



Norton Conservation Commission

70 East Main Street

Norton MA 02766

508-285-0275

Email: jthomas@nortonmaus.com

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

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2023 OCT 19 PM 3:42

Monday July 10, 2023

6:30 pm

****Remote Participation Only****

Next
Meeting:
7-24-23
8-14-23
8-28-23
9-11-23

<https://us02web.zoom.us/j/82781627093?pwd=Uit2SHNxbElraDh4S2tuVTN3UGgzdz09>

When prompted enter **Meeting ID:** Meeting ID 827 8162 7093 **Passcode:** 785403 Phone: 1-646-558-8656

Chairperson to read about Public Meetings:

Pursuant to Governor Healey's March 29, 2023 bill extending several Covid era policies and programs by allowing virtual meetings to continue from March 31, 2023 to March 31, 2025, 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.

Conservation Commission 07/10/2023 - YouTube

MINUTES

Attending

Julian Kadish, Chairperson
Mark Fernandes
Dan Pearson
Tamah Vest

John Thomas, Conservation Dir.
Megan Harrop, Conservation Secty.

Absent

Lisa Carrozza, Vice Chairperson
Ron O'Reilly

6:30pm Open Meeting

Chairperson Kadish welcomed Secretary Harrop back from maternity leave.



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I. NEW PUBLIC HEARINGS

A. DEP# 250-1128

NOI - 36 Dean Street- Goosebrook Garage Recycle, LLC.

(Map 3, Lot 31-01)

Applicant proposes to replace a failed sewage disposal system and install a concrete pad with underground waste oil tank compliant with MassDEP Regulations, 310 CMR 80.4 – 80.22 within buffer zone to BVW and Riverfront area.

Thomas told the Commission that he would have to contact the DEP regarding this file because it had been initiated largely at the DEP's request. No one was present to address the Commission on behalf of the applicant.

Motion to continue the hearing to the 7/24 meeting

1. Pearson

carries unanimously

Aye

Kadish Pearson

Abstain

Carrozza
Fernandes
O'Reilly

Nay

0

2. Vest

Vest

II. CONTINUED PUBLIC HEARINGS

A. DEP# 250-1126

ANRAD - 1 Dean Street- Rob Celberti

(Map 27, Lot 181-0)

Applicant is seeking confirmation of onsite resource areas.

(Continued from 4/24/23 for 5 meetings)

Rob Celberti addressed the Commission on his own behalf. Michele Grenier, who delineated the wetland, was also present. Thomas shared the plan with the meeting. Celberti had met with Thomas to do the flagging. There is a potential vernal pool and ILSF on the property. Thomas: A large BVW runs from the North to Southwesterly portion of the property and is rated as FEMA Zone X (low-to-moderate chance of flooding and within the 500-yr flood plain). In the middle of the northernmost part of the property, Thomas identified a place requiring more hydrophytic and hydrologic consideration as well as related delineation by flags. Thomas requested additional flags to the south and west of that area and the applicant provided them. (Thomas noted a non-jurisdictional pool, which it was necessary to identify for water quality certification.) Both the applicant and Thomas have filed vernal pool reports, expressing, among other things, the presence of species indicative of a vernal pool, e.g., salamanders and juvenile wood frogs. These would make the cite "certifiable" should the applicant choose to "go that route." On NE of site there is another area of concern that potentially connects to a similar area offsite. Most of the wetlands are delineated as flagged, and I would be comfortable with Commission issuing an ORAD provided vernal pool, e.g., were marked as thus. Kadish asked Thomas to confirm that the entire rear of the site is wetland. Thomas: Correct. Kadish had other questions about the mapping. Kadish: The site's upland would appear to provide only limited space for access. Thomas concurred and added that access would be "potentially feasible" if the applicant uses BMPs, etc.. Vest asked about the isolated wetland, which Thomas said didn't meet the criteria for being an ILSF, but also that the area might be more sensitive than a potential vernal pool. We



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received two late notices from Legal regarding the advertisement fee and we're waiting for payment. Celberti informed the Commission that he had paid the bill earlier in the day. Grenier, who delineated the wetlands in question, asked whether the Commission had a quorum. No.

Motion to continue to the 7/24 meeting

1. Pearson

2. Vest

carries unanimously

Aye

Kadish

Pearson

Vest

Abstain

Carrozza

Fernandes

O'Reilly

Nay

0

III. REQUEST FOR CERTIFICATE OF COMPLIANCE/ EXTENSION/ AMENDMENT

A. COC - DEP# 250-0070 – 172 W Main Street

Thomas found that the project hadn't been closed out that in the 1980s the applicant had done the work but not received a COC. Thomas: Since the grades haven't changed since the area was filled—and it is now vegetated—I recommend issuing a COC. Kadish: This file goes back to the early days of the WPA and NCC Chairperson David Opatka. The owner was angry, but a police officer in attendance and the applicant calmed down. It was noted that the extensions were non-controversial.

No further motions could be passed because of the lack of a quorum.

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

V. REVIEW DRAFT MINUTES

- 6/12/23

VI. OLD BUSINESS/ NEW BUSINESS

- Wading River Estates – Revised Site Plan Discussion

Brian M. Dunn, President of MBL Land Development and Permitting Group, 5 Bristol Drive, Easton, MA, addressed the Commission on behalf of Mason and Corcoran, applicants. Condominium development of 36 units. In front of the Commission about a year ago. They have a plan with the same number of units but a different design. Dunn showed a revised plan in which a swale "might be able to come in a little." There would also be less pavements and roadway and an overall decrease in the limit of work, which Dunn showed on the plan of the site plan. Kadish asked for confirmation of the area of work. Dunn: The site is off S. Worcester. Thomas: Summarizing for Dunn, whose audio was cutting in and out: You seem to be asking the Commission whether this plan is viable from the WPA. If you go through the process of an amended OOC, that should be fine. Turtles and other environmental issues must be dealt with. Thomas predicted an easy transition to the new design. Kadish: If the project is smaller in scope, it will probably be easy to facilitate.



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- Report from Staff

Thomas: We received another project today. Next meeting will have a busy agenda.

<u>Motion to adjourn the meeting</u>		<u>Aye</u>		<u>Abstain</u>	<u>Nay</u>
1. Pearson	<i>carries unanimously</i>	Kadish	Pearson	Carrozza	0
2. Vest			Vest	Fernandes	
				O'Reilly	

VII. 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/82781627093?pwd=Uit2SHNxblraDh4S2tuVTN3UGgzdz09>

When prompted enter **Meeting ID:** Meeting ID 827 8162 7093 **Passcode:** 785403 Phone: 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. Please 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.



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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: Daniel Pearson

Minutes approved by commission on:

8/14/2023

Conservation Commission Signature:


JULIAN KADISH