

Monday, March 26, 2012

Attendance

David Henry (Chairman), Ron O'Reilly (Vice-Chairman), Julian Kadish, Lisa Carrozza, Michele Simoneaux, and Jennifer Carlino, Conservation Agent

Chris Baker was absent.

Minutes

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

The members reviewed the draft minutes of **January 23, 2012**. Ron O'Reilly made a motion, seconded by Michele Simoneaux, to accept the minutes as written. Approved.

The members reviewed the Bills Payable Sheet (Misc.). Ron O'Reilly made a motion, seconded by Michele Simoneaux, to pay the bill. Approved.

The members reviewed the Bills Payable Sheet (Pare Corp.). Lisa Carrozza made a motion, seconded by Michele Simoneaux, to pay the bill. Approved.

The members reviewed the Bills Payable Sheet (Verizon). Ron O'Reilly made a motion, seconded by Michele Simoneaux, to pay the bill. Approved.

Plan Modification – File #250-870 – Dylan Ribeiro

Dylan Ribeiro addressed the board and stated he owned the site at 133 Mansfield Avenue. He stated that Jennifer Carlino had gone out to inspect the clean-up progress on the site a couple of months ago. He stated he would like to do a little re-grading on the site and display samples of the many products that he sells at this site, including water fountains, trees, walkways, etc. He said he would like to make the place look a lot nicer to the public. David Henry asked if the area was in a floodplain and Mr. Ribeiro said it was not but it was in the 100-foot buffer zone. Michele Simoneaux asked where the asphalt driveway was and Mr. Ribeiro pointed that out on the plan.

Lisa Carrozza asked where the water would go from the water fountain and Mr. Ribeiro replied it is going to be self-contained. She asked if the area was going to be stabilized eventually and Mr. Ribiero replied it was. Mr. Ribeiro pointed out a 3-foot berm which was located on the back side of the silt fence before the boulders in one of the previous stockyards. He said he may want to remove that berm some time in the future.

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Michele Simoneaux asked Mr. Ribeiro if he would be digging down to make a stream and he said he would be digging down about 1 ½ feet to make the stream. She then asked Mr. Ribeiro what type of features he was proposing to install. Mr. Ribeiro stated that a landscaping company, Land Mark Landscaping, leases the property and will be displaying outdoor living features. He said the company installs patios, outdoor grills, terraces, etc. He noted that the displays may change on a seasonal basis. Ron O'Reilly made a motion, seconded by Lisa Carrozza, to accept the changes as minor modifications to the approved plans. Approved.

The members reviewed a Request for a Determination of Applicability – **(DET. #976) – Robert & Julia Camp – Parcel 174 (Assessor's Map 35) 102 Dean Street** – for proposed plans to remove trees and other trees that have been removed within 100 feet of wetlands.

Document List

1. WPA Form 1 – Request for Determination of Applicability
2. 2 Photographs of the site

Robert and Julia Camp were present at the meeting.

Michele Simoneaux stated that she and Ron O'Reilly had visited the site last Friday and she inspected the trees that had been cut down and the three trees in the wetlands proposed to be cut down. She noted that she had only one concern at this time. She noted that, looking at the plan, trees #14 and #16 need to be cut down, but tree #15 is healthy and leaning the opposite way. She said if tree #15 is removed, a good portion of the canopy of the wetlands in this area will be gone. Michele Simoneaux stated she and Ms. Camp discussed having a tree expert document the condition of the trees, and the reason the trees, that were, and that need to be, cut down while inspecting the property last Friday. She said this information will be helpful in the issuing of a Determination of Applicability and documenting what was allowed and why. Ron O'Reilly asked Ms. Camp if a tree expert had been contacted, and Ms. Camp replied that Tree Tech inspected the property on Saturday. She said she would get documentation to the Conservation office.

Mr. Camp stated that tree #15 moved more than the other trees during a wind storm. He said he had Mr. Richardson of Tree Tech look at the tree who said that tree #15 could be dangerous and should be cut down. Mr. Camp stated that Mr. Richardson of Tree Tech said before he could cut down trees #14 & #16, he would have to cut the top off of tree #15 first for safety reasons. Michele Simoneaux suggested to leave the root systems in place. Michele Simoneaux made a motion, seconded by Ron O'Reilly, to close the public hearing. Approved. Michele Simoneaux made a motion, seconded by Lisa Carrozza to issue a negative (#3) Determination of Applicability after a letter from Tree Tech is submitted to the Conservation Office.

The members reviewed a Request for a Determination of Applicability – **(DET. #977) – Robert & Colleen Berg – Parcel 50-04 (Assessor's Map 28) 221 Old Taunton Avenue** – for proposed plans to repair/replace a sewage disposal system within 100 feet of wetlands.

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Document List

1. WPA Form 1 – Request for a Determination of Applicability.
2. Plan entitled “Subsurface Sewage Disposal System Plan for Robert Berg, 221 Old Taunton Avenue, Norton, MA 02766”, prepared by Yarworth Engineering Company, Inc., signed and stamped by Christopher D. Yarworth, Scale of 1” = 20’, dated March 8, 2012.
3. 4 photographs of the area of the septic system.

Representing the applicant was Dylan Ribeiro, the septic installer for the applicant, who described the project to the commission. He stated that the new septic system would be installed in the same location as the old system, of which half is located within the 100-foot buffer zone. He said that the intent of this was so that no trees would have to be cut down for the installation. Lisa Carrozza asked if there were any height changes and Mr. Ribeiro stated that the footprint of the system was exactly the same, the only change is from a trench design to an infiltrator. Lisa Carrozza noted that only 25 feet of silt fence was shown on the plans and Mr. Ribeiro replied that it is all lawn in that location and that all dug out materials will be taken off site. Lisa Carrozza requested a detail of the silt fence to be shown on the plans. Jennifer Carlino said that she and Mr. Ribeiro had discussed the silt fence and she stated that Mr. Ribeiro may decide to use a Fiber Roll which is filled with compost.

Jennifer Carlino noted that there is a potential vernal pool on the property where the owner has dumped leaves and branches, but has agreed to remove all leaves and branches before tonight’s meeting. She said the vernal pool is within the wetlands and the septic system is at least 100 feet from the vernal pool. Michele Simoneaux asked if the vernal pool was delineated separately and Jennifer Carlino replied that it was not. Lisa Carrozza made a motion, seconded by Ron O’Reilly, to close the public hearing. Approved. Lisa Carrozza made a motion, seconded by Ron O’Reilly, to issue a negative (#3) Determination of Applicability. Approved.

Notice of Intent – (#250-884) – Robin McDonald/Attleboro YMCA Camp Finberg – Parcel 292 (Assessor’s Map 26) 295 West Main Street – (cont. from the February 13, 2012 mtg.) –for the removal of debris from the wetland resource areas, removal and proper disposal of cut branches and vegetation within the wetland resource areas and vegetation maintenance of the view shed area.

David Henry noted that an email was received from the applicant requesting a continuance of the public hearing until the regular meeting of Monday, April 9, 2012. Lisa Carrozza made a motion, seconded by Michele Simoneaux, to continue the public hearing until the meeting of April 9, 2012. Approved.

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The members reviewed a Notice of Intent – **Bay Road Heights/Shawn Kelly – (#250-871) - Parcels 27, 29, 30 & 131 (Assessor's Map 12) & portions of Bay Road, off Bay Road (Phase 2 of Bay Road Heights 40B) – (cont. from the June 13, 2011, June 27, 2011, July 11, 2011, August 8, 2011, September 26, 2011, October 17, 2011, November 14, 2011, December 19, 2011, January 23, 2012 & February 27, 2012 mtgs.)** - for proposed plans to extend a water main, construct a roadway, 11-lot subdivision and storm water management within 100 feet of wetlands.

Document List

1. WPA Form 3-Notice of Intent
2. Plan entitled "Phasing Plan, Bay Road Heights in Norton, Massachusetts prepared by Outback Engineering Incorporated with a scale of 1"=50' dated February 23, 2011 and signed and stamped by Rene L. Gagnon, RPE (sheets 1 & 2).
3. Plans entitled "Bay Road Heights, A Residential Development in Norton, Massachusetts, prepared by Outback Engineering Incorporated signed and stamped by Rene L. Gagnon, RPE (sheets 1 to 13) dated January 9, 2007 with latest revisions of October 14, 2010.
4. Drainage Report, Bay Road Heights, Norton, Massachusetts, A Proposed Housing Development in the Town of Norton, MA prepared by Outback Engineering Incorporated dated June 24, 2010.
5. Addendum to Drainage Report, Bay Road Heights, Norton, Massachusetts, A Proposed Housing Development in the Town of Norton, MA prepared by Outback Engineering Incorporated dated October 12, 2010.
6. Letter dated June 6, 2011 from Jennifer Carlino to Seth Dufort of Outback Engineering.
7. Letter dated June 29, 2011 to the Conservation Commission from Chessia Consulting.
8. Letter dated September 16, 2011 from James Pavlik, Project Manager for Outback Engineering to Secretary Richard K. Sullivan, Jr.
9. Letter dated September 26, 2011 from Chessia Consulting to the Conservation Commission.
10. Letter dated September 27, 2011 from Mass Audubon to Secretary Richard K. Sullivan, Jr.
11. Letter dated December 1, 2011 from James Pavlik, Project Manager for Outback Engineering.
12. Letter dated December 15, 2011 from NHESP to Bay Road Heights.
13. Letter dated December 8, 2011 to the Norton Conservation Commission from Jake Kubel, Conservation Scientist.

AND

Notice of Intent – **Bay Road Heights/Shawn Kelly – (#250-872) - Parcels 29, 30 & 131 (Assessor's Map 12) off Bay Road (Phase 3 of Bay Road Heights 40B) – (cont. from the June 13, 2011, June 27, 2011, July 11, 2011, August 8, 2011, September 26, 2011, October 17, 2011, November 14, 2011, December 19, 2011, January 23, 2012 & February 27, 2012 mtgs.)** - for proposed plans to install a 23-unit condo complex, road, storm water management and utilities within 100 feet of wetlands.

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Document List

1. WPA Form 3-Notice of Intent
2. Plan entitled "Phasing Plan, Bay Road Heights in Norton, Massachusetts prepared by Outback Engineering Incorporated with a scale of 1"=50' dated February 23, 2011 and signed and stamped by Rene L. Gagnon, RPE (sheets 1 & 2).
3. Plans entitled "Bay Road Heights, A Residential Development in Norton, Massachusetts, prepared by Outback Engineering Incorporated signed and stamped by Rene L. Gagnon, RPE (sheets 1 to 13) dated January 9, 2007 with latest revisions of October 14, 2010.
4. Drainage Report, Bay Road Heights, Norton, Massachusetts, A Proposed Housing Development in the Town of Norton, MA prepared by Outback Engineering Incorporated dated June 24, 2010.
5. Addendum to Drainage Report, Bay Road Heights, Norton, Massachusetts, A Proposed Housing Development in the Town of Norton, MA prepared by Outback Engineering Incorporated dated October 12, 2010.

Present at the public hearing were James Pavlik of Outback Engineering, Sean Kelly, owner and John Chessia of Chessia Consulting. Mr. Pavlik stated that since the last meeting, a comment letter was received from Chessia Consulting on March 7th. He stated that before any changes were made, he wanted to discuss any final changes or requests by the board first. Jennifer Carlino suggested going through the letter, one comment at a time.

Mr. Chessia suggested that he would read the comments and replies to the members starting with the outstanding comments first and started on page 3. at the comment:

"A detailed cross section has been provided for the ledge cut area. I recommend that fill for the over-excavation area be specified by gradation and be specified as a permeable fill. Common fill in this area may not be very permeable and the same problems would occur."

Mr. Chessia suggested making this a condition. He said that this comment is suggesting to over-excavate to avoid ground water coming out of the ledge. He said if permeable material is used during backfilling the area, this should prevent leaking out from the ledge and onto the road in the future. Lisa Carrozza asked Mr. Pavlik how he would be incorporating this into the plans and he replied he would be adding this to the detail sheet on the plans. She requested that he state after each comment how he intends on incorporating each conditioned item onto the plans.

Mr. Pavlik stated the second comment is on page 4. at the comment:

"Plans have been modified to match the calculations for Basins 2 and 3. Basin 1 could have a narrower width since the Swale would have a flow depth over 50% of the pipe diameter. The proposed design would have more stone than required."

Mr. Chessia stated the end of the pipe would actually be narrower and less stone is actually needed for basins 2 and 3. He said the original design already reflected this and no changes to the plans or details are proposed.

Mr. Chessia stated the third comment is at the bottom of page 5 which reads:

“The area is identified as wetlands but the soil is assumed to infiltrate at a rate of 2.41 in/hr. The area may absorb water but there is no justification for the rate used. If it is typically dry, which could be determined by a site visit this time of year; then the area could be assumed to be available for storage but not necessarily credited with infiltration since it is unlikely that the site meets groundwater separation if it is a wetland.”

His comment to the above was:

“I disagree with the assumption of an infiltration rate of 2.41 in/hr for a wetland area. This is the second fastest infiltration rate in the Rawls Table and if the area drained at this rate it is unlikely there would be wetland vegetation present. The calculations indicate that both the peak rate and the flood elevation are increased under post development conditions at this culvert. The calculations also indicate that the use of the high infiltration rate results in a significant increase in the amount of runoff infiltrated in the post development case. This further reduces the impact as presented. Note that the table in the Report only lists the inflow peak rate not the outflow or flood height (both of which increase). This standard would not be met at this point.”

Mr. Chessia stated he was not satisfied that this issue has been addressed by the engineer. Lisa Carrozza asked if this should be addressed right now and they agreed that it should be. Mr. Chessia stated the area in question is a wetland but the infiltration rate used by the engineer does not reflect that. It was his suggestion not to give it an infiltration rate.

Mr. Pavlik wanted to respond to this issue. He stated that he has studied this area many times and has never found standing water in this area. He said that based upon observation and the soils being mapped as Hydrologic Group B, the infiltration rate of 2.41” per hour was used. He said that the volume and increase in the height of the water is very small in this area. Lisa Carrozza stated that since, the property is not owned by the applicant, she will agree with Mr. Chessia’s findings to prevent the flooding of someone else’s property. Mr. Pavlik stated he would make minor adjustments to his calculations and findings.

An abutter, Mary Caizza, of 111 Bay Road asked Mr. Pavlik what addresses on Bay Road the catch basins were located at and he replied at 134 and 138 Bay Road.

Mr. Chessia directed the board to his comment on page 6. He said he has two issues with the water quality swale at 134 Bay Road. He said one is that it does not hold the water quality volume, and two, it would create a back-up in the pipe, which should be incorporated into the model. He stated the v-notch at the end of the pipe should be raised. Mr. Pavlik said he would adjust the water quality swale and the calculations will be revised accordingly.

Mr. Chessia directed the board to another comment on page 6 relating to the infiltration for a few of the houses. He said soil test pits should be done for each infiltration unit. He stated it would be unrealistic to assume that a 100-yr. storm would flow into the infiltration units without doing soil tests at the units first. Mr. Pavlik replied that he typically designs roof drains for 100-yr. storms. He stated he is usually not required to give that detailed information for house drains. Mr. Chessia stated that since the drainage is for the overall runoff of the project, this information should be included in the calculations and designs. Michele Simoneaux stated this is standard practice.

Mr. Pavlik asked the commission if they normally require individual perc tests for each house lot in a subdivision. Jennifer Carlino stated that they normally do this to reduce the basin size. Mr. Pavlik asked if this could be done as a condition on the Order of Conditions. Mr. Chessia suggested conditioning the perc tests now. Jennifer Carlino noted that if one of the perc tests fail, the plans would have to be revised to accommodate the new design. Mr. Pavlik stated the plans are just preliminary grading plans and not the final site design plans. David Henry suggested this may cause problems for the future homeowners. Mr. Chessia suggested that each unit would be inspected before a building permit was issued. Jennifer Carlino stated that removing some of the units from the entire subdivision approval will complicate the approval because the houses are contributing to the entire storm water management system. She said it would be more efficient to do this before the approval of the project.

The next comment addressed by Mr. Chessia was on page 6.

The large wetland area flows southerly to a culvert under Lincoln Street. The culvert under Lincoln Street is shallow and was approximately 2/3 full at the time of my site visit. It is likely that this location could flood in larger storms and an increase in runoff volume will exacerbate any existing flooding condition. The submittal should address the impact of increased runoff from the site at this point.

Mr. Chessia stated that Otter Creek Engineering had met with the Highway Superintendent to inspect the culvert on Lincoln Street and it seems to be flowing regularly according to the Highway Superintendent. He suggested that the flow calculations between each basin be consistent on the model. Mr. Pavlik pointed out to Mr. Chessia the stream channels he was referring to in his calculations and they seemed to be referring to different areas. They both agreed that this is not a big concern.

The next comment discussed was on page 8.

“The bottom of the infiltration basins should have no area at the bottom elevation. To have area at this elevation implies a lower elevation in the basins which would not meet groundwater separation requirements. This overestimates the storage in the basins, which reduces the rate of flow out of the basins.”

Mr. Chessia pointed out that the two basins are shown to have flat bottoms and are placed exactly two feet above ground water. He stated that it is very difficult to have perfectly flat bottom surfaces and it would be more practical to raise the basins up a little higher in the model so when the As-Built is done, there will be room for any low spots on the bottom of the basins.

The next comment addressed was on page 10.

“Basin 1 is excavated to refusal according to the one test pit. It is unclear how the system will be installed in ledge and it will not function as designed. The design is not consistent with DEP guidelines for a dry detention basin, which this basin most closely resembles. The outlet pipe should be modeled with a manning's "n" of 0.013 consistent with RCP. Basin 1 does not have an emergency overflow spillway. There is no safe outlet for excess runoff other than to Bay Road. This aspect of the design should be addressed. The pipe outlet that would pass under Bay Road has less than one foot of cover. This may not be acceptable to the DPW and is less cover than concrete pipe manufacturers require for traffic loads. Correcting this issue may impact the overall design.

Basin 1 has been modified to be a detention basin. The outlet pipe has been modified to a ductile iron pipe and the manning's' n is acceptable. I recommend that the Highway Department comment on the proposed pipe under Bay Road There is still no safe emergency spillway for this basin. It is proposed to over excavate the ledge to build the basin.

Comment remains; reportedly the Highway Superintendent has reviewed the plans relative to pipe cover. An emergency overflow spillway is a standard requirement for detention basins according to the DEP Stormwater Manual.”

Jennifer Carlino stated that the Highway Superintendent is concerned with having water on the road in this area and getting the water off the road. She asked how the plans would be revised if this happens.

The next comment Mr. Chessia addressed on page 10 was:

“Basins 2 and 3 most closely resemble an infiltration basin. The design should comply with DEP guidelines for this type of basin. The outlet pipe is in an outlet structure not a slope as modeled.

Basins 2 and 3 are designed as, infiltration basins. To comply with DEP requirements they should incorporate drains which may require lowering the outlet pipe out of the outlet structure. Monitoring well(s) in each basin should be provided. In addition, soil for the planting surface should be specified consistent with the DEP manual.”

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Mr. Chessia stated it was up to the applicant's engineer to design the basins.

Mr. Chessia referred to his comments on page 11.

"The values used in the recharge calculations do not match the impervious area listings in the hydrology calculations. The calculations should be rerun with the correct values. As noted above it is unclear how roof runoff will be directed to the basins in some cases.

The overall values for impervious area are acceptable. I recommend that the submittal breakdown each infiltration basin.

The submittal indicates that each infiltration basin would provide the required recharge. As noted above I recommend some modification to the calculations for storage; however, the two basins combined would provide the required recharge for the watershed."

Mr. Chessia stated that, normally, recharge is based on a watershed basis. He said that a vast majority of the site flows towards the east towards Lincoln Street with a small amount flowing towards Bay Road. He suggested that a table be submitted showing the amount of impact and recharge for each area. Mr. Pavlik stated he spoke to Fred Civian at DEP and he said that storm water management states that it does not have to be by the watershed, just for the site. He said sufficient recharge is being provided to the entire site. Jennifer Carlino stated to the board that they would be making a decision based on how much water was diverted to Hockomock Swamp or to the Mulberry Meadow Brook. Mr. Pavlik replied that he is submitting calculations showing how much water will flow towards the front and towards the rear (each watershed).

Lisa Carrozza asked if the Mulberry Meadow Brook flowed toward the Hockomock Swamp and Jennifer replied it did not. She replied that it flowed into Lake Winnecunnet and then to the Snake River and then to Lake Sabatia in Taunton.

Mr. Chessia pointed out the comments on pages 14 & 15.

In this case the design includes extensive cuts and earthwork at the Bay Road side of the site. Controlling runoff and sedimentation at this location will be complex. I do not recommend using permanent basins for sediment basins during construction. Basins should be completed and stabilized prior to receiving runoff from the development. There is minimal space to provide temporary runoff and sediment storage at the entrance. I recommend this be addressed during the public hearing process.

Mr. Chessia noted that the design has been modified to add two new sediment basins and not utilize the permanent infiltration basins for sediment basins, as recommended.

Mr. Chessia addressed the last comment on page 15 by stating that stabilization of the slope at the entrance to the site should be done immediately when the cut in the front of the road is made. He stated that he recommended that multiple stockpile areas be identified on the plans.

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Mr. Chessia stated that in regards to the comments on page 16 regarding an Operations and Maintenance Plan for the condominiums, he stated that the Town will probably accept the road eventually. Mr. Pavlik stated that if the town does not accept the road, the Homeowner's Association will maintain the road.

Michele Simoneaux asked if it was clear what issues were still outstanding and Mr. Pavlik replied there were only two issues remaining. He said that one was the issue of the recharge to the watershed and the other one was the roof drainage design, which he asked if it could be conditioned.

Lisa Carrozza asked Mr. Pavlik if he had gone over the SWPPP comments yet and it was stated that he had not. Jennifer Carlino suggested going over the comments at the next hearing. She stated that since there were new regulations from the EPA as of February, the applicant would have to do the SWPPP over again and there would be no point in going over the old one at this time. Lisa Carrozza stated that the SWPPP contains the minimum standards.

She asked Mr. Pavlik if he had any questions regarding her SWPPP comments and he stated he did not and had incorporated the information into his plans and calculations. She asked Mr. Pavlik if he had an alternative inlet protection measure for the catch basins during construction. He replied that he intends to use silt sacs. Lisa Carrozza stated that silt sacs are for paved surfaces only. She said he could use block and gravel. Mr. Pavlik stated he provided details for a roadside ditch to catch any sediment from the gravel road area and he would provide additional information. Lisa Carrozza asked Mr. Pavlik how the temporary berms at the eastern end of the project would be stabilized and he replied that there are notes for the contractor directing them to use rip rap if necessary. Lisa Carrozza stated he would need to construct a temporary diversion swale.

Lisa Carrozza asked Mr. Pavlik if he had provided a separate tracking pad for the entrance to the duplex construction from Bay Road and he said there was an existing paved driveway. She stated this would not be acceptable to shake off all the loose sediment from the site. Mr. Pavlik stated there would be no materials leaving the site. Lisa Carrizo noted that the silt fence shown on the plans ran perpendicular to the contour rather than parallel in a lot of areas which would not work properly. Mr. Pavlik replied that the silt fence was for turtle migration, in addition to sediment control. She asked Mr. Pavlik if he has planned the construction phasing for the project and Jennifer Carlino replied he had submitted that on a separate sheet.

Michele Simoneaux asked Mr. Pavlik for an update on the MESA review. He replied that he had submitted the draft application and received a comment letter with a few minor changes and he stated that they are ready to issue the permit. Michele Simoneaux stated that the Commission cannot close the public hearing without the MESA permit. Jennifer Carlino stated that she did not want any conflicting information between the wetland permit and the MESA permit. She said she heard back from David Erikson and she said he hired a wetland consultant, but does not have funds for an appraisal, which would have to be funded by the Conservation Commission. She said that is the next step in trying to preserve the Box Turtle in Norton. Ron O'Reilly stated that the State has just recently re-instated the tax credit for land donations.

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David Henry asked Mr. Pavlik when he would like to continue the public hearing to and he replied to the April 23rd meeting. Michele Simoneaux made a motion, seconded by Ron O'Reilly, to continue the public hearing until the regular meeting of Monday, April 23, 2012. Approved. Michele Simoneaux made a motion, seconded by Ron O'Reilly, to continue the public hearing for Notice of Intent #250-872, also, until the regular meeting of Monday, April 23, 2012. Approved.

The members reviewed a Notice of Intent – **Robert Welch, Airport Manager, Mansfield Municipal Airport – (#250-885) – Parcel 141 (Assessor's Map 4) North Washington Street** – for proposed plans for cutting trees within 100 feet of wetlands.

Document List

1. WPA Form 3 – Notice of Intent
2. Locus Plan
3. Proposed Clearing Plan
4. Canopy Analysis Plan

Present at the public hearing were Brooke Monroe of Pinebrook Consulting, Armand Dufresne of Gale Associates and Lou Andrews and Carl Lambert of the Mansfield Municipal Airport.

Ms. Monroe stated that the property where the trees are proposed to be cut is owned by the Land Preservation Society of Norton and she stated they gave permission for the trees to be cut. She said the trees will be cut by hand to within six inches of the ground and that the reason for cutting the trees is because they are within the sighting surface of runway 32. She stated this was a limited project under Section 10.53.

Lisa Carrozza asked how often this area has been maintained and Lou Andrews responded that this is the first time the trees have to be cut because of their size. Carl Lambert noted that as a result of the Approach Surface report, a letter was received from the FAA requiring the trees to be removed. Jennifer Carlino asked if they received a new letter and Mr. Lambert replied they had. She asked that a copy be submitted to the Conservation Commission. She stated that, in order to meet the limited project standards, all pertinent information supporting that should be submitted as soon as possible per regulations, otherwise the limited project provision cannot apply here.

Michele Simoneaux asked how tall the trees are to be cut and Armand Dufresne stated the sizes vary in length. Jennifer Carlino suggested submitting a plan showing the runway, wetlands and trees to be cut. Lisa Carrozza asked if the tree clearers will be using this plan and if the trees will be marked. Mr. Dufresne stated this is the plan they will use and the trees will be marked. Michele Simoneaux asked Ms. Monroe if an assessment had been done of the percentage of tree cover that was being cut as a whole within the vernal pool area. Ms. Monroe replied that calculations were figured per tree. She stated that 250 sq. ft. of canopy per tree was being removed. She stated that a Canopy Analysis was not done because the trees are scattered and there is no large area to be clear cut. Armand Dufresne stated

that as the trees are being cut, an engineer will be standing at the beginning of the approach surface and will use a transit to see that all the trees marked to be cut are cut and the surface is clear. Lisa Carrozza asked at what point will the site need to be inspected if a few more trees need to be cut that are not shown on the plans. Jennifer Carlino suggested adding a condition that would allow a site inspection while the tree clearers are on the site cutting.

Ron O'Reilly asked how they propose to clean up the area after cutting the trees. Mr. Dufresne replied that, as suggested by the DEP, because the area is within a wetland, the trees would be dropped, cut and left in place. Jennifer Carlino suggested that they look at the area after the trees are cut because there are already trees that have been cut down and some areas may have to be cleaned up somewhat. Lisa Carrozza asked where the vernal pool is located and Jennifer Carlino replied that the vernal pool is within the bordering vegetated wetland. Jennifer Carlino noted that trees will be cut on three sides of the property. She suggested timing the tree cutting when the vernal pool is dry.

Lisa Carrozza asked when the tree cutting would begin and Mr. Dufresne replied in August when the vernal pool is dry. Jennifer Carlino stated that if the tree cutting is not completed before September and the vernal pool fills up with water, and the tree cutting has to stop. She would prefer that trees be top cut just enough to clear the sighting view of the runway. She asked that the dead tree be allowed to decay and provide a habitat for the spotted turtles in the vernal pool. She suggested taking a good look at each tree to see if it should be cut completely down or partially cut. She suggested submitting a tree inventory within the edge of the wetlands to include numbers for each tree since they already have this information. Michele Simoneaux stated that this could substitute for an Appendix B/Wildlife Habitat Evaluation. Jennifer Carlino suggested getting the information to the Commission as soon as possible to prevent a delay in the project.

Jennifer Carlino stated that an updated Vegetated Management Plan must be provided. Mr. Dufresne noted that the airport will be applying for a grant this year which will help fund the Vegetated Management Plan and a revised Operations and Management Plan. He stated that the previous Order of Conditions have expired and will be submitting a new application. Jennifer Carlino stated it had been a five-year permit which has expired. Jennifer Carlino asked that a letter be submitted withdrawing the previous Notice of Intent. Mr. Dufresne requested the public hearing be continued until May. Michele Simoneaux made a motion, seconded by Lisa Carrozza, to continue the public hearing until the regular meeting of Monday, May 21, 2012. Approved.

The members reviewed a Notice of Intent – (**#250-886**) – **Duane Knapp/Norton Water and Sewer Department – Bay Road and Plain Street** – for proposed plans to replace water main piping and services within 100 feet of wetlands.

Document List

1. WPA Form 3 – Notice of Intent
2. Stormwater Pollution Prevention Plan (SWPPP) – Contract No. 12, Bay Rd. and Plain St. System Improvements, Norton, MA

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3. Plans entitled "Town of Norton, Bay Road and Plain Street/Water System Improvements/Contract No. 12, Norton, MA, March, 2012, Bid Set – Sheets I-1 and C1-C12

Present at the public hearing were Duane Knapp and his engineer, Carl Crawford of Otter Creek Engineering, Inc. who updated the Commission on the status of the project. He stated that at the meeting of February 27, 2012, the Commission had voted to require the Water Department to file a Notice of Intent because of the directional drilling in the Mulberry Meadow Brook. He said all the required information by the Commission at the previous hearing was included on the revised plans submitted tonight (road dimensions, control measures, silt fence details, etc.). Mr. Crawford said he had submitted a SWPPP with the Notice of Intent to the EPA and he will provide the Commission with a copy to be included with the construction specifications. Jennifer Carlino asked if a larger copy of the final revised plans could be sent to her and Mr. Crawford agreed he would send her a copy.

Mr. Crawford noted he received a few calls from abutters and Jennifer Carlino noted she got a few calls from abutters also, but no one showed up this evening. Duane Knapp stated the few calls he received were just to ask if he would be digging on their property. He said that the digging would be on the property line.

Lisa Carrozza stated that a US Fisheries and Self Certification Consultation Process would have to be submitted in addition to MESA and could be downloaded from the internet and attached to this application.

Mr. Crawford noted that the Highway Department has requested that they put down new clean asphalt daily. Duane Knapp noted that the Town Manager has given permission for the Water Department to use the location of the old Fire Station on Bay Road as a staging area. Mr. Crawford asked if there was going to be a pre-construction meeting. Jennifer Carlino stated that there will be one and the project would go more swiftly if the drilling information requested at the previous hearing was submitted at that time. Mr. Crawford requested a separate pre-construction meeting for the drilling contractor. Lisa Carrozza made a motion, seconded by Michele Simoneaux, to close the public hearing. Approved.

Notice of Intent – (#250-882) – Kenneth Leavitt – Parcel 720 (Assessor's Map 3) Pheeny's Island, Norton Reservoir – (cont. from the February 13, 2012 mtg.) - for proposed construction of ropes based adventure course to include construction of a building, shed, dock, wood chip walkways and picnic areas within 100 feet of Norton Reservoir. Jennifer Carlino stated that the applicant has requested a continuance for this project. Michele Simoneaux made a motion, seconded by Ron O'Reilly, to continue the public hearing until the next regular meeting of Monday, April 9, 2012. Approved.

The members ratified the signatures for the Order of Conditions for Notice of Intent – **Karen Keegan – (#250-883) – Parcel 193 (Assessor's Map 27) 167 So. Worcester Street** - for proposed plans to construct a 28'x40' dwelling, 26'x24' garage, driveway and sewage disposal system within 100 feet of wetlands. Ron O'Reilly made a motion, seconded by Lisa Carrozza, to approve the issuance of, and the signatures for, the Order of Conditions as written. Approved.

The members ratified the signature for a re-issuance of an Emergency Certificate for 10 Maplewood Avenue. Jennifer Carlino noted that they do keep her updated on the project. Michele Simoneaux made a motion, seconded by Lisa Carrozza, to approve the signature and re-issuance of the Emergency Certificate. Approved.

Violations:

- 12 Woodward Street and 15 Freeman Street

Jennifer Carlino stated that these would be crossed off the violation list as there are no violations on these two properties.

- 38 John Scott Boulevard

Jennifer Carlino stated an update was received for this property.

- 81 Freeman Street, 241 Mansfield Avenue, 6 Rumford Road, 45 Crane Street

Jennifer Carlino stated violation letters have been sent to the homeowners requesting updates.

Sign the Lease Agreement for L.L. Bean, Inc. Michele Simoneaux made a motion, seconded by Lisa Carrozza to sign the Lease Agreement for L.L. Bean, Inc. Approved.

Shpack/McGinn Access easement

Lisa Carrozza made a motion, seconded by Ron O'Reilly, to sign an agreement that the Conservation Commission will not interfere with the work required in ROD.

DOT – Snow/Ice Control Plan

Jennifer Carlino noted that a new snow/ice control plan has been submitted and comments are due by April 6, 2012. She said they previously offered to inspect the area salted in July during the last MEPA review.

She said she was invited to, and attended, a training session for snow plow drivers. She stated that while at the session, a letter that she had written with two highlighted sentences was handed out to everyone with the statement from the Mass Highway trainer that Jennifer Carlino said they were not doing their jobs. She said she responded by telling the trainer that he was not doing his job and not the snow plow drivers. She said a couple of the drivers made the statement that she protects the water supply in Norton and that they did not take offense to what the trainer had said.

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Jennifer Carlino said that the DOT was planning to wash down bridges in town and ask for any comments from the Selectmen. She said she had sent a copy of the snow and ice control plan to the Water/Sewer Department and asked that they review it and address it at one of their meetings. She asked that they get back to her with their comments. She said that Luther Grant of the Water/Sewer Commission had mentioned the possibility of designating low salt areas. Lisa Carrozza asked how these areas are established and Jennifer Carlino stated that it would have to be proven that the areas are affected by too much salt. She said that DOT are teaming up with engineers at UMASS to do surveys of the areas thought to be affected by the salt. Jennifer Carlino stated that they should do the research here in town.

Jennifer Carlino noted there were two letters received from the Board of Selectmen with requests to be appointed to the Conservation Commission. She said one letter for Patrick Daly stated he had some experience with the Wetland Protection Act and Regulations and one letter was for John Freeman without any discussion of qualifications. She stated she had drafted a letter to the Board of Selectmen to be signed by David Henry, Chairman. Lisa Carrozza suggested to do one letter stating that Patrick Daly has more experience than John Freeman, therefore recommending he be appointed to the Commission. Discussion ensued on possible applicants for the Commission.

Lisa Carrozza made a motion, seconded by Michele Simoneaux, to adjourn the meeting at 10:05 pm. Approved.

Minutes Approved by Committee on: _____
(Date)

Respectfully submitted,

Signature:

(Name)

Chairman, _____