

Monday, March 28, 2011

Attendance

David Henry (Chairman), Ron O'Reilly, Earl Willcott,
Lisa Carrozza, & Chris Baker and Jennifer Carlino, Conservation Agent

Kathleen Giblin (Vice-Chairman) and Julian Kadish were absent

Minutes

David Henry called the meeting to order at 7:00 pm.

The members reviewed the draft minutes of **February 28, 2011**. The draft minutes were tabled until the next regular meeting for lack of a quorum.

The members reviewed the Bills Payable Sheet (Allegra Print). Ron O'Reilly made a motion, seconded by Earl Willcott, to pay the bill. Approved.

The members reviewed a Notice of Intent – (#250-868) - **Horizon Beverage Co./Michael Epstein, - Parcels 24-115, 25-1 & 25-92 (maps 24 & 25) 45 Commerce Way- (cont. from the March 28, 2011 meeting)**.

Document List

- | | |
|----------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1. Notice of Intent – WPA Form 3 | 11. Comment letter from Jennifer Carlino to MEPA dated February 14, 2011. |
| 2. Project Narrative | 12. Environmental Notification form |
| 3. Locus Map | 13. Plan entitled "Horizon Beverage Existing Conditions Plan for 45 Commerce Way, Norton, Mass dated 1/21/11 with a scale of 1"=100'. (Sheets 1 & 2) |
| 4. Soils Map | 14. Plan entitled SITE PLAN Distribution Center, Horizon Beverage Company, 45 Commerce Way, Norton, MA, March 28, 2011. Sheets 1-15. |
| 5. Copy of previously issued ORAD | 15. Project comment letter from Jennifer Carlino to Mark Dibb dated March 24, 2011. |
| 6. Stormwater Checklist | |
| 7. ANRAD Plan | |
| 8. Site Plans | |
| 9. Buffer Zone restoration plans | |
| 10. Certificate of the Secretary of Energy and Environmental Affairs on the ENF. | |

Present at the public hearing were Mark Dibb from C & A Engineering Services, LLC, Don O'Neill and Jeff O'Neill of Condyne LLC and Mark Manganello of LEC Environmental. Mark Dibb stated that

Norton Conservation Commission
Monday, March 28, 2011
Minutes, Page 2.

Horizon Beverage Company is a family-owned business located at Avon, MA. He said it is their intention to move their corporate offices to 45 Commerce Way, the former GM Building. Mr. Dibb stated the site consists of the 55-acre parcel which is 45 Commerce Way, a Norton Commerce Center parcel at the front and a Norton Commerce parcel out back. He said that the building consists of 400,000 sq. ft. of which 380,000 sq. ft. is the warehouse, 20,000 sq. ft. is a front office, with a loading area to the southwest and employee parking at the front.

Mr. Dibb stated the site was developed in 2004 and 2005 with permits being issued. The existing drainage system consists of deep sump catch basins, proprietary separation units, Vortech units and 3 catch basins with sediment forebays.

Mr. Dibb explained that a 60,000 sq. ft. two-story (30,000 sq. ft. each floor) office addition is proposed at the front of the building and a 100,000 sq. ft. addition to the rear of the building. He stated that parking would be increased to handle the additional employees. He said there will be an additional main truck entrance off of Commerce Way with a secondary truck entrance off of South Washington Street with additional parking for 40-50 Horizon Beverage trucks.

Mr. Dibb explained that a 9500-gallon diesel fuel facility is proposed as well as additional dock doors on the warehouse. He said the drainage will be upgraded to handle the impervious areas to include an additional basin at the front of the building and an additional basin at the back of the building. He stated that there was a MEPA review in February and, as a result of their requests, there have been a few changes made to the application as follows:

1. a notch has been made in the building on the plans in order to pull the access road that goes around the building 20 feet further away from the wetlands.
2. a 4-foot high wall consisting of the boulders on site will be constructed in order to pull the bottom slope another 8 feet from the wetlands.
3. as a result of the Planning Board requirements, the parking spaces will be slightly reduced or kept for future use.
4. because of work within the 0-25-foot no-disturbance zone, two buffer zone restoration areas have been provided with planting schedules.

Mr. Dibb stated that the applicant is going to provide restoration on the poorly-graded portion of the project site which should help with the drainage. He said they have had a couple of meetings with the Planning Board so far with another one for tomorrow night. He said they went through the MEPA process with an ENF Submittal and received a "No EIR" decision. Mr. Dibb stated he has received a copy of the Planning Board's consultant's review report of the drainage with technical comments and suggestions. He said he has received a copy of Jennifer Carlino's comments. He submitted revised plans.

Chris Baker asked where the area to wash trucks is located and Mr. Dibb stated there are no plans to wash trucks on the property.

Mark Dibb stated he had Jennifer Carlino's comment letter and responded to the comments as follows;

The Norton Conservation Commission has received the Notice of Intent application for Cabott II -MA1B1 at 45 Commerce Way, Norton MA. As you are aware the application is incomplete. The following items will need to be submitted to the Conservation Commission prior to the close of the public hearing:

- 1. Drainage Report and calculations, signed and stamped Storm Water checklist**
- 2. SWPPP**
- 3. Long Term Pollution Prevention Plan**
- 4. O&M Plan**
- 5. Signed Illicit Discharge Statement**
- 6. Site Plan Detail sheets**

Mark Dibb stated items 1. through 6. will be finalized after tonight's meeting and after tomorrow night's meeting with the Planning Board.

Upon review of the submitted application and plans, I offer the following comments and questions:

- 7. Please submit copies of correspondence between the applicant/applicant's representatives and the Planning Board's consulting engineer;**

Mark Dibb stated that the Conservation Commission should have Amory Engineer's comments at this time, who is the Planning Board's consultant for projects and Jennifer Carlino stated that she did receive them today.

- 8. Please submit a construction sequence.**

Mark Dibb stated he will be submitting a construction sequencing report even though most of the work is going to be done at the same time, first the warehouse addition, then the foundation for the office and then the interior construction of the office. Lisa Carrozza described what the sequence should include.

- 9. Please describe how the detention basins will be converted to an infiltration basin and include evidence that the bottom of the basin will meet a two-foot separation to groundwater. This portion of the Three-Mile River ACEC may be impacted by rising ground water elevations expected with recent climate change models because portions of the Taunton River do have tidal influence. Was climate change taken into account when preparing the storm water management program?**

Mark Dibb stated that the existing basins are designed as detention basins with outlet control structures that manage pre-discharge and post-discharge rates. He said that the two additional basins will be designed like the large basins on site. He stated the elevations of the bottoms of the existing basins will not change. Lisa Carrozza asked about the expanded basin and Mr. Dibb replied

that over 50 test holes were dug for the GM Building and he used that data to design this basin. He said that basin will be over excavated and two feet of pervious material will replace it. Chris Baker asked if there was a plan for snow removal and storage and Mr. Dibb replied that several areas have been highlighted on the plans and he said vegetated areas would probably be used if permitted.

Jennifer Carlino asked if the revised plans showed the ground water elevation for each basin and she asked if when the over digging of the additional basins is done she asked if this would be within the water table and Mark Dibb replied it would not.

10. Please label the basins on the plan. Please add sediment forebays to the basins and address any needs for emergency spillways.

Mark Dibb stated the emergency spillways have been added. He said that the proprietary treatment structures and deep sump catch basins are being used as the pre-treatment. He stated that sediment forebays are existing within the large basins and similar forebays are proposed for the two new basins but not for the other two existing basins.

11. Please infiltrate the roof runoff separately, reducing the size of the infiltration basins and the proximity to the bordering vegetated wetland.

Mark Dibb stated there is an existing sub-surface system that will continue and pointed out to the members the different areas of runoff on the revised plans. He said the soils do not support separate infiltration.

12. The existing basins appear to have a problem with a break out of water. Please describe in detail how this will not occur with the new basin designs.

Mark Dibb stated that Jennifer Carlino is making reference to new Isolated Vegetated Wetlands on site and he believed that those wetland areas are directly downstream of the outlets. He stated they are a result of poor grading.

13. The large, flat basin may increase water temperature as the discharged water enters the wetland, which could adversely impact the wetland and wildlife habitat interests. Please address the temperature of the water as a discharge.

Mark Dibb stated that the basins are designed with a drawdown of 72 hours or less. He said that because of this and the infiltration, the temperature of the water in the basins should not change much.

14. There appears to have been some significant efforts to reduce the potential impacts to wetlands near flags W35 through W43 by reducing a corner of the proposed addition and providing upland restoration in the Riverfront Area. These are both excellent suggestions and the Commission is pleased that their comments during the MEPA process were genuinely considered. However, the grading plan still

shows significant work constructed directly adjacent to the wetland. It does not appear that this roadway can be constructed as proposed without having negative impacts to the wetland during and post-construction. Please describe the purpose of this second access way. As I understand it, there are two separate entrances in the main entrance location to separate truck and pedestrian traffic, Presumably, the second access roadway is for fire and maintenance access around the building. Can this second access roadway be a one-way? If delivery trucks use the truck entrance at the main entrance location, the second access road could be reduced to half the proposed 25-foot width and provide a significant reduction in the alteration of land directly adjacent to the wetland. Alternatively, it appears that a short section of retaining wall could also limit the amount of alteration, There appear to be adequate boulders on the property that are scheduled for relocation with which to construct a retaining wall. Please investigate both options.

Mark Dibb stated that he addressed a portion of this issue by providing a revised detail sheet showing a notch in the building. He stated the applicant does not want to change the second access road to a one-way road and is requiring that it remain a two-way road, therefore, a boulder retaining wall will be added.

Mark Dibb asked Jennifer Carlino if she wanted him to address the comment letter from Amory Engineers and she stated the Commission has not had a chance to review it yet.

Lisa Carrozza mentioned to Mark Dibb that an area of existing boulders was on the footprint for one of the basins and he replied they were going to be moved and used for the retaining wall. Lisa Carrozza suggested putting up erosion control when that is done. She suggested restoring that area with ground cover after the boulders are removed.

Lisa Carrozza requested to have the proposed boulder wall staked on-site before construction because it appears to be very close to the 25-foot no disturbance zone and Mark Dibb agreed this would be done.

Lisa Carrozza asked Mr. Dibb if any of the comments regarding the drainage by the peer review, Amory Engineering, suggested the re-location of any of the basins. Mr. Dibb replied he did not think there were. She asked Mr. Dibb if there was any secondary containment for the diesel fuel on site for the trucks and he replied that the concrete area adjacent to the fuel was large enough for the ponding of the fuel if there was a leak. He said there was also a shut-off valve, double grate catch basin that will feed to an oil/grit separator that will go through a manhole with a knife valve that will shut off the pipe. There will be a plastic cover on the valve with warnings and instructions on how to shut the valve off. Lisa Carrozza asked Mr. Dibb how many acres were going to be disturbed and he stated the new impervious area will total about 8 acres. She stated he would have to do a SWPPP report and she will be looking to review a detailed construction sequencing. She stated that the conversion of the existing detention basins will have to be

constructed last to avoid sediment clogging them during the excavation. She stated detailed construction sequence will have to be included in the SWPPP report for the contractor.

Lisa Carrozza stated that according to the details for the catch basin sediment trap detailed use of hay bales will not be sufficient and a gravel drop with over-excavation with some stone and, in addition, some type of geo tech style fabric or silt fence because there will be exposed areas and landscaping to be done. She made note of the future parking areas and assumed they would be grassed areas and Mark Dibb replied there will be berms along the front of the grassed areas but the infrastructure of the drainage will be in place at this time. Lisa Carrozza asked Mr. Dibb if both exits and entrances on Commerce Way and South Washington Street will be used during construction and Mr. Dibb replied he did not know and would look into this. Lisa Carrozza asked Mr. Dibb if he had given any thought to infiltrating parking area water runoff and he stated that the system would have to be too large and that the careful design of the catch basins should take care of any water runoff.

Jennifer Carlino suggested discussing groundwater and climate change. Mark Manganello of LEC Environmental responded by saying the issue of climate change has come up in other towns and he has seen engineering projects to accommodate climate changes. He said that he recently had a chance to review a few recently published scientific journal articles on this subject.

He stated that human-induced greenhouse gasses are believed to have caused climate changes according to the latest scientific data. He said a state law called Mass Global Warming Solutions Act was passed by the Governor in 2009. He said this act targets green house gasses, believed to be the largest cause of global warming. He said there is very little technical guidance for engineers at the present time and they have to rely on site specific or watershed specific hydrogeological analysis and cross referencing the data with existing conditions at the site. Mr. Managanello stated that, in his opinion, complying with DEP storm water regulations at this time is sufficient.

Lisa Carrozza made a motion, seconded by Ron O'Reilly, to continue the public hearing until the next regular meeting of Monday, April 11, 2011. Approved.

The members reviewed a request for a Certificate of Compliance for File **#250-590 – Wheaton College – Parcel 14 (Assessor's Map 17) East Main Street (sidewalk/landscaping around Peacock Pond)**. Jennifer Carlino stated the project was completed according to the approved plans. Lisa Carrozza made a motion, seconded by Ron O'Reilly, to issue the Certificate of Compliance. Approved.

Norton Conservation Commission
Monday, March 28, 2011
Minutes, Page 7.

The members reviewed a request for a Certificate of Compliance for File #250-786 – **Wheaton College – Parcel 14 (Assessor's Map 17) East Main Street (dredge Peacock Pond/retaining wall)**. Jennifer Carlino stated the project was completed according to the approved plans and the Professional Engineer confirmed the amount of dredged material was consistent with the permit. Lisa Carrozza made a motion, seconded by Ron O'Reilly, to issue the Certificate of Compliance. Approve.

Office of Dam Safety Update

Jennifer Carlino stated she has received another non-compliance letter for the Reservoir dam. She said she has sent two letters requesting extensions and spoke with William Salomaa of the Office of Dam Safety. She said this will at least extend the deadline until after Town Meeting on June 6th probably until July 1st. She said the Article on the Town Meeting warrant is for the embankment repairs and she has submitted funds for the two 6-month follow-up inspections in the regular budget and funds for the Phase I inspection to be re-done since the repairs to the Norton Reservoir dam have not been done.

Update – 157 Mansfield Avenue kerosene spill

John Sullivan, manager of the mobile home park at 157 Mansfield Avenue addressed the board with an update. He stated that on January 29, 2011 there was an outdoor oil tank spill at the first unit at 157 Mansfield Avenue. He said most of the old oil had leaked out, but work started immediately to clean it up. He said that Jennifer Carlino had received an email updated report from the engineer and she stated that it was over a month ago and would like another update. Mr. Sullivan stated that since then soils have been sent out for testing, beginning at the Reservoir and then towards the house. Mr. Sullivan presented a large hand-drawn plan with a pie-shaped wedge representing the area tested. He said samples near the water, and as far away as twenty feet, were clean and only the soils under the coach seemed to be contaminated. He said the area has been back-filled with gravel and there are several locations where bacteria can be injected to try and get rid of the rest of the oil. Mr. Sullivan stated that after the remaining tests are received, which are due this week, a document will be filed electronically with DEP.

He stated once they are given the ok, the grade will be brought up for the excavated areas and an application for a Notice of Intent will be filed for the restoration. He stated silt fence has been installed already. He said a stone-lined trench will be installed under the ground surface to catch any additional oil that will be directed toward a drywell equipped with materials to absorb the oil as well as a manhole for observation. He stated no new evidence of oil closer towards the water has been found within the past two weeks. Mr. Sullivan stated the stock-piled contaminated soils will be removed from the site once permission is given from DEP. Jennifer Carlino asked about the exposed side slope and Mr. Sullivan replied that new gravel has been placed on the side slope.

Norton Conservation Commission

Monday, March 28, 2011

Minutes, Page 8.

He presented pictures showing the side slope. He stated a boom was in place as well as a silt fence.

David Henry asked Jennifer Carlino if an Operations and Maintenance Plan has been received for the snow removal violation at the Great Woods Plaza and she replied she had met with John Theris, Property Manager for Gator Investments and he is choosing to do his own Operations and Maintenance Report. She stated she had given him a copy to use as a model. She said he will be submitting a draft report. She said copies of the plaza plans were made and he will be paying for them.

Lisa Carrozza suggested that the maintenance company submit receipts during the year to show what maintenance is being done on the property. Jennifer Carlino stated at the time she does a site walk with Mr. Theris she will check the catch basins for debris. She stated EPA will soon be requiring annual inspections for all sites that utilize an Operations and Maintenance Plan. She said she will be trying to begin the inspections ahead of time to get the maintenance managers used to the inspections.

David Henry noted that a letter had been received from SRPEDD regarding the SRPEDD Annual Awards Request for Nominations and ask if anyone had a SRPEDD member in mind to nominate.

Earl Willcott stated he would be resigning from the Conservation Commission and tonight would be his last evening on the board. David Henry stated an application to be on the board had been received from Michele Simoneaux of Norton.

Jennifer Carlino noted that the South Coast Rail draft Environmental Impact Report is available. She stated there is a public hearing on May 4, 2011 at 7:00 pm at the Qualters Middle School, 240 East Main Street, Mansfield. She said MEPA comments are due by May 27, 2011.

Ron O'Reilly made a motion, seconded by Earl Willcott, to adjourn the public meeting at 7:58 pm. Approved.

Minutes Approved by Committee on: _____
(Date)

Respectfully submitted,

Signature:

(Name)

Chairman, _____
(committee)