



Norton Conservation Commission

70 East Main Street

Norton MA 02766

508-285-0275

Email: mharrop@nortonmaus.com

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

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NORTON TOWN CLERK

2022 NOV -1 PM 1:46

Tuesday October 11, 2022

6:30 pm

****Remote Participation Only****

Next Meeting

10-24-22

11-14-22

11-28-22

12-12-22

<https://us02web.zoom.us/j/88274372141?pwd=dVFuZWRIcmhvZ0lOZlZwNldBUkNiUT09> . When prompted enter **Meeting ID: 882 7437 2141 Passcode: 908208**. 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.

AGENDA

****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">• Marc Fernandes• Tamah Vest• Ronald O'Reilly |
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|----------------------|---------------------------------------------------------------------|
| Member Absent | <ul style="list-style-type: none">Kerry Malloy Snyder |
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| Other Representatives | <ul style="list-style-type: none">John Thomas, Conservation Agent |
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I. NEW PUBLIC HEARINGS

II. CONTINUED PUBLIC HEARINGS

**A. (DEP# 250-1070) Notice of Intent - 0 Rear Eddy Street - Widak/Sher Corp. LTD
REQUESTED CONTINUANCE UNTIL OCTOBER 24TH**

(Map 32, Parcel 31) <https://tinyurl.com/rearEDDYSherCorp>

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.

(Continued from 1/25/2021 for 32 meetings)

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|--------------------------------------|-------------------------------------|
| Applicant/ Representative | Representative: None Present |
|--------------------------------------|-------------------------------------|

****Applicant requested a continuance until October 24th****

| | |
|--------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Motion to continue the meeting 10/24 made by Daniel Pearson | Seconded by: Ronald O'Reilly Aye: Julian Kadish, Ronald O'Reilly, Marc Fernandes, Daniel Pearson, Lisa Carrozza, Tamah Vest Motion Carries |
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B. (DEP 250-1093) – NOI – 70 Oak Street

REQUESTED A CONTINUANCE UNTIL OCTOBER 24TH

(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. (Continued from 2/14/2022, for 15 meetings)

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| Applicant/ Representative | Representative: None Present |
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****Applicant requested a continuance until October 24th****



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| Motion to continue the meeting 10/24 made by Daniel Pearson | Seconded by: Ronald O'Reilly Aye: Julian Kadish, Ronald O'Reilly, Marc Fernandes, Daniel Pearson, Lisa Carrozza, Tamah Vest Motion Carries |
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C. (250-1108) NOI-0 Hill Street

(Map24, Parcel 62-02) <https://tinyurl.com/OHillStreetNOI>

The proposed plan is to construct a single story 9,900 square foot machine and fabricating facility with associated parking, drainage, and utility infrastructure within buffer zone. (Continued from 7/25/2022 for 5 meetings)

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| Applicant/ Representative | Representative: Michael Dryden |
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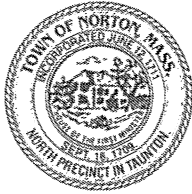
Michael Dryden gives the commission a recap of the project so far. Michael explains that over the last 6 to 8 weeks they have been working to address the comments from the peer review consultant, which includes an additional survey in the field. Michael explains they have revised the plans, addressed all the peer review comments, revised the drainage calculations, and provided updated plans to the commission and peer review consultant. John Thomas explains that John Chessia, the peer review consultant, is in the process of completing the second addition of the review. The hope is that Chessia will have the revisions done by the next meeting. Marc Fernandes comments on the revised plans page three there is a measurement that appears to be off as it reads 11ft where it should be at least 100ft. Michael thanks Marc for pointing out the error and it will be fixed.

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| Motion to continue the meeting 10/24 made by Daniel Pearson | Seconded by: Ronald O'Reilly Aye: Julian Kadish, Ronald O'Reilly, Marc Fernandes, Daniel Pearson, Lisa Carrozza, Tamah Vest Motion Carries |
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D. (DEP#250-1105)-NOI- Pine Street Cluster

(Map 24, Parcels 7,9,13,108 &109) <https://tinyurl.com/PineStreetNorton>

The proposed project includes the construction of a residential subdivision including a paved roadway crossing within Bordering Vegetated Wetland and the 100 ft Buffer



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Zone, along with grading and site development with 100ft Buffer Zone. (Continued from 7/11/2022 for 6 meetings)

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| Applicant/ Representative | Representative: Claire Hoozeboom; Wetland Scientist |
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Claire Hoozeboom gives a brief summary of the project and the changes that have been made. Claire explains that they have addressed the commission comments, the abutters comments and the peer review comments. Claire explains they provided in addition to the supplemental information, a wildlife habitat evaluation for the wetland fill for one of the subdivision roads as well as revised plans from Zenith Consulting. The engineer also provided a response to the peer review letter in regards to the stormwater report and calculations. Claire also points out that she and commission members also went out on site where they reviewed the wetland crossing and the proposed wetland replication area. Claire does explain that there seems to be a few comments from the peer reviewer that still need to be addressed by the engineer, and they are still awaiting the peer review response for the most recent supplemental information packet submitted. Janet Bernardo, stormwater peer reviewer, explains that there are a few aspects of stormwater that still need to be addressed but the applicant is fairly close to being in compliance. Amy Ball, peer reviewer, explains that they may have some additional comments for the commission once they have finished reviewing the supplemental information. Bob Butler, abutter to the project asks if the current plan is to have a public sewer which would connect at Briggs Street? Claire explains that the applicant is still figuring out that aspect with the Town. Bob also asks if the water main will be going to Briggs Street still. Claire explains that they have provided some revised plans showing the water main still connecting to Briggs Street but now looping between Germain Way and Lloyd Circle. Bob goes on to ask about the stream that goes under Pine Street, asking what the criteria is for the stream to be perennial. Bob comments that the stream does seem to flow year-round even if the flow is minimal. Claire explains that in accordance with WPA there are certain criteria that afford a stream perennial or intermittent status. Claire does note that because there is a drought, they are unable to use physical observation data to confirm the status of the stream. However, based on the calculations that were run it was well below the threshold for what would classify a stream perennial. Claire also comments that the peer reviewer Amy Ball would also review the stream calculations to confirm if they agree with their findings. Lastly Bob



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asks about project segmentation with this project and another project that is also taking place on Pine Street, Bob states the parcels seem to be purchased roughly within the same time frame. John Thomas asks Bob to bring those concerns to the Planning Board because that question is in their purview. Bob comments that he wasn't sure if it was a conservation question because it has to do with whether the Army Corp of Engineers is brought in. Claire mentions that the Army Corp will be notified about this project because there is wetland fill, any alterations to a wetland prompt a notification to the Army Corp. Claire states that the Army Corp will be getting a self-verification notification once the applicant has gone through more of the local review. Claire asks the peer reviewers if October 24th will be enough time for them to give a response. Amy Ball states they will try and complete the response letter in a couple of days and have it sent over. Claire asks that they have a continuance until November 14th.

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| Motion to continue the meeting 11/14 made by Daniel Pearson | Seconded by: Ronald O'Reilly Aye: Julian Kadish, Ronald O'Reilly, Marc Fernandes, Daniel Pearson, Lisa Carrozza, Tamah Vest Motion Carries |
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E. (DEP#250-1112)-ANRAD-0 S. Washington

(Map 24, Parcel 62) <https://tinyurl.com/ANRADOSWashington>

The proposed plan is to verify resource areas on the property.

(Continued from 8/22/2022 for 3 meetings)

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| Applicant/ Representative | Representative: Nicole Hayes; Goddard Consulting |
|----------------------------------|---------------------------------------------------------|

Nicole Hayes explains that they did a wetland delineation and had John Thomas come out on site and review the wetland lines. Nicole mentions that with help of the conservation director a few changes were made to the delineation. Nicole points out the areas in blue on the plan are the areas that were changed in the field. On the plans it shows the wetland lines at the top of the plans being extended further up and that she bumped out flag A40R, as well as connected what was thought to be an isolated wetland confirming that it is in fact a BVW. Nicole mentions that she has documented with several DEP data sheets to give ample data to the commission. John Thomas mentions that the only things that were different from what had been discussed was eliminating flags 27, 28, 29, and connecting from 26 to 30. John comments that he is comfortable



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with the lines provided those changes are made. Nicole agrees that she can make the change per John Thomas's comments. Nicole asks the commission if the project can be closed out with the promise of providing a new plan before the next meeting.

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| Motion to close the hearing for DEP#250-1112 made by Daniel Pearson | Seconded by: Ronald O'Reilly Aye: Julian Kadish, Ronald O'Reilly, Marc Fernandes, Daniel Pearson, Lisa Carrozza, Tamah Vest Motion Carries |
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**F. (DEP#250-1114) NOI – 306-308 East Main Street
(Map 5, Parcel 38 & 252)**

Proposed work is to add an addition to an existing warehouse, along with a detention basin and grading, all within 100ft of BVW.

(Continued from 9/12/2022 for 2 meetings)

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| Applicant/ Representative | Representative: None present |
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****Applicant requested a continuance until October 24th****

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| Motion to continue the meeting 10/24 made by Daniel Pearson | Seconded by: Ronald O'Reilly Aye: Julian Kadish, Ronald O'Reilly, Marc Fernandes, Daniel Pearson, Lisa Carrozza, Tamah Vest Motion Carries |
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**G. (DEP#250- 1115) NOI – 0 King Philip Road
(Map 19, Parcel 142)**

REQUESTED A CONTINUANCE UNTIL OCTOBER 24th

The proposed project involves the construction of a single-family residence with associated gravel access driveway, garage, utilities, and deck. The proposed work will occur within BLSF and the 100-Foot Buffer Zone to BVW.

(Continued from 9/12/2022 for 2 meetings)

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| Applicant/ Representative | Representative: None present |
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****Applicant requested a continuance until October 24th****



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|--------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Motion to continue the meeting 10/24 made by Daniel Pearson | Seconded by: Ronald O'Reilly Aye: Julian Kadish, Ronald O'Reilly, Marc Fernandes, Daniel Pearson, Lisa Carrozza, Tamah Vest Motion Carries |
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A. (DEP#250-1113) NOI- 0 East Hodges

(Map 36, Parcel 2-0)

Proposed work is to construct a single-family house, barn, pool, stormwater management infrastructure within 100-ft buffer zone to BVW, and the proposed barn within 200ft of Riverfront area.

(Continued from 9/26/2022)

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| Applicant/ Representative | Representative: None present |
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****Applicant has requested a continuance until October 24th****

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| Motion to continue the meeting 10/24 made by Daniel Pearson | Seconded by: Marc Fernandes Aye: Julian Kadish, Ronald O'Reilly, Marc Fernandes, Daniel Pearson, Tamah Vest, Lisa Carrozza Motion Carries |
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III. REQUEST FOR PARTIAL/ CERTIFICATE OF COMPLIANCE

A. (DEP#250-1067) COC – 116 Lincoln Street

(Map 13, Parcel 6)

Proposed work was to construct a single-family house.

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| Applicant/ Representative | None present |
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John Thomas confirms that the visual barrier is in place and the site is in compliance.

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| Motion to issue COC for DEP#250-1067 made by Ronald O'Reilly | Seconded by: Lisa Carrozza Aye: Julian Kadish, Ronald O'Reilly, Marc Fernandes, Daniel Pearson, Lisa Carrozza, Tamah Vest Motion Carries |
|---------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------|

B. (DEP#250-1077) COC- 14 John Scott Blvd



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(Map 32, Parcel 98)

Proposed work was to construct an in-ground pool with deck.

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| Applicant/ Representative | Representative: Norman Hill; Land planning |
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Norman Hill mentions that the survey crew went out on site and prepared an as-built plan, stating that all the disturbed areas are now stabilized. Norman does point out three changes that were made during construction. One change was the extension of the retaining wall, another change was that the area for parking was enlarged by installing impervious patio pavers. The last change that was made was instead of the rain garden they built an infiltration trench. Lisa Carrozza asks Norman to point out where the wall was extended. Norman points it out explaining that it wasn't on the original design plan. Lisa mentions where the infiltration trench is; she notes from last time she was onsite that that area did not drain well. John Thomas comments that the drainage in that area has been fixed and that when he was out on site that area seemed to be dry now. Lisa also comments that the infiltration trench does not look as large as designed originally, which Norman confirms is correct. Lisa asks if there will be any issues because of the size discrepancy of the trench versus the garden. Norman explains that there were no calculations made to help decide on the size of the infiltration area. Lisa comments that if that area does not infiltrate well the owner may want to expand the trench at some point if it is not effective. John Thomas comments that he went out on site several times and noted that the infiltration area was dry during those visits. John does comment that it has been a dry season and the commission can ask the applicant to monitor the infiltration area as a condition. John also mentions that if they need in the future to expand or change the infiltration area they can come back in front of the commission with proposed changes.

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| Motion to issue COC made by Lisa Carrozza | Seconded by: Ronald O'Reilly Aye: Julian Kadish, Ronald O'Reilly, Daniel Pearson, Tamah Vest, Lisa Carrozza Abstained: Marc Fernandes Motion Carries |
|--------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

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

V. REQUEST FOR SIGNATURES



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A. (DEP 250-38) 162 W. Main Street- Bella Music Conservation Restriction (Map 22, Parcel 127-01)

John Thomas explains to the commission that the conservation restriction needs to have wet ink signatures for this project. Once the signatures are received the applicant or owner will have the CR recorded as part of the agreement that was decided on by both parties.

VI. REVIEW DRAFT MINUTES

- 9/26/2022

Motion to accept minutes as revised made by Tamah Vest

Seconded by: Ronald O'Reilly

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

Abstained: Lisa Carrozza

Motion Carries

VII. NEW/OLD BUSINESS

- Site Inspections
- Report from Staff
- Fee Schedule

John Thomas explains to the commission that the office is working on updating the fee schedule, and asks the commission to review it when they have the time.

- Island Brook- Discussion for Executive Session

John Thomas mentions the potential of an executive session on October 18th to discuss the matter of Island Brook. John asks the commission to check their availability so that he can confirm with the attorney that a meeting will take place.

VIII. BILL SUMMARY

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

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

XI. 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:



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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/88274372141?pwd=dVFuZWRIUmhvZ0lOZlZwNldBUkNiUT09> . When prompted enter **Meeting ID:** 882 7437 2141 **Passcode:** 908208. 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.
 - 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.



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Respectfully submitted by: _____ Megan Harrop _____

Minutes approved by the commission on: _____ 10/24/2022 _____

Conservation Signature:

Name *Julian Kasler* Date *10/28/22*