



**Norton Conservation Commission**

70 East Main Street

Norton MA 02766

508-285-0275

Email: [conservation@nortonmaus.com](mailto:conservation@nortonmaus.com)

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

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**MINUTES**

**Monday, June 28, 2021**

**6:30 pm**

6:30pm Open meeting

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

**Chairperson read the following 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 \*6 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.

*Attendance: Julian Kadish, Lisa Carrozza, Ron O'Reilly, Dan Pearson, Daniel Doyle, Jr.,  
Conservation Director Jennifer Carlino*

*Absent: Gene Blood, Kerry Malloy Snyder*

*Kadish read the names of the participating ConCom members.*

**WETLAND HEARINGS AND POSSIBLE COMMISSION DELIBERATIONS**

Wetland hearings will be taken in order.

- A. Request for Determination of Applicability (DET #1109) Massachusetts Coastal Railroad, Massachusetts Coastal Railroad Right-of-Way.** (continued from 4/12/2021, 4/26/2021, 5/10/2021, 5/24/2021, 6/14/2021) The proposed plan is to confirm wetland boundaries and approve vegetation management activities along the Ma Coastal Railroad Right of Way. Files can be viewed here <https://tinyurl.com/MaCstlRR>

*Document List – Massachusetts Coastal Railroad Right-of-Way*

1. *WPA Form 1 – Request for Determination of Applicability received 3/25/2021*
2. *Plans entitled, “Mass Coastal Railroad”, prepared by TEC Associates, dated 5/23/2016*
3. *Yearly Operational Plan 2021, prepared by TEC Associates*

*Carlino noted that the applicant requested a continuance to the next meeting date. She stated she did not have the revised first page of the Request from the applicant yet but spoke with him about it after the last meeting.*

*Motion was made to continue the public hearing for DET #1109 to July 12, 2021 by Carrozza, seconded by Pearson.*

*A roll call vote was taken:*

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

*Motion passes.*

- B. 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, 11/23/2020, 1/25/2021, 3/22/2021, 4/26/2021) 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>

*Carlino noted that the applicant requested a continuance to August 23, 2021.*

*Motion was made to continue the public hearing for DEP#250-1040 to August 23, 2021 by Carrozza, seconded by Pearson.*

*A roll call vote was taken:*

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

*Motion passes.*

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

### **REQUEST FOR AN EXTENSION**

**Three-Year Extension (#250-1017) Dana Junior, 21 Samoset Street. (Map 25, Parcel 29).** The proposed project is to construct a single-family house, driveway, utilities and associated grading within the 100-year floodplain.

*Dana Junior attended the meeting to discuss the issues with his project. He stated he could not get a building permit because he is required to pave a portion of the road in order to gain access to the site. Junior stated he spoke with Carlino and understands that would be a change in his approved plans because there would be extensive work within the 100-year floodplain. Carlino noted that he can amend the existing permit by providing a revised plan and description of the work needed in order to reconstruct the road. Junior said he's have his engineer provide the materials for the requested amendment.*

*Motion was made to issue a Three-Year Extension for DEP #250-1017 by Carrozza, seconded by Pearson.*

*A roll call vote was taken:*

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

*Motion passes.*

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

**Full Certificate of Compliance DEP#250-0988 Amended OOC, Lukasz 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.

*Carlino noted that the inspected has not been done yet so the discussion will carry over to the next meeting of July 12, 2021 to allow time to do that inspection.*

### **REVIEW DRAFT MINUTES**

*6/14/2021- Motion was made to accept the meeting minutes for 6/14/2021 by Carrozza, seconded by O'Reilly.*

*A roll call vote was taken:*

*Kadish– Aye  
O'Reilly - Aye  
Carrozza – Aye*

*Pearson – Aye  
Doyle - Aye*

*Motion passes.*

## **NEW BUSINESS**

## **OLD BUSINESS**

Site Inspections -  
Violations

184 W Main St.  
77 Charlotte

Reservoir Update -  
Chartley Pond Update -  
Barrowsville Dam  
Report from Staff

Waterbodies Committee update-

Grants- Norton Media Center Technology Grant- \$2,500.00 *Carlino noted that she had received a grant to purchase a digital microscope and to supplement the cost of security cameras at the Edith Read Conservation Land environmental center.*

Town Meetings

## **BILL SUMMARY**

### **Summary list of bills signed – June 14, 2021 – June 28, 2021**

Ace Hardware	\$340.63	001-171-570-5308 – Maintenance of Conservation Areas
Edith Read		
Benjamin Forestry	\$300.00	001-171-614-6087-20-08 – Edith Read Capital
Improvement Walk & Talk		
Comcast Business	\$118.44	001-171-570-5308 – Maintenance of Conservation Areas
Edith Read		
Landmarc Landscape	\$4,000.00	001-171-614-6087-20-08 – Edith Read Capital
Improvement Norton Town Forest		

Home Depot	\$480.55	001-171-570-5308 – Maintenance of Conservation Areas
Edith Read		
Verizon	\$36.49	242-171-100-5700 – 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)**

**EXECUTIVE SESSION.** Discuss strategy in executive session with respect to 162 West Main Street litigation, related the enforcement order issued by the Commission (DEP File No. 250-38), pursuant to G.L. c. 30A, §21(a)(3), if discussing the matter in open session will have a detrimental effect on the Town's litigating position and the chair so declares; votes may be taken.

*Kadish announced that the commission would be going into executive session and would not be returning to the regular session when it is completed. Motion was made to go into executive session and adjourn the regular session meeting at 7:00pm by Doyle, seconded by Pearson.*

*A roll call vote was taken:*

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

*Motion passes.*

*Respectfully submitted by:* \_\_\_\_\_ *Jennifer Carlino* \_\_\_\_\_

*Minutes approved by the Commission on* \_\_\_\_\_ *7-12-21* \_\_\_\_\_


*Conservation Commission Signature:*

  
\_\_\_\_\_  
*Julian Kadish, Conservation Commission Chairman*

*7/21/21*  
\_\_\_\_\_  
*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/86905765737?pwd=aGJXV09FRVhOcWpSK0Mxd1dYVVF6Zz09>

When prompted, enter the **Meeting ID: 869 0576 5737, Password: 239021.**

- 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](mailto: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.