson – Aye*  
*Kadish - Aye*

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

**Duplicate Full Certificate of Compliance (DET #571) Welch Building Corp. 14 Keith Drive (Map 4, Parcel 333).** For construction and grading for single-family homes, septic systems,

driveways, wells and yards, portions of which are within the 100-foot buffer of bordering vegetated wetlands.

*Motion was made to issue a Duplicate Full Certificate of Compliance for DET #571 by Kadish, seconded by Pearson. Motion passes.*

*A roll call vote was taken:*

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

**Certificate of Compliance (DEP #250-382) Chilmark Company, Kingsley and Kensington Road (Map 4, Lot 190). 14 Keith Dr only.** For a residential subdivision of single-family homes with associated roads, grading, septic system and driveways within the buffer zone of bordering vegetated wetlands.

*Motion was made to issue a Partial Certificate of Compliance for DEP #250-382 for 14 Keith Drive only by Pearson, seconded by Doyle. Motion passes.*

*A roll call vote was taken:*

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

### **REQUEST FOR EXTENSION**

**DEP #250-997 Town of Norton Rail Trail Extension (Map 4, Parcels 141, 311, 522, 784; Map 3, Parcel 428; Map 18, Parcel 191; Map 24, Parcel 8; Map 29, Parcel 16, 54; Map 10, Parcels 649, 650; Map 29, Parcel 16).** The applicant is seeking to confirm the boundaries of the jurisdictional wetland resources along the Norton/Mansfield Rail Trail Extension Project corridor.

*Carlino stated the request is for a 1 one-year extension. They are anticipating filing their NOI in the spring or late winter.*

*Motion was made to issue a One-Year Extension for DEP #250-997 by Kadish, seconded by Pearson. Motion passes.*

*A roll call vote was taken:*

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

*Kadish - Aye*

### **ADMINISTRATIVE APPROVALS**

10 Grove lane- hazard tree

### **REVIEW DRAFT MINUTES**

8/24/2020 - *Motion was made to accept meeting minutes for 8/24/2020 by Doyle, seconded by Kadish. Motion passes.*

*A roll call vote was taken:*

*Blood– Aye*

*Doyle - Aye*

*O'Reilly– Aye*

*Pearson – Aye*

*Kadish - Aye*

### **NEW BUSINESS**

Declared drought status – <https://www.mass.gov/doc/2020-drought-declaration-guidance-for-the-wetlands-protection-act/download>

Eagle Scout project letter- Noah Biron, Johnson Acres

Draft Environmental Impact Statement for NextSun Energy, LLC, for the Fairland Farm Solar project in Norton, Massachusetts:

<https://bealsandthomas.filegenius.com/downloadPublic/ee9ckn56f1jhob2>

### **OLD BUSINESS**

Superseding Order of Conditions Approval: DEP#250-1053 TPC boardwalk through wetland. Decision found here <https://tinyurl.com/250-1053SOOC>

Site Inspections -  
Violations

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 - User conflicts, signage, parking, need for master plan for all waterbodies/waterways access points

*Carlino has submitted a request to do a master plan for our boating access for Fall Town Meeting. She would like to have uniform signage, parking lots and officially designated boat launch areas. She has applied for a \$10,000 grant. The project is approximately \$19,000.*

Chartley Pond Update - Status of fish

*O'Reilly has had a number of complaints about the lack of fish in Chartley Pond. This may have been caused by the lowering of the water to repair the wall. Carlino contacted Division of Fisheries and Game to see if they would stock the pond. They will not but we could get a permit to buy fish.*

Barrowsville Dam

Report from Staff

Waterbodies Committee update

Grants

Town Meetings- STM rescheduled to Saturday, September 26<sup>th</sup> at 9am  
FTM on Sat, Oct 17<sup>th</sup> at 1pm, articles due Aug 20.

## **BILL SUMMARY**

### **Summary list of bills signed – August 25, 2020 – September 14, 2020**

#### **FY21**

Allegra postcards	\$175.20	242-171-100-5700 – Wetland Protection Fund
Verizon 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
Jennifer Carlino Zoom - September	\$14.99	242-171-100-5700 – Wetland Protection Fund
Jennifer Carlino Zoom – Annual subscription	\$105.43	242-171-100-5700 – Wetland Protection Fund
Chartley Landscaping Reservoir, Chartley	\$200.00	001-171-570-5315 – Professional Services
Chartley Landscaping Areas Read, Johnson	\$225.00	001-171-570-5308 – Maintenance of Conservation
Chessia 122 West Hodges Street	\$312.50	242-171-100-5700 – Wetland Protection Fund

Chessia 1,062.50 243-171-100-5700 – Conservation Outside Fees  
Norton Crossing – 195 Mansfield Ave

Chessia 125.00 243-171-100-5700 – Conservation Outside Fees  
54 Plain Street

Chessia 250.00 243-171-100-5700 – Conservation Outside Fees  
Bernie & Phyl's

**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 Pearson. Motion passes and meeting closes at 8:30PM.*

Respectfully submitted by: Melissa Quirk 

Minutes approved by the Commission on 9/28/2020


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/83493246667?pwd=dXpjUG5ZUk56K25tTkwwUmt1ZDcxZz09>

When prompted, enter the **Meeting ID:** 834 9324 6667, **Password:** 975766.

- 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](mailto: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.