



Norton Conservation Commission

70 East Main Street

Norton MA 02766

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<https://www.nortonma.org/conservation-commission>

RECEIVED
NORTON TOWN CLERK

2021 MAR -4 AM 9:26

Monday, February 8, 2021

6:30 pm

Remote Participation Only

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

Chairperson to read about Public Meetings:

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.

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.

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: Julian Kadish, Lisa Carrozza, Gene Blood, Dan Pearson, Daniel Doyle, Jr., Kerry Malloy Snyder, Conservation Secretary Melissa Quirk, Conservation Director Jennifer Carlino

Absent: Ron O'Reilly

Kadish read the names of the participating ConCom members.

WETLAND HEARINGS AND POSSIBLE COMMISSION DELIBERATIONS

Wetland hearings will be taken in order.

- A. **Notice of Intent (#250-1059) AR Building Company, Inc, 195 Mansfield Avenue (Map 9, Parcel 273).** (continued from 7/27/2020, 8/24/2020, 9/14/2020, 9/28/2020, 11/9/2020, 11/23/2020, 12/14/2020, 1/11/2021) 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>

Document List – 195 Mansfield Avenue

1. *WPA Form 3 – Notice of Intent received 7/14/2020*
2. *Stormwater System Operation & Maintenance Plan prepared by DiPrete Engineering, signed and stamped by Brandon Carr, dated 1/6/2020, rev 6/19/2020*
3. *SWPPP prepared by DiPrete Engineering, signed and stamped by Brandon Carr, dated 6/19/2020*
4. *Stormwater Management Report prepared by DiPrete Engineering, signed and stamped by Brandon Carr, dated 1/6/2020, rev 6/19/2020*
5. *Plans entitled, “Norton Crossing – Zoning Board of Appeals Submission” prepared by DiPrete Engineering, signed and stamped by Brandon Carr, dated 5/17/2019, rev 6/19/2020*
6. *Armory Engineers letter dated 8/19/2020 re Chapter 40B Comprehensive Permit*
7. *DiPrete Engineering letter dated 10/19/2020: response to Chessia comments*
8. *Advanced Drainage System, Inc. informational sheet for N-12 WT IB Pipe*
9. *SWPPP prepared by DiPrete Engineering, signed and stamped by Brandon Carr, dated 6/19/2020, rev 10/15/2020*
10. *SWPPP prepared by DiPrete Engineering, signed and stamped by Brandon Carr, dated 6/19/2020 (with 8/25/2020 notes)*
11. *Stormwater Management Report prepared by DiPrete Engineering, signed and stamped by Brandon Carr, dated 1/6/2020, rev 10/16/2020*
12. *Stormwater System Operation & Maintenance Plan prepared by DiPrete Engineering, signed and stamped by Brandon Carr, dated 1/6/2020, rev 10/13/2020*
13. *Plans entitled, “Norton Crossing – Notice of Intent Submission” prepared by DiPrete Engineering, signed and stamped by Brandon Carr, dated 5/17/2019, rev 10/16/2020*
14. *DiPrete Engineering letter dated 11/2/2020 – Response to Comments*
15. *Stormwater System Operation & Maintenance Plan prepared by DiPrete Engineering, signed and stamped by Brandon Carr, dated 1/6/2020, rev 11/24/2020*
16. *Stormwater Management Report prepared by DiPrete Engineering, signed and stamped by Brandon Carr, dated 1/6/2020, rev 11/24/2020*
17. *Pre-Watershed Map prepared by DiPrete Engineering*
18. *Post-Watershed Map prepared by DiPrete Engineering*
19. *Plans entitled, “Norton Crossing – Notice of Intent Submission” prepared by DiPrete Engineering, signed and stamped by Brandon Carr, dated 5/17/2019, rev 11/24/2020*
20. *DiPrete Engineering letter dated 12/15/2020 response to Chessia comments*

21. *Stormwater Management Report prepared by DiPrete Engineering, signed and stamped by Brandon Carr, dated 1/6/2020, rev 12/15/2020*
22. *Stormwater System Operation & Maintenance Plan prepared by DiPrete Engineering, signed and stamped by Brandon Carr, dated 1/6/2020, rev 12/15/2020*
23. *Plans entitled, "Norton Crossing – Notice of Intent Submission" prepared by DiPrete Engineering, signed and stamped by Brandon Carr, dated 5/17/2019, rev 12/15/2020*
24. *DiPrete Engineering letter dated 1/5/2021 response to comments*
25. *Plans entitled, "Norton Crossing – Notice of Intent Submission" prepared by DiPrete Engineering, signed and stamped by Brandon Carr, dated 5/17/2019, rev 1/5/2021*

Brandon Carr of DiPrete Engineering attended the hearing on behalf of the applicant. He stated they received approval from the ZBA last week.

ConCom's consultant, John Chessia, stated he has a couple of conditions he would recommend. The project has a system of pipes that act as a detention system, which would be partially in the seasonal high-water table. They propose an impervious liner so that it's not constantly filling with groundwater. Chessia suggests conditioning a test or inspection that will give some sort of certification that it was installed properly and is water-tight. Chessia also suggested they increase the footprint of the stone in the underground infiltration system of chambers to 23 x 40. This will reduce the drain time of the volume below the system to 72 hours helping to comply with the recharge requirements. The project also has one catch basin that is in series with another catch basin. Chessia stated the catch basins should be off-line. Every catch basin should go to a manhole or an outlet, not another catch basin. Also, the O&M Plan has additional owner information needed, and the subsurface infiltration system needs to be separately listed.

Carlino requested Carr send an email tomorrow confirming the dates of the final plan, the Stormwater Report and the O&M Plan. Also, he should state there will be coordination with the Zoning Board for Chessia or the ZBA's consulting engineer to inspect the system as it's being constructed. Carrozza questioned what measures are being added to the O&M Plan for any long-term inspections and functionalities. Chessia responded that if it's not working, there may be water coming out of it in the spring even if it has not rained. That may be the only way to tell it has failed. You could condition a check in March or April (seasonal high-water table, during a non-rain period) to see if there is water flowing out of the pipes.

Carr stated they have no issues with any of the conditions Chessia raised. They do have inspection requirements for the underground system, but they could add detail for a spring and fall inspection in the O&M Plan.

Motion was made to close the public hearing for DEP #250-1059 by Carrozza, seconded by Pearson. Motion passes.

A roll call vote was taken:

Blood– Aye
Carrozza – Aye
Snyder– Aye

Pearson – Aye
Doyle - Aye
Kadish – Aye

Motion was made to issue the Order of Conditions pending updates to the O&M Plan language for DEP #250-1059 by Carrozza, seconded by Doyle. Motion passes.

A roll call vote was taken:

Blood– Aye
Carrozza – Aye
Snyder– Abstain

Pearson – Aye
Doyle - Aye
Kadish – Aye

B. 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. (continued from 9/14/2020, 10/19/2020, 11/9/2020, 11/23/2020, 12/14/2020, 1/11/2021) 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>

The applicant requested a continuance to 2/22/2021 Motion was made to continue the public hearing for DEP #250-1065 to February 22, 2021 by Pearson, seconded by Doyle. Motion passes.

A roll call vote was taken:

Blood– Aye
Carrozza – Abstain
Snyder– Aye

Pearson – Aye
Doyle - Aye
Kadish – Aye

C. Amendment to Order of Conditions (DEP #250-1025) Condylne Engineering Group (Map 11, Parcel 32). (continued from 1/11/2021) For proposed plans to amend DEP#250-1025 to remove the approved building and replace with parking and changes to the stormwater system within Riverfront Area to Canoe River. Files can be viewed here <https://tinyurl.com/250-1025LOT3Amend>

The applicant requested a continuance to 2/22/2021 Motion was made to continue the public hearing for DEP #250-1025 to February 22, 2021 by Pearson, seconded by Doyle. Motion passes.

A roll call vote was taken:

Blood– Aye
Carrozza – Abstain
Snyder– Aye

Pearson – Aye
Doyle - Aye
Kadish – Aye

D. Amendment to Order of Conditions (DEP #250-1031) Robert Burk, 49 John Scott Blvd: (continued from 1/11/2021) Request to amend DEP#250-1031 to add a retaining wall. Plans can be viewed here <https://tinyurl.com/49JSBlvd-asbuilt>

Document List – 49 John Scott Blvd

1. Plans entitled, “Conservation As-Built”, prepared by Silva Engineering Associates, P.C., signed and stamped by Lawrence Silva, dated 1/29/21

Alex Burk attended the hearing. He stated they have submitted plans with the information requested regarding the retaining wall built that was not part of the OOC.

Motion was made to close the public hearing for DEP #250-1031 by Pearson, seconded by Carrozza. Motion passes.

A roll call vote was taken:

<i>Blood– Aye</i>	<i>Pearson – Aye</i>
<i>Carrozza – Aye</i>	<i>Doyle - Aye</i>
<i>Snyder– Aye</i>	<i>Kadish – Aye</i>

Motion was made to accept the revised plan as the final plan with no Amendment to the Order of Conditions for DEP #250-1031 by Carrozza, seconded by Snyder. Motion passes.

A roll call vote was taken:

<i>Blood– Aye</i>	<i>Pearson – Aye</i>
<i>Carrozza – Aye</i>	<i>Doyle - Aye</i>
<i>Snyder– Aye</i>	<i>Kadish – Aye</i>

E. Notice of Intent (#250-1070) Widak/Sher Corp. LTD, 0 Rear Eddy Street (Map 32, Parcel 31). (continued from 1/25/2021) The proposed project is to construct a common driveway with associated stormwater management, septic system, utilities, retaining walls and grading for 4 duplex units within 100 feet of bordering vegetated wetland. Files can be viewed here <https://tinyurl.com/rearEDDYSherCorp>

There were no representatives in attendance. Motion was made to continue the public hearing for DEP #250-1070 to March 8, 2021 by Pearson, seconded by Snyder. Motion passes.

A roll call vote was taken:

<i>Blood– Aye</i>	<i>Pearson – Aye</i>
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Carrozza – Aye
Snyder – Aye

Doyle – Aye
Kadish – Aye

F. Notice of Intent (#250-1071) Mansfield Municipal Airport Commission, 265 Fruit Street (Map 3, Parcel 428 and Map 4, Parcels 133, 139-02, 140, 142 and 191). (continued from 1/25/2021) The proposed project is to remove obstructive vegetation within wetland, a certified vernal pool and within 100 feet of wetland. Files can be viewed here <https://tinyurl.com/MansAirportVEG>

Document List – Mansfield Municipal Airport Commission

1. *WPA Form 3- Notice of Intent – received 1/13/2021*
2. *Plans entitled, “Proposed Vegetation Management”, prepared by Gale Associates, Inc. dated December 2020*

Bree Sullivan and Matt Caron of Gale Associates, Inc. attended the hearing on behalf of the applicant. Also, Steven Riberdy of GZA GeoEnvironmental and Airport Planner, Jackie Marks attended the hearing.

Carrozza recused.

Sullivan stated she sent responses to Carlino regarding the following questions/requests that came up at the last meeting and after the site visit.

- *Place the existing conditions with the trail on the plan of the LPS parcel and the connection that goes through the ROW. Sullivan showed the requested changes on the updated plan.*
- *Clarify work is up to the vernal pool boundary/wetland boundary. Sullivan showed on the plan the area the question is referring to (Parcel 141, the LPS parcel). Here, the work is likely only under the tree canopy. They do not expect to go into the resource area to remove those trees.*
- *Inset map of just jurisdictional area and clearly show different vegetation techniques. Sullivan showed a map of only the jurisdictional areas with the associated clearing in those areas. She stated the work on Parcel 428 (the Mansfield Airport Parcel) is part of the yearly operational plan. The only new work is for work off the airport property. It's not shown on this map because it's not jurisdictional. The only jurisdictional areas are what's shaded on this plan.*
- *Restoration plan for the LPS property. Sullivan stated there is no work proposed on the LPS property. If there were a question of where the property line was or if debris were to fall on Parcel 141, there will be standing specifications in the contract documents that detail to the contractor that they must clean those areas to as good as or better than before. There will also be a condition to make sure the trail, which is now marked on the plans, will not be blocked by any dropped vegetation. Basically, they will drop the trees, cut the branches off, sometimes cut the log into sections and leave it there. That will cause much*

less impact to this critical area. They will ensure the trail is not blocked. Carlino clarified they are not accessing the work area from the LPS property. They will be doing it from the Airport or the rail trail. Sullivan stated that is correct. She also did the haul road (the access road for the equipment) through the Airport. Sullivan noted the OOC usually has a follow-up visit to make sure everything is restored and again for the COC. The ConCom will have an opportunity to resolve any issue that arises. She would recommend a special condition that the contractor has a post-construction follow-up so the ConCom can have any debris removed that is a result of this.

Carlino asked if Wetland B was the one that had the surface connection to the rest of the wetland. Riberdy confirmed a small section of Wetland B has a surface connection. Carlino requested the connection be shown on the plan.

Snyder asked if there would still be some canopy to provide shade in the clearing by the vernal pool or will it be completely cleared? Sullivan believes there are 3 – 5 trees to be removed in that area. The only trees that would be removed are the ones that penetrate the surface. They are the taller trees. Any under-story growth will be left in place. They will not do any more work than is necessary. Riberdy noted there are a lot of small trees and shrubs in that area that will be left. There will be vegetation along the pool edge.

Motion was made to close the public hearing for DEP #250-1071 by Doyle, seconded by Snyder. Motion passes.

A roll call vote was taken:

<i>Blood– Aye</i>	<i>Pearson – Aye</i>
<i>Carrozza – Abstain</i>	<i>Doyle - Aye</i>
<i>Snyder– Aye</i>	<i>Kadish – Aye</i>

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

REQUEST FOR PARTIAL/FULL CERTIFICATE OF COMPLIANCE

REVIEW DRAFT MINUTES

1/11/2021 - Motion was made to accept the meeting minutes as amended for 1/11/2021 by Doyle, seconded by Blood. Motion passes.

A roll call vote was taken:

<i>Blood– Aye</i>	<i>Pearson – Aye</i>
<i>Carrozza – Aye</i>	<i>Doyle - Aye</i>

Snyder– Aye

Kadish – Aye

1/11/2021 – Executive Session - Motion was made to accept the Executive Session minutes as amended for 1/11/2021 by Carrozza, seconded by Doyle. Motion passes.

A roll call vote was taken:

Blood– Aye

Pearson – Aye

Carrozza – Aye

Doyle - Aye

Snyder– Abstain

Kadish – Aye

1/25/2021 - Motion was made to accept the meeting minutes as amended for 1/25/2021 by Pearson, seconded by Blood. Motion passes.

A roll call vote was taken:

Blood– Aye

Pearson – Aye

Carrozza – Abstain

Doyle - Abstain

Snyder– Aye

Kadish – Aye

1/25/2021 – Executive Session - Motion was made to accept the Executive Session minutes for 1/25/2021 by Blood, seconded by Snyder. Motion passes.

A roll call vote was taken:

Blood– Aye

Pearson – Aye

Carrozza – Abstain

Doyle - Abstain

Snyder– Aye

Kadish – Aye

NEW BUSINESS

OLD BUSINESS

Site Inspections -
Violations

Freeman St, 3 addresses, potential wetland violations
S Worcester, m 27 pcl 193
122 W Hodges St.
184 W Main St.
77 Charlotte

Reservoir Update -

Chartley Pond Update -
Barrowsville Dam
Report from Staff
Waterbodies Committee update-
Grants
Town Meetings

BILL SUMMARY

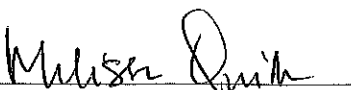
Summary list of bills signed – January 25, 2021 – February 8, 2021

Verizon	\$36.49	242-171-100-5700 – Wetland Protection Fund
	Agent cell phone	
Norton Ace Hardware	\$93.98	001-171-614-6087-20-08 – Capital Improvement
Fund	Edith Read-paint/primer	
Home Depot	\$75.03	001-171-614-6087-20-08 – Capital Improvement
Fund	Edith Read-insulation, heat cable	
Chessia	\$1,105.00	243-171-100-5700 – Conservation Outside Fees
	Leonard Street	
Chessia	\$125.00	243-171-100-5700 – Conservation Outside Fees
	253 Mansfield Ave	
J&D Handymen	\$3,455.00	001-171-614-6087-20-08 – Capital Improvement
Fund	Edith Read-carpentry repairs	
National Grid	\$10.00	001-171-570-5308 – Maintenance of Conservation
Areas	pool meter	

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 Pearson, seconded by Carrozza. Motion passes and meeting closes at 7:30PM.

Respectfully submitted by: Melissa Quirk 

Minutes approved by the Commission on 2/22/2021.


Conservation Commission Signature:


Julian Kadish, Conservation Commission Chairman


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. 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.)
2. **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/85148694652?pwd=bFFDYUZiVlhtVlFVbVhwSVZJeXFFZz09>

When prompted, enter the **Meeting ID:** 851 4869 4652, **Password:** 600734.

- 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.
3. If, for some reason, neither option is working for you, you can 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.
 4. 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.
 5. 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.