

Monday, January 10, 2011

Attendance

Kathleen Giblin (Vice-Chairman), Ron O'Reilly, Julian Kadish, Chris Baker and Jennifer Carlino, Conservation Agent

David Henry (Chairman), Earl Willcott and Lisa Carrozza were absent.

Minutes

The meeting started at 7:00 pm.

The members reviewed the Bills Payable Sheet (W.B. Mason Co., Inc.). Kathleen Giblin made a motion, seconded by Julian Kadish, to pay the bill. Approved.

The members reviewed the Bills Payable Sheet (MACC). Julian Kadish made a motion, seconded by Kathleen Giblin, to pay the bill. Approved.

The members reviewed the Bills Payable Sheet (Nextel). Chris Baker made a motion, seconded by Julian Kadish, to pay the bill. Approved.

The members reviewed the Bills Payable Sheet (Phil Benjamin). Kathleen Giblin made a motion, seconded by Julian Kadish, to pay the bill. Approved.

The members reviewed a Notice of Intent – **(#250-866) - Paul Barron – Parcel 174 (assessor's map 12) 55 Lincoln Street – (cont. from the December 20, 2010 mtg.)** - for proposed plans to construct a house and septic system within 100 feet of wetlands.

Document List

1. Notice of Intent (WPA Form 3)
2. Affidavit of service as to notification of abutters.
3. Notification to Abutters under the Mass Wetlands Protection Act
4. Certified abutters list from the Norton Assessor's Board
5. Wetland Border Report, dated March 22, 2010
6. USGS map portion and aerial photograph showing site locus
7. Supplemental Information for Endangered Species Review submitted to the NHESP
8. Plan entitled "Sanitary Disposal Design, Paul Barron, Lincoln Street in Norton, MA prepared by, signed and stamped by John F. Vance, Jr. with a scale of 1"=100' with latest revision of July 17, 2010.

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9. Pictures submitted by Shannon Ribeiro of 55 Lincoln Street.

Present at the public hearing were Paul Barron and John F. Vance, Jr., his engineer, who updated the members on the project and submitted revised plans to the members. Mr. Vance asked Jennifer Carlino to explain what the visual barrier is and she stated it is a barrier placed at the limit of work to prevent encroachment into the wetlands. Discussion ensued regarding where the visual barrier should be placed. Julian Kadish stated any limit of work within 100 feet of the wetlands should be marked with some kind of a barrier. Jennifer Carlino stated a visual barrier can be a post and rail fence, boulders, plantings, etc. She stated as long as the limit of work and visual barrier were shown correctly on the submitted plan, the public hearing could be closed.

Jennifer Carlino stated that information regarding the visual barrier and limit of work can be added as a condition in the Order of Conditions. Kathleen Giblin made a motion, seconded by Julian Kadish, to close the public hearing. Approved.

The members reviewed an Abbreviated Notice of Resource Area Delineation – (**#250-867**) – **Horizon Beverage Company – Parcels 1, 92 & 115 (assessors map 25) 45 Commerce Way** – for verification of wetland resource areas.

Document List

1. Abbreviated Notice of Resource Area Delineation WPA Form 4A.
2. Plan entitled “Anrad Plan of Land in Norton, MA prepared for Horizon Beverage by J.K. Holmgren Engineering, Inc. with a scale of 1”=100’, signed and stamped by Edward P. Jacobs dated December 16, 2010.
3. Aerial view pictures of the property.

Present at the public hearing were Mark Manganello of LEC Environmental Consultants, Inc. and representative for the applicant, Mark Dibb of C & A Architectural Design & Engineering, LLC, Project Manager and Civil Engineer for the project and John Holmgren of J.K. Holmgren Engineering, Inc. surveyor and engineer for the project. Mr. Dibb stated this site is the former GM site.

Mark Manganello stated that this site consists of two other parcels with a total of 70 acres. He said there is some existing development on the property such as a large warehouse with associated parking and storm water management basins. He said existing conditions include forested wetlands and uplands in the northerly western section, wet meadows and open upland meadows. He submitted recent aerial photographs of the site.

Mr. Manganello stated the resource areas associated with this filing are bordering vegetated wetlands, a riverfront area and bank. He said these resource areas are associated with a stream that starts at the northern portion of the site. He stated part of this applications is seeking confirmation of the area where the stream changes from an intermittent stream to a perennial stream. Mr. Manganello stated information is available on the stream in the application.

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Mr. Manganello stated there are three non-jurisdictional Isolated Vegetated Wetlands upgradient of the bordering vegetated wetland boundaries. He stated these could be the result of recent grading on the property as well as a few storm water basin issues. He pointed out an area of wetland restoration that was a result of an enforcement issue approximately five to ten years ago which was completed.

Mark Dibb pointed out an area at the back of the building for a proposed addition of warehouse space and an area at the front of the building for an office. Both will be included in a new filing in the near future by Horizon Beverage.

Jennifer Carlino asked Mr. Manganello to briefly describe the riverfront area and supplemental information submitted on the stream. He stated that the existing stream is listed as perennial on the USGS map and in order to deem a portion of it intermittent, the stream would have to be non-flowing during a non-drought period. He stated that the pictures included with the ANRAD dated August 31, 2010, September 1, 2010, September 2, 2010 and September 3, 2010 showed the no-flow conditions of the stream during a non-drought period. He said he submitted documentation confirming the monitoring of the stream and any outside activities that might alter the flow of the stream. He stated there were no outside activities, natural or by anyone, that would alter the stream in any way. Jennifer Carlino stated the mean annual high water mark as well as the bank was flagged on the revised plan. The bank is still present in the intermittent portion of the stream and will be listed in the Order of Resource Area Delineation. Kathleen Giblin made a motion, seconded by Chris Baker, to close the public hearing. Approved.

The members reviewed a request for a Certificate of Compliance for File **#250-861 – Alec Rich III, Ricci Custom Builders, LLC – Lot 3, Parcel 304 (map 26) North Worcester Street**. Jennifer Carlino stated the topo has been added to the plan, but, because of all the snow, she could not see if the grass was growing yet and if the ground was stabilized. Ron O'Reilly stated he had seen the grass growing. Kathleen Giblin made a motion, seconded by Julian Kadish, to issue a Certificate of Compliance. Approved.

The members reviewed a request for a Certificate of Compliance for File **#250-860 – Donald Abbott – Parcel 168 (assessors map 35) 3 Hampshire Court**. Jennifer Carlino stated the project was completed and the area was stabilized. Kathleen Giblin made a motion, seconded by Chris Baker, to issue a Certificate of Compliance. Approved.

The members reviewed a request for a Certificate of Compliance for File **#250-570 – (sewer project) Michael Meede – Parcel 138 (assessors map 19) 69 King Phillip Road**. Jennifer Carlino stated the project has been completed. Kathleen Giblin made a motion, seconded by Julian Kadish, to issue the Certificate of Compliance. Approved.

The members reviewed a request for a Certificate of Compliance for File **#250-642 – Ted Nippert, Taylor Court Condominium Association – Parcels 46-13 (A-D) (assessors map 15) 21, 23, 25 & 27 Taylor Court**. Jennifer Carlino stated that because of the 12" of snow, she could not inspect the

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property to see if it was stabilized. Jennifer Carlino stated this parcel is for one building with four units. It was decided to table the Certificate of Compliance until the next regular meeting of Monday, January 24, 2011 to allow an inspection of the property to ensure the stabilization.

The members reviewed the License Agreement (Lease) for Norton Kayak Company, Inc. Jennifer Carlino stated nothing has changed from last year's license. Julian Kadish made a motion, seconded by Kathleen Giblin, to sign the License Agreement (Lease) for Norton Kayak Company, Inc. Approved.

The members reviewed the License Agreement (Lease) for LL Bean Company. Jennifer Carlino stated nothing has changed from last year's license. Chris Baker made a motion, seconded by Kathleen Giblin, to sign the License Agreement (Lease) for LL Bean Company. Approved.

Jennifer Carlino noted that a Town Meeting is scheduled for Wednesday, January 19th. She said the Water Department has an Article on the warrant to do a drinking water feasibility study. She said the Water Superintendent would like to include the Norton Reservoir for drinking water and reminded the Commission the reservoir is owned by the Conservation Commission. She said that, according to the Water Department, one of the existing wells is contaminated and a new drinking water supply is needed. She stated that if the reservoir became drinking water, fishing, boating, fertilizing, etc. would not be allowed. Kathleen Giblin suggested having the Water Superintendent appear before the Commission to discuss this issue.

Jennifer Carlino stated that the Canoe River has been a stressed basin for years and no more wells are permitted on this river in Norton or in any of the neighboring towns within the Canoe River Aquifer. She said Norton was signed up for desalinization, but the Water Superintendent does not want to pursue this because Mass Highway will not allow the Water Department to run the pipes along Route 495.

Jennifer Carlino stated the two Forestry projects, Lincoln Woods and the Gertrude Cornish Town Forest, are almost completed. She asked the members if they would be interested in having the Leo Yelle Conservation area checked to see if it needed some kind of management. She stated the area consists of 80 acres and the Norton Historical Society owns 80 or 100 acres adjacent to it. She said it would be the same as the previous two forestry projects with a selective cut and a stewardship plan. Jennifer Carlino suggested walking the site and Chris Baker offered to walk the site also.

Jennifer Carlino stated a Superceding Order of Conditions has been received for project file #250-863 – Alice Baker – 102 Leonard Street. She said DEP has approved the project as permitted.

Jennifer Carlino stated the Open Space Survey is finished and said she has the results if any one would like a copy. She stated they should decide if there are any properties they would like to preserve and also what their goals and objectives are for the next seven years.

Kathleen Giblin made a motion, seconded by Julian Kadish, to adjourn the public meeting at 8:05 pm. Approved.

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Minutes Approved by Committee on: _____
(Date)

Respectfully submitted,

Signature:

(Name)

Chairman, _____
(committee)

