



Norton Conservation Commission

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

RECEIVED
NORTON TOWN CLERK
2021 OCT -5 AM 11:05

Monday, July 26, 2021

Minutes

6:30 pm

Remote Participation Only

6:30pm Open meeting

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

Attendance: Julian Kadish, Lisa Carrozza, Daniel Doyle, Jr., Ron O'Reilly, Dan Pearson, Kerry Malloy Snyder

Absent: Gene Blood

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.

Minutes

WETLAND HEARINGS AND POSSIBLE COMMISSION DELIBERATIONS

Wetland hearings will be taken in order.

A. Notice of Intent (#250-10XX) Clare Lynch, Plain St (Map 18, parcel 73). The proposed project is to construct a driveway within 200 feet of a perennial stream. The application can be viewed at <https://tinyurl.com/Lynch-PlainST>

Document list

- *Notice of Intent application, prepared by Outback Engineering, received July 12, 2021*
- *Plans entitled, "Driveway Access Plan, 0 Plain St in Norton MA", prepared by Outback Engineering, signed and stamped by Jason Youngquist, dated June 30, 2021.*

Greg Drake described the project to the Commission. Applicant Clare Lynch attended. Pearson asked about the delineation of the degraded riverfront area on the plan. Drake: Yes, while the new owner didn't initially understand that this was an area of concern the new plan reflects the revised border. Carrozza: The plan should be updated to show the gas line. The owner ought to put up a split rail fence. Kadish: Said fence could be along the riverfront and "morph" into the tree line. Clare Lynch: "We could handle [installing a split-rail fence] OK." Kadish: The hearing could not be closed because the file lacked a DEP file number. Carrozza: In Carlino's notes there is a note suggesting that a site inspection be conducted. Carrozza, summarizing: DEP #, indication of gas line on plan, and inspection are needed.

A motion was made by Pearson, seconded by O'Reilly, to continue the public hearing to August 16. Roll call vote was taken. Carrozza—Aye, Doyle—Aye, Kadish—Aye, O'Reilly—Aye, Pearson—Aye, Snyder—Aye. Motion passed unanimously.

B. Request for Determination of Applicability (DET #1112) Rachel McCann, 28 Eddy Street (Map 33, parcel 50). The proposed project is to construct an inlaw apartment, garage, expand the existing driveway, porch and grading within 100 feet of wetland containing a vernal pool. The application can be viewed at <https://tinyurl.com/DET1112-28Eddy>.

Document list

1. *RDA application prepared by Tim Maguire, Goddard Consulting, received 7-12-21*
2. *Plans entitled, "Conservation Plan 28 Eddy St", prepared by Hutchins Trowbridge Associates Inc., signed and stamped by Michael Trowbridge, dated 4-9-21.*
- 3.

Kadish noted that the relevant website could not be reached (nor was any representative present). Carrozza suggested that the item be opened and immediately continued. Carrozza opened the item—Kadish had been impeded by technical difficulties—and entertained a motion to continue the file.

A motion was made by Pearson, seconded by Doyle, to continue the public hearing. Roll call vote was taken. Carrozza—Aye, Doyle—Aye, Kadish—Aye, O'Reilly—Aye, Pearson—Aye, Snyder—Aye. Motion passed unanimously.

- C. **Notice of Intent (#250-1077) Ferrari Pools, 14 John Scott Boulevard (Map 32, Parcel 98).** (continued from 7-12-21) 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*

Carrozza: The applicant had requested a continuance earlier on the afternoon of the meeting (7/26). No reason was given.

A motion was made by Pearson, seconded by Doyle, to continue the public hearing to the August 16 meeting. Roll call vote was taken. Carrozza—Aye, Doyle—Aye, Kadish—Aye, O'Reilly—Aye, Pearson—Aye, Snyder—Aye. Motion passed unanimously.

- D. **Notice of Intent (#250-1078) Jaime Smith, A/Z Corporation. Wheaton College 26 East Main St (Map 17, parcels 14 & 93)** (continued from 7-12-21) 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*

Carrozza: Proof of payment of the legal notice is needed. Craig Kilburn, representing Wheaton College, thought it was paid, but could not confirm that, nor could do anything about it during the meeting. Kadish: Confident that Wheaton would make the payment for the legal notice, entertained a motion to close the public hearing.

A motion was made by Pearson, seconded by O'Reilly, to close the public hearing. Roll call vote was taken. Carrozza—Aye, Doyle—Aye, Kadish—Aye, O'Reilly—Aye, Pearson—Aye, Snyder—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>

Kadish: The applicant requested a continuance to August [30], 2021. A motion was made by Doyle, seconded by Pearson, to continue the public hearing to August 30, 2021. Roll call vote was taken. Carrozza—Aye, Doyle—Aye, Kadish—Aye, O'Reilly—Aye, Pearson—Aye, Snyder—Aye. Motion passed unanimously.

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

A motion was made by Carrozza, seconded by Snyder to approve the OOC for DEP# 250-1078 with a minor grammatical connection. Roll call vote was taken. Carrozza—Aye, Doyle—Aye, Kadish—Aye, O'Reilly—Aye, Pearson—Aye, Snyder—Aye. Motion passed unanimously.

REQUEST FOR AN EXTENSION

REQUEST FOR PARTIAL/FULL CERTIFICATE OF COMPLIANCE

- **Request for a Full Certificate of Compliance- DEP #250-967- Cleber Feijo, 14 John Scott Blvd (map 32, parcel 98) for construction of single-family home within 100 feet of wetland.**

No action was taken because, as Carrozza noted, this file is attached to file DET #250-1077 and could thus be tabled. Item tabled.

REVIEW DRAFT MINUTES

7/12/2021- Motion was made to accept the meeting minutes for 7/12/2021 by Carrozza, seconded by Pearson. Roll call vote was taken. Carrozza—Aye, Kadish—Aye, O'Reilly—Aye, Pearson—Aye. Motion passed. Doyle, Snyder abstained.

6/28/21 amended by Dan Motion was made to accept the meeting minutes for 7/12/2021 by Carrozza, seconded by Doyle. Roll call vote was taken. Carrozza—Aye, Doyle—Aye, Kadish—Aye, O'Reilly—Aye, Pearson—Aye. Motion passed. Snyder abstained.

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

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)

Kadish announced that the Commission would be going into Executive Session and that they would not be returning to the regular meeting. Roll call vote was taken to go into Executive Session. Carrozza—Aye, Doyle—Aye, Kadish—Aye, O'Reilly—Aye, Pearson—Aye, Snyder—Aye. Motion passed unanimously.


A motion was made by Pearson, seconded by O'Reilly, to adjourn the regular meeting. Roll call vote was taken. Carrozza—Aye, Doyle—Aye, Kadish—Aye, O'Reilly—Aye, Pearson—Aye, Snyder—Aye. Motion passed unanimously.

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.

Respectfully submitted by: Dan Pearson

Minutes approved by the Commission on 9/27/2021


Conservation Commission Signature:


Julian Kadish, Conservation Commission Chairman

Oct 1, 2021
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/84327339362?pwd=SWwvZE5iZXdQa3h5aWVmcVRJQXBQT09>
3. When prompted, enter the **Meeting ID: 843 2733 9362, Password: 756687.**
 - 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.