



Norton Conservation Commission

70 East Main Street

Norton MA 02766

508-285-0275

Email: conservation@nortonmaus.com

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

RECEIVED
NORTON TOWN CLERK

2022 MAY 17 PM 1:01

Monday April 11, 2022

6:30 pm

****Remote Participation Only****

Next Meetings:

4-25-22

5-9-22

5-23-22

6-13-22

<https://us02web.zoom.us/j/87620532939?pwd=eUI5NzloUVU3RGtIRmdLMFZnNldjZz09When>
prompted, enter the **Meeting ID: 876 2053 2939** **Passcode: 440703. 1-646-558-8656**

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

****Public Hearings and possible Commission deliberations will be taken in order of this Agenda****

6:30pm Open meeting

Members Present	<ul style="list-style-type: none">• Julian Kadish, Chair• Lisa Carrozza, Vice Chair• Daniel Pearson	<ul style="list-style-type: none">• Ronald O'Reilly• Tamah Vest• Marc Fernandes
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Members Absent	<ul style="list-style-type: none">• Kerry Malloy Snyder
Other Representatives	<ul style="list-style-type: none">• John Thomas, Conservation Agent• Megan Harrop, Conservation Secretary

I. NEW PUBLIC HEARINGS

A. (DEP#250-XXXX) ANRAD- 68 Leonard Street

(Map 11, Parcel 24) <https://tinyurl.com/68LeonardStANRAD>

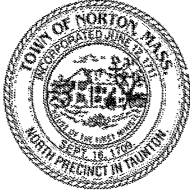
The proposed project is to verify on site resource areas.

Applicant/ Representative	Representative: Mark Mariano; Oakhill Engineering
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Doc list

- WPA Form 4A
- Notification to abutters
- Certified Abutters list
- Site Evaluation and Wetland Delineation
- FEMA Flood Map
- U.S.G.S. Topo Map
- NHESP Map
- ACEC Map
- Plan labeled "ANRAD Site Plan" by Mark Mariano

Mark Mariano explains that they delineated the wetlands line on the property in late February/ early March. On site they also identified the edge of a flood zone, using a GNSS rover. Mark requests a review of the line by John Thomas to solidify the line for future evaluation. John Thomas says he has no issue with the delineation as presented. John comments that he has been in discussion with the land owner about some disruption that has happened on site. He has discussed with the owner erosion controls as a secondary measure and installing witness posts, to ensure the potential new owner will be aware of an established 25ft no disturb zone. John also comments any future development on site will require a Notice of Intent because of the



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flood zone and the proximity to the wetlands. John mentions that due to the disturbance of the site prior to filing a Notice of Intent, he recommends waiting on the disturbance to be addressed and taken care of prior to issuing a permit for the ANRAD. Lisa Carrozza asks for clarification on what the disturbance is. John explains that area to the East of the house, where the septic area has been expanded towards the car port. John has asked them to place erosion controls to encapsulate the area where John had given approval to do a septic repair. John also wants the owner to put in the posts for a visual barrier so that the site will comply with the Wetlands Protection Act and with town regulations. The engineer of the project that caused the disturbance is aware of the issues and has been informed that if work continues without proper filing, then all projects associated with that engineering firm will require Notices of Intent in the future. Mark comments that it was not Oakhill Engineering involved with the disturbance. Julian Kadish comments that septic repairs do not usually require ANRADs. Mark states that this ANRAD is to look into future use for the property and that the owner hired another firm to handle the septic repair. Lisa makes a few comments on the plans presented. Lisa states that flag series f41-f45 then f36-f40 looks to be an intermittent stream. John Thomas states that the area has a definitive channel, that seems to be a man-made channel. Mark attests to it looking man-made to him as well. Lisa asks if it was classified as a stream. Mark states on site there is no sign of scour or flow in the channel, and it was not classified as a stream. Lisa asks in regards to the flood zone, saying there is a gap in the topo that stops at 74, then the flood zone is listed at 73.5. Mark states in that area it appears as though someone removed gravel. He says it is pretty flat and he can't see the elevation changing all that much. Lisa restates that the area's elevation needs to be shown because the burden of proof is on the applicant to show that the area does not fall within the flood zone. Mark agrees to make the changes. Lisa mentions near flag WF30 on the far eastern portion of the site the flood zone is off. Mark notices what Lisa is referencing and says he will fix it on the next set of plans. Lisa mentions that there is no reference to the datum on the plans and that they should be added to the plans. Mark adds a note to the plans to add the Datum. Julian Kadish asks if there is a culvert on Leonard Street? Mark affirms that there is an RCP pipe there. Mark also mentions there is no runoff from the site, and there is a large berm there that would cause any possible runoff to go to the side of the site. Due to the disturbance in the area and the revisions to the plan, a motion is made to continue to the April 25th, 2022 conservation commission meeting.

**Motion to
continue till
4/25/2022**

Seconded by: Daniel Pearson

Aye: Daniel Pearson, Ronald O'Reilly, Tamah Vest, Marc Fernandes, Julian Kadish, Lisa Carrozza



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made by Lisa Carrozza	Motion carries
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B. (DEP#250-XXXX) NOI-173 S. Worcester Street

(Map27, Parcel 194-0) <https://tinyurl.com/173SWorcester>

The proposed project involves the construction of an addition adjoining the existing residence and garage within 100 feet of a wetland resource area.

Applicant/ Representative	No Representative Present Applicants Present: Jackson Doran and Valerie Nicolas
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Doc list

- WPA Form 3
- FEMA Flood Map
- U.S.G.S. Map
- Natural Heritage Map
- ACEC Map
- Plan labeled "173 S Worcester St Norton" by Robert Marini

It is mentioned that it was expected that the consultant would be present for the meeting. In light of his absence the commission and John Thomas give the owner as much feedback on the plans as possible. John Thomas states that all proposed work falls into the buffer zone. There are some questions posed to the owner by the commission because the plans given lack a legend making it difficult to decipher what certain symbols mean on the plans. One example brought up is a line of squares that is guessed to be a fence. John Thomas speaks to the fact that it may be in the applicant's best interest to address the condition on the shed on the property and add any shed alterations to the application, as to avoid having to file separately for work on the shed in the future. Jackson Doran speaks to the fact that at this time they do not wish to touch the shed. John mentions that if they plan to take down the shed then that should be added to the plan. If not then when they do want to remove the shed they will need to come back in front of the commission. Julian Kadish makes the comment that the condition of the shed could cause a liability risk, so it may be in the best interest of the applicant for the condition of the shed to be addressed in the application. Jackson asks if it is possible to get the ok to get started on the foundation to speed the process along. John Thomas says you can do that but anything within



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100ft of the stream or wetland resource area will have to be brought back in front of the commission for approval. Jackson says he will speak to the engineer about the shed and see what the next course of action should be. John tells the owner that a permit is good for three years so if they encapsulate everything in this application, they can do the work in phases over the three years. John Thomas mentions that on the application the engineer mentions a proposed pool, which doesn't seem to be what the owner is proposing and isn't shown on the site plans. Valerie mentions that they did not want a pool. John also brings up the fact that there is still no DEP number for this project, so it is unclear whether or not the filing has been submitted to the state. John speaks to the fact that he has questions for the engineer and will need to speak with him to address his concerns. Julian mentions that John should reach out to the engineer listing out all the questions and concerns of the commission. Lisa Carrozza mentions a few additional plan modifications that need to be done. The label for seasonal stream needs to be changed to either a perennial or intermittent stream. A note needs to be added to the plan stating who flagged the land and when. The plan needs to change their erosion control line to a sediment control line. The plan states a 25ft no build zone, that needs to be changed to a 25ft no disturb zone. Jackson asks if once those changes are made can he begin work on the foundation. John Thomas states he needs to wait till he has an order of conditions, then they must wait the 10-day appeal period and record the OOC with the registry. John mentions if they would like to discuss the process more in the office, he would be more than happy to walk them through the steps.

Motion to continue till 4/25/2022 made by Lisa Carrozza	Seconded by: Daniel Pearson Aye: Daniel Pearson, Ronald O'Reilly, Marc Fernandes, Julian Kadish, Lisa Carrozza Motion carries
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II. CONTINUED PUBLIC HEARINGS

- A. **(DEP# 250-1070) Notice of Intent** - 0 Rear Eddy Street - Widak/Sher Corp. LTD (Map 32, Parcel 31) <https://tinyurl.com/rearEDDYSherCorp>
(Continued from 1/25/2021, 2/8/2021, 3/8/2021, 3/22/2021, 4/12/2021, 5/10/2021, 6/14/2021, 7/26/21, 8/30/2021, 9/27/2021, 10/18/21, 11/8/2021, 11/22/21, 12/13/2021, 1/10/22, 1/24/22, 2/28/22)



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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.

Applicant/ Representative	No Representative Present
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Applicant has requested a continuance till May 9th.

Motion to continue till 5/9/2022 made by Daniel Pearson	Seconded by: Lisa Carrozza Aye: Daniel Pearson, Ronald O'Reilly, Tamah Vest, Marc Fernandes, Julian Kadish, Lisa Carrozza Motion carries
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B. (DEP 250-1093) – NOI – 70 Oak Street-

(Map21, Parcel 254-01) <https://tinyurl.com/70OAKSTREET-NOI>

The proposed project to construct a driveway and utilities to gain access to a proposed single-family home.

Applicant/ Representative	No Representative Present
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Applicant has requested a continuance till May 9th.

Motion to continue till 5/9/2022 made by Daniel Pearson	Seconded by: Lisa Carrozza Aye: Daniel Pearson, Ronald O'Reilly, Tamah Vest, Marc Fernandes, Julian Kadish, Lisa Carrozza Motion carries
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**C. (DEP#250-1096)-ANRAD-93 Mansfield Ave, 0 Mansfield Ave, and 0 Reservoir
Street-Residential DeNovaes**

REQUESTED A CONTINUANCE TO MAY 9th MEETING

(Map 16,9,9, Parcel 66,225,223) <https://tinyurl.com/93MansfieldANRAD>.



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The proposed project is to verify on site resource areas. (Continued from 2/14/22)

Applicant/ Representative	No Representative Present
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Applicant has requested a continuance till May 9th.

Motion to continue till 5/9/2022 made by Daniel Pearson	Seconded by: Lisa Carrozza Aye: Daniel Pearson, Ronald O'Reilly, Tamah Vest, Marc Fernandes, Julian Kadish, Lisa Carrozza Motion carries
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III. REQUEST FOR PARTIAL/ CERTIFICATE OF COMPLIANCE

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

A. (DEP#250-1097)-NOI-196 Mansfield Ave

(Map 9, Parcel 278-17 & 278-18) <https://tinyurl.com/196MansfieldAveNOI>

The proposed project includes the construction of a commercial warehouse, parking lots, and associated stormwater management systems within proximity to jurisdictional wetland resource areas.

(Continued from 2/28/22, 3/14/22)

Applicant/ Representative	No Representative Present
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Julian Kadish mentions that the copy of the order of conditions that he received to review was missing some dimensions that were needed from the applicant. John Thomas states for the record "This permit authorizes the construction of approximately 6.9 Acres of new disturbance within the jurisdiction of the Conservation Commission. The proposed land use will include impervious surfaces 4.9 AC), appurtenant grading (0.90 AC), landscaped/hardscaped areas (0.85 AC), and portions of a comprehensive stormwater management system (0.25 AC) which complies with the Massachusetts DEP Stormwater Standards and Stormwater Management Bylaw (Chapter 133). Receipt of an Order of Conditions satisfies the requirements under the Stormwater Management Bylaw."



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Motion to issue Order of Condition for DEP# 250-1097 made by Lisa Carrozza	Seconded by: Tamah Vest Aye: Daniel Pearson, Ronald O'Reilly, Tamah Vest, Julian Kadish, Lisa Carrozza Abstained: Marc Fernandes Motion carries
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V. REVIEW DRAFT MINUTES

- 3/07/2022 executive session

Motion to approve minutes of 3/7/2022 executive session made by Ronald O'Reilly	Seconded by: Tamah Vest Aye: Daniel Pearson, Ronald O'Reilly, Lisa Carrozza, Tamah Vest Motion carries
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- 3/10/2022 executive session
 - No quorum to approve minutes
- 3/14/2022

Motion to approve minutes of 3/14/22 made by Lisa Carrozza	Seconded by: Daniel Pearson Aye: Daniel Pearson, Ronald O'Reilly, Julian Kadish, Lisa Carrozza Motion carries
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- 3/28/2022
 - No quorum to approve minutes.
- 3/22/2022 executive session

Motion to approve minutes of 3/22/22 made by Ronald O'Reilly	Seconded by: Daniel Pearson Aye: Daniel Pearson, Ronald O'Reilly, Tamah Vest and Lisa Carrozza Motion carries
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VI. NEW/OLD BUSINESS

- Site Inspections
- Report from Staff
- Meeting Schedule Changes- Hybrid

VII. BILL SUMMARY


3/28/22- 4/11/2022			
Name	Amount	Account number	Account name
Comcast	\$ 168.44	001-171-570-5308	Maintenance of Conservation Areas
Amazon	\$ 79.98	358-171-100-5700	Cable Grant
Amazon	\$ 125.39	001-171-613-6087-21-08	Edith Read Improvement Fund
Chessia Consulting	\$ 1,147.50	001-171-570-5315	Professional Services- Island Brook
Plumbing	\$ 260.00	001-171-570-5308	Maintenance of Conservation Areas
Verizon Wireless	\$ 29.84	001-171-570-5308	Maintenance of Conservation Areas

VIII. RATIFY LAST MEETING'S OPEN SESSION (TOPICS NOT ANTICIPATED 48 HOURS IN ADVANCE)

IX. OPEN SESSION (TOPICS NOT REASONABLY ANTICIPATED 48 HOURS IN ADVANCE)

X. 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/87620532939?pwd=eUI5NzloUVU3RGtlRmdLMFZnNldjZz09> When prompted, enter the **Meeting ID:** 876 2053 2939 **Passcode:** 440703. 1-646-558-8656

- 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.



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- 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.

Respectfully submitted by: Megan Harrop

Minutes approved by the commission on: 5/9/2022

Conservation Commission Signature: