

Monday, January 28, 2013

### **Attendance**

David Henry (Chairman), Ron O'Reilly (Vice-Chairman),  
Julian Kadish, Lisa Carrozza, Michele Simoneaux, Scott Ollerhead  
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 **August 27, 2012**. Julian Kadish noted he was listed as absent that evening and also making motions. Jennifer Carlino noted he must have come in late to the meeting. Michele Simoneaux made a motion, seconded by Scott Ollerhead, to accept the minutes with the amendment removing Julian Kadish's name from the absent list and adding it to the list of members that were present. Approved. Lisa Carrozza abstained from voting.

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

The members reviewed the Bills Payable Sheet (Registry of Deeds). Ron O'Reilly made a motion, seconded by Julian Kadish, to pay the bill. Approved.

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

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

Jennifer Carlino stated that Pare Corporation submitted an addendum with an increase of \$650,000. The members requested that Pare Corporation submit a letter with more specific reasons for the increase.

**Violation** – **72 Mansfield Avenue** - Jennifer Carlino noted that Dennis Fernandes, 72 Mansfield Avenue, cut an area with a brush cutter that he said used to be hayed. He said it was last mowed 3-4 years ago right up to the wetland. The Commission members stated that the area must be permanently

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stabilized. They said in the mean time, no other work is allowed within the buffer zone. They set up a site inspection with Mr. Fernandes for January 30 at 9:00 am to locate where to place the sedimentation control.

The members reviewed a Notice of Intent – **(#250-901) - George Jackson, Jr. – Parcel 26 (Assessor's map 32) 292 Taunton Avenue** – for proposed plans to repair/replace a sanitary disposal system within 200 feet of the Wading River.

Document List

1. WPA Form 3- Notice of Intent
2. Plan entitled "Sanitary Disposal Repair for George Jackson et al at 292 Taunton Avenue in Norton, MA, Scale 1"=40' signed by John F. Vance, Jr. with latest revisions on January 28, 2013. (Sheets 1 and 2)

George Jackson, Jr. was present at the public hearing along with his engineer John F. Vance, Jr. Mr. Vance noted that George Jackson, Sr. had passed away and his son, George Jackson, Jr. is trying to sell the house. He stated that in order to sell the house a new septic system would have to be installed. He said the system should be located as far away from the river as possible and at least 100 feet away from the well next door. He noted that there is town water on the property. He said that because the water table is high, a mounded septic system would be installed with a pump chamber. Julian Kadish asked if the cesspool fills with water and Mr. Vance stated it does but will be filled.

Jennifer Carlino asked Mr. Vance why the septic plan allows for 4 bedrooms when there are only 3 bedrooms in the house on the plan. Mr. Jackson noted that the house had 4 bedrooms originally and one of the extra rooms could possibly be used for a bedroom. Jennifer Carlino stated that the submitted plan only shows three bedrooms and the plan has to be revised to show four bedrooms. Mr. Vance stated he would revise the plan to show a four-bedroom septic design.

Michele Simoneaux pointed out that the plan showed the 200-ft. "buffer zone" and it should say "Riverfront Area". John Vance made the correction on the submitted plan.

Michele Simoneaux made a motion, seconded by Julian Kadish, to close the public hearing. Approved.

Abbreviated Notice of Resource Area Delineation– **(#250-898) – Campanelli Thorndike Norton, LLC - Parcels 61 & 76 (Assessor's Map 11) 274 East Main Street – (cont. from the November 19, 2012 & December 17, 2012 mtgs.)** - for verification of the Resource Areas.

David Henry stated an email was received from Mark Manganello, LEC Environmental Consultants, Inc. He said Mr. Manganello is working on a supplemental information submittal to Chessia Consulting's review report and requested a continuance to the next regular meeting of Monday, February 11, 2013. Scott Ollerhead made a motion, seconded by Ron O'Reilly, to continue the public

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hearing until the next meeting of Monday, February 11, 2013. Approved. Lisa Carrozza abstained from voting.

Bob Kimball, Selectman, noted that the applicant wants to swap a vernal pool for a piece of land 0.8 acres because he intends on moving the old historic White family house in that area.

Oren Sigal, 28 Coddling Road pointed out an older site plan showing two areas at the rear of the project that were separate wetlands. Jennifer Carlino replied that a replication area has now joined the two isolated wetland areas together. She said it will be determined by the Commission if this area is jurisdictional or not. Mr. Sigal asked if the applicant for this project would have to file with MEPA and Michele Simoneaux replied that this will not be known until a proposed project application is filed with the Conservation Commission.

The members reviewed a request for File **#250-455 - John Scott Blvd., LLC, c/o Robert Rodericks Lot X, Parcel 140 (Map 36), Lot Y, Parcel 133 (Map 32), Lot Z, Parcel 111 (Map 36) 3, 5 & 7 Gilbert's Way.** Jennifer Carlino stated the file is for 3 driveways. She said an As-Built plan has been submitted. Lisa Carrozza made a motion, seconded by Julian Kadish, to issue the Certificate of Compliance. Approved.

The members reviewed the draft Order of Resource Area Delineation for Abbreviated Notice of Resource Area Delineation – **(#250-893) – Walter Landry – Parcels 10-01, 101, 182-185 (Assessor's Map 35) & Parcels 114-117, 138 (Assessor's Map 36) – East Hodges Street** - for verification of the Wetland Resource Areas. Michele Simoneaux suggested to reference in condition #9 the two letters from the consulting engineer with their findings to suggest that the 4 IVWs do not qualify as Isolated Land Subject to Flooding under CMR 10.57. Michele Simoneaux made a motion, seconded by Julian Kadish, to accept the Order of Resource Area Delineation, as amended. Approved.

The members reviewed the draft letter to Fred Bottomley regarding the restoration work on this property. Lisa Carrozza suggested removing the request to spread rye mix along the side slopes of the access driveway at the wetland. She suggested removing the request for additional stabilization work to be done this Spring. Jennifer Carlino stated she will substitute with the request that a restoration plan be submitted before February 25, 2013 illustrating long-term stabilization for the access driveway sideslopes. Jennifer Carlino suggested requesting that the restoration work be completed by June 30, 2013. Lisa Carrozza made a motion, seconded by Scott Ollerhead, to send the letter with amendments as discussed. Approved.

**OLD BUSINESS**

**#250-882 – Pheeny's Island** appeal update - Jennifer Carlino noted that she included with the agenda a copy of the letter sent to the court by the applicant and DEP requesting to dismiss the case. She said the residents have 10 days to oppose the motion.

**VIOLATIONS:**

**12 Forest Lane** – Jennifer Carlino stated that the only change is a letter received from the owner saying she is working on trying to hire a consultant.

**18 Richardson Avenue** – Jennifer Carlino said the owner was requested to file a Request for a Determination and she has not heard anything from him since.

**241 Mansfield Avenue** – Jennifer Carlino stated that she had a meeting with the owner and manager of the restaurant at the office. She said she told them they had two choices, 1. remove the fill they placed or 2. file for a permit. She said previously, they wanted to have an informal workshop with the Commission and she told them it would have to be a public meeting or they would have to meet with her. She said they hired an engineer, but have not submitted anything yet.

She noted that the only time she hears from the engineer is when the owner calls him to do further work from time to time. She said the engineer called and stated he had to finish up prior business before he could submit this application. Jennifer Carlino stated that the owner stated he wants to submit an application but does not want to do storm water management and she replied to him that he has to do storm water management as part of his application.

**6 Rumford Road** – Jennifer Carlino said she has not heard anything more to date.

**45 Crane Street** – Jennifer Carlino stated that the owner said that Outback Engineering stated they sent a monitoring report to the office but she said she has not received it. She said that the owner contacted Outback Engineering to resend it before tonight's meeting but it has not arrived.

**418 Reservoir Street** – Jennifer Carlino stated she will send the owner a reminder.

**#250-552** – Jennifer Carlino stated she has not heard back from the engineer who said he would get an estimate for the As-Built plan to be done so she could pull the bond. She said she will contact him again.

**NEW BUSINESS**

**Land Donation** – **East Hodges Street (rear) (Map 36, Parcel 56) 4.4 acres** – Jennifer Carlino said she checked out the location of the parcel and it was her opinion that it would be a good parcel for the Conservation Department to obtain. Lisa Carrozza made a motion, seconded by Michele Simoneaux, to accept the donation. Approved.

**Proposed Watershed Recharge Policy** – Jennifer Carlino stated she included with the agenda the draft copy of the proposed policy which she stated was not revised since the last meeting. She said she checked with a copy of websites which did not fit this proposed policy. Lisa Carrozza noted there is a

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website called "Stream Stats" that might be helpful. She suggested that a link be added to the policy for the public to use. Jennifer Carlino offered to check out the Stream Stats website for more information. Lisa Carrozza suggested finding a map on line with the information needed to avoid having to go to the Stream Stats website all the time.

**SITE VISITS** - Jennifer Carlino suggested that the members drive by 72 Mansfield Avenue, Produce Barn, to examine the violation. It was agreed that the members would be in contact with each other to see who would go to the site this Saturday, February 2nd at 9:00 am and who would be going at 1:00 pm.

**WATERBODIES COMMITTEE** update – David Henry noted that the next meeting is February 4<sup>th</sup>. He asked Jennifer Carlino to contact David Lennon and ask at what meeting he would prefer a Conservation member attend.

**REPORT FROM STAFF** – Jennifer Carlino stated that there is \$1,800 left in the Dam Maintenance Account. She said that the Building Inspector asked if a fence could be installed on one side of the Norton Reservoir dam. She noted that a post and rail fence could be installed. It was agreed not to do anything at this time.

Jennifer Carlino stated that her lap top computer was broken and she suggested that it would be more advisable to purchase an iPad to replace it. She said this would be very helpful in mapping various project sites. She said she spoke with the Town Accountant and he said it could be paid for from the Wetlands Filing Fee account. The members agreed this would be OK.

Jennifer Carlino stated that purchasing a chain saw and safety equipment would be helpful in maintaining Conservation property. She said there is money in the budget to fund the equipment. Lisa Carrozza asked where the equipment could be stored and Jennifer Carlino said she would like to store the equipment at the Town Hall and if not, she could store it at the Highway Department. The members agreed this would be OK.

Jennifer Carlino stated that the Emergency Certificate for the oil spill at Route 495 at Exit 10 needs to be signed. She said that Mike Whiteside of DEP called to say there was a diesel spill and 30 yards of soil had to be removed. Lisa Carrozza made a motion, seconded by Scott Ollerhead, to sign the Emergency Certificate. Approved.

Lisa Carrozza made a motion, seconded by Scott Ollerhead, to adjourn the meeting at 8:55 pm. Approved.

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Minutes Approved by Committee on: \_\_\_\_\_  
(Date)

Respectfully submitted,

*Signature:*

\_\_\_\_\_  
( Name)

Chairman, \_\_\_\_\_