

Monday, March 10, 2014

### **Attendance**

David Henry (Chairman), Ron O'Reilly (Vice-Chairman),  
Julian Kadish, Scott Ollerhead, Jan Franceschelli  
and Jennifer Carlino, Conservation Agent

Lisa Carrozza and Chris Baker were absent.

### **Minutes**

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

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

The members reviewed the Bills Payable Sheet (Dell). Ron O'Reilly made a motion, seconded by Scott Ollerhead, 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.

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

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

**Draft minutes for July 22, 2013, July 22, 2013 (Executive Session)** It was agreed to table the minutes to the next meeting for lack of a quorum.

Notice of Intent – (**#250-921 Paul Freeman – Parcel 53 (Assessor's Map 17) 86 East Main Street** – for proposed plans to tear down the existing building, construct a house and install a septic system within 100 feet of wetlands and the Rumford River.

### **Document List**

1. WPA Form 3 – Notice of Intent
2. Plan entitled "Sewage Disposal System" 86 East Main Street prepared by hutchins-Trowbridge associates, inc., Scale 1"=20' signed and stamped by Michael A. Trowbridge and dated February 6, 2014.

**Norton Conservation Commission**  
**Monday, March 10, 2014**  
**Minutes, Page 2.**

Paul Freeman commented that he recently purchased the house which was burned in a fire last August. He said he is proposing to demolish the house and construct a 28' x 44' ranch, even though the plans show a 28' x 30' house, with a new septic system. He said the house is out of Conservation jurisdiction but the septic system is within the buffer zone & Riverfront Area.

Jennifer Carlino noted that there is Floodplain at the rear of the site and since the project is within the 200-ft. Riverfront area DEP is requiring that an Economic Alternative Analysis be submitted. She noted that the plans show the shed being removed but it is going to remain. She stated that the plan shows "netting" behind the silt fence but requested to omit the netting.

Paul Freeman commented that there is quite a bit of debris on the property which will be removed.

Scott Ollerhead made a motion, seconded by Ron O'Reilly, to continue the public hearing to the next meeting of Monday, March 24, 2014. Approved.

The members reviewed an Amendment to the Order of Conditions for file **#250-906 – Campanelli Thorndike Norton, LLC – 274 East Main Street – (cont. from the February 25, 2014 mtg.)** to modify the approved plans.

Document List

1. Letter dated January 27, 2014 to Jennifer Carlino requesting to Amend the Order of Conditions for File #250-906 which would be the modification to the plans per Zoning Board comments.
2. Plan entitled "Norton Apartments", Campanelli Thorndike Norton LLC, 274 East Main Street, Norton, MA, Plan to Accompany S.W.P.P.P. Plan (Phase 1) (Sheets 1-3) prepared by Kelly Engineering Group, Inc., signed and stamped by David Noel Kelly with latest revisions January 16, 2014.
3. Plan entitled "Norton Apartments", Campanelli Thorndike Norton LLC, 274 East Main Street, Norton, MA, Limits of Work Exhibit (Sheets 1 & 2) Scale 1"=30', prepared by Kelly Engineering Group, Inc. and dated January 31, 2014.
4. Mitigation and Enhancement Planting Plan (Sheets 1-3) Norton Apartments, Norton, MA prepared by LEC, Scale 1"=30' with latest revisions on January 15, 2014.
5. Letter dated February 3, 2014 from Jennifer Carlino to Mark Manganello.
6. Letter dated February 24, 2014 from John Chessia, Chessia Consulting Services, LLC.
7. Reduced Plan entitled "Norton Apartments", Campanelli Thorndike Norton LLC, 274 East Main Street, Norton, MA, Limits of Work Exhibit (Sheets 1-3) Scale 1"=60', prepared by Kelly Engineering Group, Inc. and dated February 10, 2014.
8. Email requesting a continuance of the public hearing dated Tuesday, February 25, 2014.

Present at the public hearing were David Eastridge, Thorndike Development, David Kelly, Kelly Engineering and Mark Mananello of LEC Environmental.

**Norton Conservation Commission**  
**Monday, March 10, 2014**  
**Minutes, Page 3.**

Dave Eastridge updated the commission on the status of the project to date. He noted that after receiving Jennifer Carlino's comment letter dated February 3, 2014 and John Chessia's report dated February 24, 2014, revised plans and a SWPPP were submitted. He said that John Chessia had reviewed the revised plans and had only a couple of issues to have clarified. Mr. Eastridge requested that any outstanding issues can be conditioned.

David Kelly noted that a meeting had taken place between Jennifer Carlino, John Chessia, David Eastridge and himself and most of the issues in Jennifer Carlino's letter were addressed at that time. He referred to the letter dated February 24, 2014 from John Chessia and commented that even though it seemed like a long letter, most of the information was a repeat from an earlier letter. He said that most of the issues referred to in this letter had been resolved and the plans were revised accordingly.

Mr. Kelly stated that the numbers of the storm water systems are now on the plans and are consistent with the report. He said all the revisions to the Storm Water Management report were made as suggested. He noted that there was an issue with the two storm water management systems, 1. the roof runoff and 2. the surface runoff in the front of the buildings. He said that Chessia had commented in their report that the two systems were too close together to work properly. He said that he had revised the plans to show that they are separated by five feet.

Mr. Kelly commented that Chessia had an issue with the emergency spillways for the pond. He said that the plans were revised to show that they would regard the spillways as a discharge area and moved them outside of the 100 foot buffer zone of the vernal pool. Mr. Kelly noted that Chessia had questioned the sizing of some of the roof drains. He said that they thought that the pipes might be too small to handle the runoff from a 100-year storm, therefore the piping installed at the rear of the buildings was designed to handle a 100-year storm.

Mr. Kelly stated that Chessia had an issue with the SWPPP. He said that Chessia had noted that the sediment ponds were too close to the 100-ft. buffer zone. He said that he thought they could be a little closer because the land was higher in some areas and that it would be more difficult for sediment to get to the wetlands. He commented that more snow storage areas have been shown on the plans. Mr. Kelly noted that the final drainage plans will have to be approved by the Town.

Scott Ollerhead made a motion, seconded by Ron O'Reilly, to close the public hearing. Approved. Scott Ollerhead made a motion, seconded by Julian Kadish, to accept and issue the Amended Order of Conditions. Approved.

**Norton Conservation Commission**  
**Monday, March 10, 2014**  
**Minutes, Page 4.**

The members reviewed a Notice of Intent – (#250-888) – **Turtle Crossing, LLC – Parcels 4 & 22 (Assessor's Map 2) – Newland Street – (cont. from the February 25, 2014 mtg.)** - for proposed plans to construct 7 buildings, 8 garages, driveways, parking, utilities and associated grading within 100 feet of wetlands.

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.
10. Comment 10-5-13 site inspection letter by Jennifer Carlino.
11. Email letter received from Atty. Jamy Madeja dated October 28, 2013
12. Memo dated November 5, 2014 to ZBA from Jennifer Carlino
13. Response letter from the Norton Conservation Commission to Level Design Group dated November 5, 2013.
14. Contract Amendment to the BSC Group invoice for \$3,200 dated November 13, 2013.
15. BSC Group letter to Norton Conservation Commission dated December 9, 2013.
16. BSC Group letter to Norton Conservation Commission dated December 11, 2013.
17. BSC Group comment letter to Norton Conservation Commission dated January 27, 2014.
18. Turtle Crossing Restoration Planting Sketch, North Area dated February 5, 2014.
19. Turtle Crossing Restoration Planting Sketch, South Area dated February 5, 2014.
20. Letter dated February 6, 2014 from Level Design Group in response to BSC Group’s comment letter dated January 27, 2014.
21. Letter dated March 5, 2014 from Level Design Group in response to comments requests made by the Norton Conservation Commission

Present for the public hearing was Dan Campbell, P.E., Level Design Group.

Mr. Campbell stated he had submitted a letter dated March 5, 2014 along with 5 copies of revised plans which, he noted, should show all revisions requested by the board.

**Norton Conservation Commission**

**Monday, March 10, 2014**

**Minutes, Page 5.**

He noted the items included the extension of a wall adjacent to WF72, the installation of a post and rail fence behind buildings 6 & 7 and additional sidewalk adjacent to buildings 6 & 7. He stated he was unable to confer with LEC in regards to the location of the wildlife culvert and the additional length. He pointed out the areas where the planting plans and snow storage areas had changed.

David Henry asked when the wildlife culvert issued could be resolved and Mr. Campbell replied he would rather have it be a condition and take care of the issue approximately at the same time the SWPPP is submitted.

David Henry asked why the wildlife culvert issue could not be resolved at this time and Mr. Campbell replied that LEC is not currently on a retainer to review the site. David Henry noted that the applicant was having a problem with the project being drawn out too long yet they are not willing to put out a retainer for the review.

David Henry noted that a meeting had taken place by the applicant and the Town Manager because of the length of time the Commission was taking to issue the Order of Conditions. Julian Kadish asked who was present at the meeting with the Town Manager. Jennifer Carlino replied she was present at the meeting. Julian Kadish and David Henry expressed a desire to have the applicant submit the wildlife culvert information for Jennifer Carlino's review as well as conditioning it in the Order.

David Henry stated that he has postponed the continuance of the Zoning Board of Appeals (ZBA) meeting until the public hearing with the Conservation Commission has closed. Jennifer Carlino replied that a letter will be sent to the ZBA regarding the closing of the Conservation public hearing and when the Order of Conditions will be issued.

Scott Ollerhead made a motion, seconded by Julian Kadish, to close the public hearing. Approved.

The members ratified the vote for the signing of the Order of Conditions for the Notice of Intent – **(#250-920) – Campanelli Thorndike Norton, LLC – East Main Street and Newland Street**. Ron O'Reilly made a motion, seconded by Julian Kadish, to ratify the signature for Scott Ollerhead. Approved.

**OLD BUSINESS**

**157 Mansfield Avenue oil spill update.**

Jennifer Carlino commented that she received an update-letter stating work was going to resume soon for the restoration work and field work.

**Violations:**

**East Hodges Street – Fred Bottomley**  
**Alder Road**  
**12 Forest Lane**  
**6 Rumford Road**  
**7 Todd Drive**  
**14 Laura Lane**  
**112 Mansfield Avenue**  
**243 So. Worcester Street**

Jennifer Carlino noted that no new information has been received on the above violations.

**NEW BUSINESS**

ENF-water treatment facility on Plain St adjacent to Canoe River.

Jennifer Carlino noted that she had received an ENF and has attached a draft comment letter to the agenda for their review. She said there is an upcoming meeting this Wednesday at the Water Department on the proposed treatment facility.

MassDOT Vegetation Management Plan is available.

Jennifer Carlino stated that they should comment on the invasive plant management.

Jennifer Carlino noted that a Special Town Meeting has been scheduled for May 12, 2014 and Warrant Articles are due by March 18, 2014.

Jennifer Carlino noted that an invoice has been received by Pare Corporation for work on the dams. She said that they stated that they have been trying to contact the Office of Dam Safety with no results. She said that they advised Pare Corp. that the invoice will not be paid until they notify the board how they have contacted the Office of Dam Safety. She said he spoke with Bill Salomaa and Mark Greve of Mass DCR last week who commented that this is the first time they have heard of water rights having an impact on the level of design. She said that, if possible, the DCR would like to forward the findings and the Town's legal opinion to the DCR attorney for review. The members agreed that would be ok.

Julian Kadish commented the Norton Reservoir is small in comparison to the Watershed area and it is difficult to design a spillway that will handle a 100-yr or 500-yr storm event. Jennifer Carlino noted that she and Pare Engineering have been trying to receive permission from the Office of Dam Safety to design a spillway for a lesser storm event.

**Norton Conservation Commission**  
**Monday, March 10, 2014**  
**Minutes, Page 7.**

David Henry adjourned the meeting at 7:57 pm.

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

Respectfully submitted,

*Signature:*

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

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