

Monday, April 25, 2011

Attendance

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

Minutes

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

The members reviewed the draft minutes of **March 14, 2011**. Kathleen Giblin made a motion, seconded by Ron O'Reilly, to accept the draft minutes as written. Approved. Lisa Carrozza, David Henry and Chris Baker abstained from voting.

The members reviewed the draft minutes of **March 28, 2011**. Lisa Carrozza made a motion, seconded by Ron O'Reilly, to accept the draft minutes as written. Approved.

The members reviewed the Bills Payable Sheet (Con. Vehicle). Kathleen Giblin made a motion, seconded by Lisa Carrozza, to pay the bill. Approved.

The members reviewed the Bills Payable Sheet (Misc.). Kathleen Giblin made a motion, seconded by Chris Baker, to pay the bill. Approved.

The members reviewed a Request for a Determination – **(DET. #966) – John Giddings – Parcel 75 (Assessor's map 32) – 17 Eileen Road** – for proposed plans to stabilize soils and to install a patio and landscaping within 100 feet of wetlands and floodplain.

Document List

1. WPA Form 1-Request for a Determination of Applicability
2. USGS Topo map
3. FEMA Firm map
4. Portion of a larger plan entitled Sewage Disposal Plan for Lot 87, Eileen Road, Norton, MA Prepared by RIM Engineering Company, Inc., Scale of 1"=20', signed and stamped by Ralph I. Maloon, Proposed patio and loaming and seeding drawn on plan submitted on April 11, 2011.

Jennifer Carlino stated that this project was originally a violation. She said that even though the flood plain had been altered, it was not the home owner's fault because the previous building inspector was

Norton Conservation Commission

Monday, April 25, 2011

Minutes, Page 2.

not referring residents to the conservation office to have their proposed projects reviewed. If he had, the residents would have known whether or not they needed a wetland permit for their project. She said the work that has been done within the flood plain area was not done closer to the wetlands than was permitted on the original permit for construction of the house. She said the alteration is located on the existing lawn which consists of re-grading and construction of a retaining wall made out of boulders. She presented pictures which showed the floodplain right up to the house and areas where the grass seed had been washed away. She noted that the applicant proposes the construction of a patio within the floodplain area.

Lisa Carrozza asked Mr. Giddings what the proposed patio was going to be constructed of and he replied it would be constructed of crushed stone. He stated the backyard has been flooded in the past and would like some type of patio that will remain the same after the flooding. Julian asked Mr. Giddings if the materials used to create the retaining wall were pulled out of the floodplain area and Mr. Giddings replied they were not. Julian Kadish asked about the re-grading and Jennifer Carlino stated there were not pictures showing the grade before and unless a trench was dug through the retaining wall, the grading could not be compared to the previous grading.

Jennifer Carlino said this permit will permit the work already done and allow for a patio and grassed area to stabilize the area. She suggested to Mr. Giddings that he would probably have to use a material on the second level of the retaining wall area that will withstand flooding where it is within the floodplain. She suggested the planting of shrubs. Mr. Giddings stated that since 1991, the back yard has flooded at least 7 or 8 times. Jennifer Carlino stated she has a list of wetland shrubs that she will give to the Giddings.

Jennifer Carlino said she noticed that grass clippings were being dumped on the edge of the wetlands and Mr. Giddings stated these were from mowing the grass. Ms. Giddings noted that the neighbors have been dumping their clippings there as well. Jennifer Carlino stated a new composting area would have to be found and offered to help the Giddings to find a spot on their property to put the grass clippings. Jennifer Carlino asked if the mulched area washes away and Ms. Giddings replied it does not.

David Henry asked that the Conservation office be notified as to what material the patio would be constructed. Lisa Carrozza made a motion, seconded by Kathleen Giblin, to close the public hearing. Approved. Julian Kadish made a motion, seconded by Lisa Carrozza, to issue a negative (#3) Determination of Applicability as long as the work is done according to the approved plans. Approved.

The members reviewed a Notice of Intent – (#250-869) – **Duane Knapp/Town of Norton Water Department – Parcel 3 (Assessor's Map 19) Plain Street** – for proposed plans to install a water line to the well #4 water main within 100 feet of wetlands and flood plain.

Document List

1. WPA Form 3 – Notice of Intent
2. Appendix A: Project Description

Norton Conservation Commission

Monday, April 25, 2011

Minutes, Page 3.

3. Appendix B: Stormwater Report
4. Appendix C: Projects Maps
5. Appendix D: Project Plans and Details
6. Appendix E: Contract Specification
7. Appendix F: Abutters List
8. Appendix G: Affidavit of Service
9. Appendix H: Wetlands Delineation Memo
10. Appendix I: Request for a Advisory Opinion
11. Plans entitled "Town of Norton, Massachusetts Water Department, Well #4 Water Main Improvements", (Sheets C1 & C2) prepared by Weston & Sampson, dated April 11, 2011 and signed and stamped by Leah E. Stanton. Scale 1" = 20'.

Present at the public hearing were Leah Stanton, Derek Dilaj, Project Managers, of Weston & Sampson, and Duane Knapp, Water Superintendent.

Leah Stanton described the project to the members. She stated that the applicant proposes to install 600 feet of water main at Well #4 which is a ground water station. Duane Knapp noted that new ground water rules have been created. Ms Stanton said that, because of the new rules for ground water, the criteria has changed. She stated the new rules require providing Log-4 virus inactivation contact time for the well as well as a chlorine analyzer. Ms. Stanton noted that the best scenario is to run a new 12-inch water main along the existing water main for 300 feet and back again 300 feet. She said this would allow for the virus inactivation contact time as well as provide room to put the chlorine analyzer.

Ms. Stanton stated the water main is proposed within the floodplain, 100-foot buffer zone, but is not within the 200-foot River-front Area. She said the project is within the ACEC and MEPA has been notified. Ms. Stanton noted that both pipes will be placed in the same trench. She said a representative from her office has met with Jennifer Carlino on site and erosion control will be in place to protect the wetlands.

Lisa Carrozza asked what the distance between the trench and the work limit is and Ms. Stanton replied that the access road is approximately 15-16 feet wide. Lisa Carrozza asked how an excavator can move about in such a tight area when stockpiling of material may be necessary. Duane Knapp replied that as each 20-foot section of pipe is placed in the trench, the dirt will be put into a dump truck following to back fill each trench as each pipe is put in place. He said there will not be any major stockpiling of material.

Lisa Carrozza mentioned to Ms. Stanton that the specs did not match with the duration of the work. She noted it was stated that "exposure will be greater than two months, in areas that the exposure period is greater than two months temporary vegetation, mulching or other protective measures shall be provided." Lisa Carrozza asked Ms. Stanton if she had provided other protective measures and Ms. Stanton replied it would be the siltation fence. Lisa Carrozza noted this was sediment control, not erosion control. Duane Knapp stated he has truck loads of woodchips if needed. Lisa Carrozza asked

Norton Conservation Commission

Monday, April 25, 2011

Minutes, Page 4.

Ms. Stanton to check her specs listed on the standard form which differed from the project description. She said the specs referenced the time frame for the project lasting at least two months, but in the job description it was noted the project would only take two weeks. She asked if the applicant proposes to dewater and Derek Dilaj replied the applicant does not plan on dewatering. Lisa Carrozza requested that if dewatering was proposed, that the applicant get approval for the discharge point before dewatering.

Ms. Stanton stated she had received a file number for the project which is #250-869. David Henry noted that the public hearing cannot close until the payment for the publication of the legal notice is received. Duane Knapp stated he would submit a check within two weeks. Kathleen Giblin made a motion, seconded by Ron O'Reilly, to continue the public hearing until the next regular meeting of Monday, May 16, 2011. Approved.

The members reviewed the draft Order of Conditions for the Notice of Intent – **(#250-868) - Horizon Beverage Co./Michael Epstein, - Parcels 24-115, 25-1 & 25-92 (maps 24 & 25) 45 Commerce Way** for proposed plans for an addition and upgrading of parking, drainage and access areas within 100 feet of bordering vegetated wetlands. The following amendments were suggested;

1. Ron O'Reilly pointed out a typo in conditions #24, #36 & #45.
2. David Henry noted that the words "spill prevention plan" be added to condition #10 c.
3. Jennifer Carlino had several amendments to list as follows;
 1. in conditions #17 & #18, the words erosion control should read "erosion sediment controls".
 2. Jennifer Carlino noted that in condition #24 the word "lot" should read "parcels".
 3. Jennifer Carlino noted that in condition #25 the word "wetland" should read "upland".
 4. Jennifer Carlino noted that in condition #26, the words "as outlined in the SWPPP and on the erosion control plans" will be added after the word "sequence,".
 5. Jennifer Carlino noted that in condition #28 the word "proponent" should be changed to "applicant".
 6. noted that in condition #31, second sentence should begin with the word "Sediment" instead of "Erosion".
 7. noted that in condition #32, the word "sediment" should come after the work erosion.
 8. noted that in condition #33, the word "temporary" should be inserted before the word "stabilized", the words "with a tacifier, placed the same day as" will be replaced with the words "within 14 days of".
 9. noted that in condition #34 a sentence will be added at the end to read "Discharge shall not create scouring at the outlet location.
 10. noted that in condition #35, the word "located" shall be added to the first sentence after the words "shall be" and the words "or placed in dumpsters." shall be placed at the end of the sentence.
 11. noted that in condition #45, the word "inlet" should be inserted after the word "basin".
 12. noted that Lisa Carrozza requested to remove condition #46.

Norton Conservation Commission

Monday, April 25, 2011

Minutes, Page 5.

15. noted that in condition #47, the words “silt fence” will replace the words “hay bale” and the words “except as shown on the plan,” shall be inserted after the word “established”.

Kathleen Giblin made a motion, seconded by Lisa Carrozza, to accept the draft Order of Conditions, as amended. Approved.

The members discussed the Enforcement Order for the violation for 8 Young Avenue. Jennifer Carlino stated this was the second violation where new trails have been cut and a boardwalk has been installed on Conservation property. She said the owner of 8 Young Avenue has ignored the Enforcement Order and the previous letter sent regarding the violation. She said her letters have been refused by the owner. Kathleen Giblin made a motion, seconded by Lisa Carrozza, to send a final letter with copies of the previous letter and Enforcement Order attached stating the boardwalk will be removed if the letter is ignored and the Conservation Office is not contacted before the regular meeting of Monday, June 13, 2011. Approved.

Jennifer Carlino stated she would like to have a support letter for the Open Space and Recreation Plan signed by the Commission members for next meeting.

Jennifer Carlino asked the members if they had any comments on her letter to Tom DeLuca, Chairman, Finance Committee regarding the possible removing of the Norton Reservoir dam. The members agreed that the letter was fine as is.

Kathleen Giblin made a motion, seconded by Ron O'Reilly, to adjourn the public meeting at 7:56 pm. Approved.

Minutes Approved by Committee on: _____
(Date)

Respectfully submitted,

Signature:

(Name)

Chairman, _____
(committee)