

Monday, September 23, 2013

Attendance

David Henry (Chairman), Julian Kadish, Lisa Carrozza,
Scott Ollerhead and Jennifer Carlino, Conservation Agent

Ron O'Reilly (Vice-Chairman) and Chris Baker were absent.

Minutes

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

The members reviewed the Bills Payable Sheet (Chessia Consulting). Scott Ollerhead made a motion, seconded by Julian Kadish, to pay the bill. Approved. Lisa Carrozza abstained from voting.

The members reviewed the Bills Payable Sheet (Allegra Print). Scott Ollerhead made a motion, seconded by Julian Kadish, to pay the bill. Approved.

The members reviewed the Bills Payable Sheet (Pare Corp.). Scott Ollerhead made a motion, seconded by Julian Kadish, to pay the bill. Approved.

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

Discussion: Matt Bellisle- Pare Corporation – Spillway design complications.

David Henry noted that Mr. Bellisle cannot be at tonight's meeting and the discussion will be rescheduled to the next meeting of October 21, 2014.

The members reviewed an Amendment to Order of Conditions for **#250-513** – The amendment includes a larger concrete pad for the trailer, construction of car port, shed, paved driveway, paved walkway and construction of a 1-ft. high stone wall. David Henry read a letter requesting an amendment to the Order of Conditions received from Bob Anderson, owner.

Chris Yarworth of Yarworth Engineering Company, Inc. described the changes to the members. He noted that the changes had been completed long ago and are listed in the request letter. Lisa Carrozza made a motion, seconded by Julian Kadish, to issue the Amended Order of Conditions. Approved.

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The members reviewed a Notice of Intent – (#250-910) – **Thomas & Christine Carmichael – Parcel 4 (Assessors Map 23) 15 Barrows Street – (cont. from the Sept. 9, 2013 mtg.)** - for proposed plans to construct a 24' x 26' addition with handicap ramp with associated site work and repair/replace septic system within 100 feet of wetlands.

Document List

1. WPA Form 3 – Notice of Intent
2. Proposed Addition and Upgrade of Subsurface Disposal System at 15 Barrows Street, Norton, MA, prepared by BDO Engineering, signed by David A. Oberlander with latest revisions on September 12, 2013.
3. Computer architect drawing of the proposed construction “Ramp at 15 Barrows St., Norton, MA.

David Oberlander noted that the applicant is proposing an 24' x 26' addition with a two-car garage with an in-law apartment above and, maybe, a handicap ramp. He said that the existing driveway is in the wrong location for the proposed garage so the driveway will be moved to access the garage.

Mr. Oberlander noted that the driveway is slightly higher than the garage therefore a stone trench is proposed to go along the driveway to catch any runoff from the pavement.

Mr. Oberlander noted that all the septic work is out of the buffer zone but the addition is 55 feet from the wetlands at the closest point. He commented that 4-6 trees will have to be removed and grading will be minimal.

Lisa Carrozza suggested to Mr. Oberlander that he add the details for the wattle to the plans for the contractor.

Lisa Carrozza made a motion, seconded by Julian Kadish, to close the public hearing. Approved.

Jennifer Carlino asked the members if they are requiring a visual barrier for this project and Mr. Oberlander noted there was a stone wall at the edge of the wetlands.

Jennifer Carlino asked the members to review the draft Order of Conditions.

- Lisa Carrozza noted a that a word was missing from condition #2. Jennifer replied the word “grading” will be added.
- Lisa Carrozza suggested changing the word “erosion” in condition #13 to “sediment”.

Lisa Carrozza made a motion, seconded by Julian Kadish, to sign and issue the Order of Conditions, as amended. Approved.

The members reviewed a Notice of Intent – (#250-888) – **Turtle Crossing, LLC – Parcels 4 & 22 (Assessor's Map 2) – Newland Street – (cont. from the June 24, 2013 mtg.)** - for proposed plans to construct 7 buildings, 8 garages, driveways, parking, utilities and associated grading within 100 feet of wetlands.

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Document List

1. WPA Form 3 – Notice of Intent
2. Stormwater Report
3. Plans entitled “Turtle Crossing Comprehensive Permit Application Local Initiative Program, Newland Street, Norton, MA, prepared by Level Design Group and signed and stamped by Nicola Facendola dated April 12, 2012.
4. Turtle Crossing Comprehensive Permit-Local Initiative Program, AM2/Parcels 4 & 22, Newland Street, Norton, Massachusetts, Off-Site LP Sewer Line dated March 5, 2012. (Scale 1”=40’)
5. Letter dated July 24, 2013 from Jennifer Carlino to Dustin DiNunzio.
6. Letter from Level Design Group dated August 29, 2013. (Response to BSC Group)
7. Letter from Level Design Group dated August 29, 2013. (Response to BSC Group)
8. Letter from Level Design Group dated September 3, 2013 (Response to Jennifer Carlino’s letter of June 28, 2012).
9. Letter from Level Design Group dated September 5, 2013 with submittal of revised plans dated February 25, 2013, revised Site Plans dated August 29, 2013, modified Notice of Intent, revised Stormwater report August 29, 2013.

Present at the public hearing was Dan Campbell of Level Design Group representing the applicant, Dustin Denunzio, owner/applicant and attorney Jamy Madeja.

Mr. Campbell updated the Commission for the project to date. He stated that the first part of the project had begun in approximately 2005-2007. He noted the number of units have not changed but the project was more spread out before.

Mr. Campbell noted the property was taken back by the bank and purchased by the present owner about one and a half years ago. He said the number of parking spaces and units have not changed and that a modification was presented to the Zoning Board of Appeals. He commented that only the wetland boundaries and wetland resources have been previously discussed with this commission but he stated that the entire project has never been discussed.

Mr. Campbell stated there are 176 apartments within 9 buildings with 8 parking garages proposed. He said the project was clustered towards the front of the property to avoid encroaching into the wetlands and wildlife habitat areas to the rear and the Canoe River at the rear eastern end of the property. He pointed out two Isolated wetland areas that had been filled with a previous Order of Conditions which had been extended to allow continued work on the property.

Mr. Campbell stated 8 on-site subsurface systems and a grated swale at the rear of the property is proposed. He said the driveway width is in compliance with the Zoning Board of Appeals (ZBA), the sewer and water requirements are in compliance with the bordering vegetated wetlands and all electrical services are in compliance with the ZBA Comprehensive Permit requirements. He said a second set of plans was submitted to the ZBA with one change which eliminated one garage. He said there were no other major modifications and that was the plan sent to the Conservation’s Peer Review consultant.

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Mr. Campbell stated that revised information submitted on September 9, 2013 was in compliance with response letters received by the Conservation's Peer Review, BSC Group. He said the revisions consisted of moving one sidewalk, moving building 1 closer to the parking lot and further away from the wetlands and performing test pits in two locations requested by the BSC Group. He said the only change to the drainage system was changing to 9 subsurface systems instead of the above-ground swale. He commented that the original plans have remained the same with very minor changes.

Mr. Campbell stated that the potential vernal pool had since been certified and marked on the new plans. Lisa Carrozza requested that the wetland areas and buffer zone be shown in color on future plans. She asked Mr. Campbell to go over the wetlands and surface types and he did. Mr. Campbell noted that per the state's decision during an appeal, the original ANRAD was the final wetlands determination. He said the only changes were the labeling of the potential vernal pools and certified vernal pool.

Lisa Carrozza asked Mr. Campbell if he had applied to the Army Corp. of Engineers and he replied he had. He said it was determined that the on-site wetlands were man-made but the man-made pond had been abandoned for such a long time, it was determined to be jurisdictional. He said the Corp. requested keeping the level of water in the pond at the same level to preserve the species in the pond. He noted there are a lot of small pockets towards the rear of the property that would be jurisdictional. Lisa Carrozza asked Mr. Campbell if he intended on applying to the Corp. of Engineers and he replied he did not because no jurisdictional work was proposed. He stated that if no work was being proposed near any of the wetlands and no further disturbance was proposed in the already-disturbed areas the Corp. did not request an application.

Jennifer Carlino noted that the vernal pool shown on the new plans was smaller than actual size and she requested it be shown actual size. She noted that no vernal pool reports had been submitted as requested by the commission in the previous permit issuance.

Jennifer Carlino asked Mr. Campbell for the response for the surface types. He replied that the existing site is primarily disturbed. He said it is a gravelly sand with a straw brush cover. He is proposing paved areas for the parking lots. He pointed out areas on the plan proposed to be grassed and seeded with standard grass and the areas that will be raised 3-4 feet for the parking lots. He said a planting plan has been submitted. Mr. Campbell noted that the walk out units will be walking out onto sidewalks. Lisa Carrozza and Dan Campbell went over the grading on the plans.

Jennifer Carlino suggested that at the next public hearing full-sized plans be displayed with color and with the drainage routes depicted.

Lisa Carrozza asked how much fill was proposed and Mr. Campbell replied 3-4 feet for the center of the site. (approximated 4 acres) Lisa Carrozza suggested stockpile areas be shown on revised plans.

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David Henry asked who the Peer Review is for this project and Jennifer Carlino replied it is BSC Group.

Jennifer Carlino suggested that the commission do a new site inspection and asked Mr. Campbell to stake a few areas such as the limit of work and the buildings and any work to be done along the pond or the vernal pool.

David Henry requested that only new information be submitted since we received an excessive amount of plans and paper. Mr. Campbell explained that he had submitted original material as well as the new because the original material had never been reviewed.

Attorney Jamy Madeja explained to the commission that it was important that all members have all the original materials for review. Mr. Campbell explained that because the project is not owned by the bank anymore, they can submit whatever documents they want. Jennifer Carlino noted that the new owner was not copied on all new materials and letters and Mr. Campbell replied that they were even though they were not listed as being copied. Jamy Madeja stated, for the record, that the new owner/applicant was copied on all correspondence.

Dan Campbell stated they have applied to MEPA as requested by the board.

It was agreed that the public hearing will be continued to the next meeting of October 21, 2013.

It was agreed that the site inspection be held on October 5, 2013 at 8:30 am. Dan Campbell replied he would be there.

Lisa Carrozza made a motion, seconded by Scott Ollerhead, to continue the public hearing until the next regular meeting of Monday, October 21, 2013. Approved.

The members reviewed a request for a duplicate Certificate of Compliance for File #**250-381**. Julian Kadish made a motion, seconded by Scott Ollerhead, to issue the duplicate Certificate of Compliance. Approved.

The members reviewed a request for a duplicate Order of Conditions for File #**250-135**. Julian Kadish made a motion, seconded by Scott Ollerhead, to issue the duplicate Order of Conditions. Approved.

The members reviewed a request for a Certificate of Compliance for File #**250-513 – Robert Anderson/Willowcrest Estates, LLC – Lot #19 - Parcel 249 (Assessor's Map 9) 27 Smith Street**. Jennifer Carlino commented that the owner has to finish the work requested in the amendment to the Order of Conditions before a Certificate of Compliance will be issued. Chris Yarworth of Yarworth Engineering Co., Inc. explained that all the changes have been completed as listed in the request for an amendment to the Order of Conditions. Lisa Carrozza made a motion, seconded by Scott Ollerhead, to issue the Certificate of Conditions. Approved.

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The members reviewed the draft Order of Conditions for Notice of Intent – (#250-906) - **Campanelli Thorndike Norton, LLC – Parcels 61 & 76 (Assessor's Map 11) 274 East Main Street** – for proposed plans to construct a 230 unit apartment complex, roads, stormwater management system and grading within 100 feet of wetlands.

Jennifer Carlino commented that she received some of the requested information by email today and that David Henry had the plans requested. She noted an email received from David Kelly listing a few suggested conditions was included with tonight's agenda.

Jennifer Carlino asked the members to review condition #19 and decide if they want a SWPPP to be submitted 45 days before the start of construction or just have the contractor submit the revised pages at the pre-construction meeting. It was agreed to have the contractor submit the revised pages.

Jennifer Carlino asked the members to review condition #35 which is regarding the soils to be added to the infiltration basins and choose the condition as written or choose the condition as written by David Kelly. The members replied either would be appropriate.

Maureen Sroczynski, 283 East Main Street, Unit 15, asked if any proposed changes would have to be approved by the Commission and Jennifer Carlino replied they would.

Jennifer Carlino noted that two additional conditions submitted by David Kelly would be included with the conditions.

Julian Kadish made a motion, seconded by Scott Ollerhead, to sign the Order of Conditions, as amended. Approved. Lisa Carrozza abstained from voting. Jennifer Carlino commented that three members can sign the Order of Conditions tonight and Ron O'Reilly can sign the Order of Conditions one day this week and the Order of Conditions can then be issued. She noted that the Commission can ratify the issuance at the next meeting with Ron O'Reilly.

OLD BUSINESS

Violations:

12 Forest Lane
6 Rumford Road
East Hodges Street – Fred Bottomley
7 Todd Drive
Laura Lane Conservation Restriction violations
Alder Road
112 Mansfield Avenue
#250-781 & #250-782 - 14 & 16 Johnson Drive

Jennifer Carlino commented that there were no changes in all of the "Old Business" issues.

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NEW BUSINESS

Town Meeting Articles – Jennifer Carlino noted two articles; land transfer at the Norton Reservoir and the Crane Farm LAND grant for \$5,000.

Evaluation - Jennifer Carlino asked the members to complete her yearly evaluation sheet.

Watershed Policy – Jennifer Carlino noted that no bids were received. She replied she could get feedback from various people and have the RFQ revised.

December meeting dates – Jennifer Carlino asked the members if they wanted to hold meetings on December 9th and December 23rd or just one meeting on December 16th. It was agreed to have only one meeting on December 16th.

27 Fletcher Street -

Reservoir Update

Report from Staff

Site visits

Waterbodies Committee update – RFQ

Jennifer Carlino noted that tree clearing has been going on at the Great Brook condominiums right up to the wetlands and asked that the members inspect this area.

Scott Ollerhead made a motion, seconded by Julian Kadish, to adjourn the meeting at 8:35 pm. Approved.

Minutes Approved by Committee on: _____
(Date)

Respectfully submitted,

Signature:

(Name)

Chairman, _____