



Norton Conservation Commission

70 East Main Street

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

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NORTON TOWN CLERK

2021 DEC -9 PM 5:06

Minutes

Monday, July 12, 2021

6:30 pm

6:30pm Open meeting

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

Attendance: Julian Kadish, Lisa Carrozza, Ron O'Reilly, Dan Pearson, Gene Blood, Conservation Director Jennifer Carlino

Absent: Daniel Doyle, Jr., Kerry Malloy Snyder

Kadish read the names of the participating ConCom members and the public notice below.

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 *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.

Agenda

Re-organization of Commission

This item was tabled to the end of the meeting.

After discussion, a motion was made by Pearson to elect Julian Kadish as the Chairperson and Lisa Carrozza as the Vice-Chair, seconded by O'Reilly. Roll call vote was taken.

Kadish- Aye Pearson - Aye O'Reilly - Aye Blood - Aye Carrozza - Aye

Motion passed unanimously.

Discussion: Jessie Knowlton, Wheaton College, Local pollinator conservation project proposal on conservation property

Jessie Knowlton, Wheaton College professor and Ecologist, and student, Erin Ortega attended the meeting to describe the proposal to conduct a preliminary survey of pollinator communities on conservation land and the relationship with the European (praying) mantis (Mantis religiosa) and the invasive Chinese mantis (Tenodera sinensis). Knowlton proposes a project with five of her students to:

- 1. Collect mantises, dissect them and sent their guts to a colleague at UC Riverside to use DNA barcoding to determine the mantis' diets.*
- 2. Conduct bee surveys via transects, collection and identification of the bee and flowers they are pollinating.*

The Commission asked where Knowlton and her students would conduct the study. Knowlton replied she has been to the Commission's webpage and looking at the listed properties. Carlino mentioned that it would be a great opportunity if the same students are still there in the Spring to enter the Massachusetts Association of Conservation Commissions' annual Environmental Conference poster contest. Carlino will send information to Knowlton. Carlino will also send Knowlton locations of two additional conservation properties.

*Pearson made a motion, seconded by Blood to approve the project. Roll call vote was taken.
Kadish- Aye Pearson - Aye O'Reilly - Aye Blood - Aye Carrozza - Aye*

Motion passed unanimously.

WETLAND HEARINGS AND POSSIBLE COMMISSION DELIBERATIONS

Wetland hearings will be taken in order.

A. Request for Determination of Applicability (DET #1111) Steve Passanisi, 131 Oak Street (Map 15, parcel 26-04). The proposed project is to repair and replace a septic system within 100 feet of bordering vegetated wetland. The application can be viewed at <https://tinyurl.com/DET1111-131Oak>

Document list

- 1. RDA application prepared by Brad Fitzgerald, SFG Associates Inc. dated 6-24-21*
- 2. Plans entitled, "A Septic System Repair in Norton, MA for Steve Passanisi, prepared by Senna Fitzgerald Gilbert (SFG) Associates, signed and stamped by Brad Fitzgerald, dated June 16, 2021.*

Brad Fitzgerald attended the hearing and described the septic system replacement to the rear of the property in existing lawn. The homeowner will water the completed work for site stabilization. Kadish asked about the need for No Disturbance Zone markers. Carlino stated it would be beneficial to have 2-3 markers on 4 x 4 pressure treated posts.

A motion was made by Pearson, seconded by Blood, to close the public hearing. Roll call vote was taken.

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

Motion passed unanimously.

A motion was made by Carrozza, seconded by Pearson to issue a Negative 3 Determination. Roll call vote was taken.

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

Motion passed unanimously.

B. Notice of Intent (#250-1077) Ferrari Pools, 14 John Scott Boulevard (Map 32, Parcel 98).

The proposed project is to construct an in-ground pool with surrounding deck within 100 feet of bordering vegetated wetland. The application can be viewed at <https://tinyurl.com/14JSBlvd>

Document List – 14 John Scott Blvd

- 1. WPA Form 3- Notice of Intent received 6/17/2021*
- 2. Stormwater Report prepared by Land Planning, Inc., dated 6/14/2021*
- 3. Plans entitled, "Proposed Pool Site Plan", prepared by Land Planning, Inc., signed and stamped by Norman Hill, dated 6/15/2021*
- 4. Emails re: plan revisions and application questions dated 6-28-21*

Steve Balcewicz presented the project to the Commission. The owners would like to install an in-ground pool to an existing lawn within the previous limit of work. A 4' fencepost was mentioned. Carlino asked about topography. Carlino mentioned the previous permit required the No Disturbance Zone markers and hasn't been completed yet. They should also be working on their Certificate of Compliance from the previous project. Balcewicz will check with his colleague on the email sent from the Commission regarding this issue.

Balcewicz addressed the letter he received from the Director regarding plan changes. He will check to make sure he sent the PDF of the revised plan. Kadish asked if what remained on the project wasn't merely a matter of tying up loose ends.

Carrozza asked about equipment access. All equipment will come in from the existing driveway. Carrozza asked about the timing of site stabilization. Balcewicz said the work would be done this summer and would be stabilized in the Fall.

Pearson made a motion, seconded by Carrozza to continue the public hearing to July 26, 2021 for Balcewicz to confer with his colleagues regarding the plans and previous permit compliance. Roll call vote was taken.

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

Motion passed unanimously.

C. Notice of Intent (#250-XXXX) Jaime Smith, A/Z Corporation. Wheaton College 26 East Main St (Map 17, parcels 14 & 93) The proposed project is to install electrical conduits within 100 feet of bordering vegetated wetland. Files can be viewed here <https://tinyurl.com/Wheatonconduits>

Document List – Wheaton

1. WPA Form 3- Notice of Intent received
2. Plans entitled, “Proposed Pool Site Plan”, prepared by Land Planning, Inc., signed and stamped by Norman Hill, dated 6/15/2021

Bruce Ringwall of GPR Inc presented the project to the Commission with James Basile, GPR and Jaime Smith, A/Z Corp in attendance. The College needs to televise their sporting events and will require upgrading their electrical system. An 18” conduit would be installed via trench digging along the edge of the existing field and would collect to the underside of the existing boardwalk over the intermittent stream. Carrozza asked if there was a detail for the connection to the bridge. There wasn’t, answered Ringwall, because the intended part is just “basic hardware.” He stated that the conduit would be installed by hand by someone beside or on top of the boardwalk, attached with basic hardware, and mounted to the underside of the bridge so as not to attract attention. Carrozza said with that provision, it was acceptable.

Kadish noted there was not a file number. A motion was made by Pearson, seconded by Blood to continue the public hearing to July 26, 2021 to obtain a DEP file number. Roll call vote was taken.

Kadish– Aye Pearson – Aye O’Reilly - Aye Blood – Aye Carrozza – Aye

Motion passed unanimously.

D. 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, 6/28/21) 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, page 1 revised 6-28-21
2. Plans entitled, “Mass Coastal Railroad”, prepared by TEC Associates, dated 5/23/2016
3. Yearly Operational Plan 2021, prepared by TEC Associates

Tom Lewis attended the hearing for the applicant. Carlino noted that she has received the revised first page of the Request from the applicant. The Determination requires the following decision to be approved:

- Positive 2a - boundary delineations are accurate
- Negative 2 – work is in a resource area but won't alter it so no NOI required
- Negative 3 – work is in the buffer zone but won't alter a resource area so no NOI required, with the conte that it is for herbicide application ONLY.

Motion was made to close the public hearing for DET #1109 by Blood, seconded by O'Reilly. Roll call vote was taken.

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

Motion passed unanimously.

Motion was made to issue a Negative 3 Determination for DET #1109 by Blood, seconded by O'Reilly. Roll call vote was taken.

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

Motion passed unanimously.

E. Notice of Intent (#250-1070) Widak/Sher Corp. LTD, 0 Rear Eddy Street (Map 32, Parcel 31). (continued from 1/25/2021, 2/8/2021, 3/8/2021, 3/22/2021, 4/12/2021, 5/10/2021, 6/14/2021) 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>

** requested a continuance to July 26, 2021

Kadish noted the applicant requested a continuance. A motion was made by Carrozza, seconded by Pearson to continue the public hearing to July 26, 2021. Roll call vote was taken.

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

Motion passed unanimously.

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

REQUEST FOR AN EXTENSION

1 year extension **DEP #250-968 Bill Brandon, Taunton Ave (map 28, parcel 10)** for single family home construction

A motion was made by Carrozza, seconded by O'Reilly to grant a one-year extension for DEP 250-968. Roll call vote was taken.

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

Motion passed unanimously.

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 site inspection was done and that all work appears to be done according to the permit. She also noted that the previous violation in the 100-year floodplain appears to be corrected. The vegetation is growing without any additional mowing.

Motion was made to issue a Full Certificate of Compliance for DEP #250-0988 Amended OOC by Carrozza, seconded by Pearson. Roll call vote was taken.

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

Motion passed unanimously.

REVIEW DRAFT MINUTES

6/28/2021

Motion was made to accept the meeting minutes for 6/28/2021 by Pearson, seconded by Carrozza. Roll call vote was taken.

Kadish– Aye Pearson – Aye O'Reilly - Aye Carrozza – Aye Blood – Abstain

Motion passed unanimously.

6/28/21 Executive Session

Motion was made to accept the meeting Executive Session minutes for 6/28/2021 by Carrozza, seconded by Pearson with Pearson edits. Roll call vote was taken.

Kadish– Aye Pearson – Aye O'Reilly - Aye Carrozza – Aye Blood – Abstain

Motion passed unanimously.

NEW BUSINESS

Rail Trail easement letter can be seen here <https://tinyurl.com/2021RailTrailEasement>
Carlino stated the Town Manager was on vacation so she did not have the opportunity to discuss with him yet.

Special Town Meeting August 9, 2021, reschedule August 9 con com mtg
The Commission noted two Town Meetings are now scheduled for the same night as Conservation Commission meetings. The August ConCom meetings will now be held on August 16 and August 30.

Carlino noted the fall Town Meeting is similarly scheduled on the regular Conservation Commission meeting night on October 25th. The October meeting will now be scheduled for October 18, 2021.

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
Town Meetings

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)

A motion was made to adjourn the meeting at 7:45pm by O'Reilly, seconded by Pearson. Roll call vote was taken.

Kadish- Aye Pearson - Aye O'Reilly - Aye Blood - Aye Carrozza - Aye

Motion passed unanimously.

Respectfully submitted by: Jennifer Carlino

Minutes approved by the Commission on 7-26-2021


Conservation Commission Signature:


Julian Kadish, Conservation Commission Chairman

12/9/21
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/88961996725?pwd=RGhlekhXdWVOcm9TT0xtcm11dkpOZz09>
3. When prompted, enter the **Meeting ID: 889 6199 6725, Password: 001006**.
 - 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 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.
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.