

Monday, April 14, 2014

### **Attendance**

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

Chris Baker was absent.

### **Minutes**

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

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

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

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

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

The members reviewed a Notice of Intent – **(#250-922) – Charles & Marlene Koczera – Parcel 2 (Assessor's Map 3)** – for proposed plans to install a 30'x4' x 20'x4' portable dock within 100 feet of Norton Reservoir.

### **Document List**

1. WPA Form 3 – Notice of Intent
2. Drawing entitled "Proposed Dock at 450 Reservoir Street, Norton, MA
3. Portion of a plan prepared by John F. Vance, Jr. entitled "Plan Showing Proposed Dock over Patio at 450 Reservoir Street for R. Romenskis in Norton, MA" dated Oct. 17, 2002.
4. Brochure entitled "Extraordinary Dock Systems, Shore Side Docks".

Present at the public hearing were Charles and Marlene Koczera. Mr. Koczera described the project to the members. He described the kind of dock he wanted to install and submitted a brochure describing the type of dock to be installed.

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Lisa Carrozza asked what the vegetation in the water where the dock is proposed is and Jennifer Carlino noted it was a little too early in the year to note. Lisa Carrozza noted that DEP is requesting the amount of impacts be listed in detail on revised plans. Lisa Carrozza requested the entire dock be shown on the revised plans. Mr. Koczera replied he had revised his plan and Jennifer Carlino suggested he submit the plan to the commission. She suggested adding the calculations for the amount of impacted areas.

Julian Kadish Mr. Koczera what the distance was between the boards on the dock and he replied it was not noted in the brochure.

Lisa Carrozza suggested to Mr. Koczera to obtain the information regarding the spacing between the boards on the docks and the amount of light that will go through the docks which will affect any vegetation or wildlife under the docks. She asked if anyone had checked to see if there were any mussels in the water under the proposed dock and Jennifer Carlino replied it is a little early to inspect for mussels and she would inspect the area just before the next meeting.

Lisa Carrozza asked Mr. Koczera to submit a larger plan showing more of the areas where the dock will be installed. She asked Jennifer Carlino to check with the Army Corp. of Engineers on the requirements for board spacing on docks where vegetation is an issue.

Ron O'Reilly made a motion, seconded by Julian Kadish, to continue the public hearing until Monday, April 28, 2014. Approved.

The members reviewed an Amendment to Order of Conditions for File **#250-902 – Brian Coulter – Parcels 41-02 & 35-01 (Assessor's Map 14) 186 North Worcester Street** – proposed plans to construct a foundation and install a 25'4 ½" x 30' 5 ½" metal building within 100 feet of wetlands.

Document List

1. Email dated March 31, 2014 from Matthew T. Rose, Executive Supervisor, CMC Design-Build, Inc. requesting an amendment to the Order of Conditions to allow for a detached metal building to be set on a standard foundation footing and wall system.
2. Several pictures of the existing shed and proposed area for the building.
3. Plan entitled "Plan of Proposed Garage Addition, 186 North Worcester Street, Norton, MA Prepared for Brian Coulter prepared by Yarworth Engineering Company, Inc., signed and stamped by Christopher D. Yarworth and dated January 18, 2013.

Brian Coulter was present at the public hearing. He explained that he received a permit to construct an attached garage but now would like to install a detached metal building. He said that he does not need a driveway leading to the building. He said that the new building is smaller than the approved attached garage. He commented that he will use the building for storage rather than for parking cars.

Mr. Coulter stated he is proposing to remove 7 trees. Lisa Carrozza asked Mr. Coulter if this was the farthest away from the wetlands he could install the building and he replied it was.

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Mr. Coulter noted he was removing the existing shed. Lisa Carrozza was concerned with the removing of the trees and he replied he would like at least remove the two rotted trees.

David Henry suggested to Mr. Coulter to stake out the area and Jennifer Carlino could inspect the area at an on-site meeting.

Ron O'Reilly made a motion, seconded by Scott Ollerhead, to continue the public hearing to Monday, April 28, 2014. Approved.

Modification – **DET. #995 – Bluewave Captial** – Fairlee Lane.

David Henry noted that the applicant has requested a continuance. Jennifer Carlino stated that Chris Yarworth of Yarworth Engineering Co., Inc. will bring in revised plans and present the modification.

Discussion: Ben Leavitt - #250-882 – Pheeny's Island – discussion of dock

David Henry noted that the applicant is still communicating with DEP and will put together a packet for the Commission.

**Emergency Certificate**: 380 So. Worcester Street, ammonia leak

Jennifer Carlino noted she was called to a site (old Sysco) for an ammonia leak that got into the drainage system through a floor drain and into a wetland along the RR. She said that they dammed the swale and treated the ammonia areas and will open the dam this week. She said that the building was sold and the new owners are using the existing refrigerators and they have paved a portion of the area within 100 feet of wetlands that was supposed to be a swale. She said she will send the new owner a letter regarding the violation.

Scott Ollerhead made a motion, seconded by Julian Kadish, to issue an Emergency Certificate. Approved.

**OLD BUSINESS**

**#250-906** – Chessia Consulting Services, LLC

Jennifer Carlino stated she received an invoice for the work done on the amendment which was \$400 over the estimate. She said she will not request more funds from the applicant at this time since the permit has been issued already. Jennifer Carlino stated the money can be billed to the Wetland Protection Funds. Lisa Carrozza made a motion, seconded by Julian Kadish, to pay Chessia Consulting Services, LLC out of the Wetland Protection Funds. Approved. Lisa Carrozza suggested being more careful in the future to avoid this from happening again.

**NEW BUSINESS**

241 Dean Street – Jennifer Carlino noted that the owner has been removing all the junk from the wetland.

5 Sailors Lane – Jennifer Carlino commented that someone called to say they were purchasing the property and was planning on maintaining the dock. She said that she received a photograph of an existing 15' x 20' platform. She said she advised them that they would need to obtain a wetland permit for a platform this size.

MassDOT Vegetation Management Plan is available. – Jennifer Carlino noted that comments were sent and she had attached copies to the agenda.

Jennifer Carlino noted that she received a request from the new owner of 41 Charlotte Avenue requesting to cut trees in the front of the property and to widen the driveway. She said she advised the owner that she would have to file a Notice of Intent along with an engineered-surveyed plan. She said a letter should be sent to the homeowner explaining the process.

Jennifer Carlino noted that the members should inspect Alder Road. Lisa Carrozza stated she could go Friday but needed a plan to go by.

Jennifer Carlino noted that she received a grant from SRPEDD for technical assistance to the Zoning Board of Appeals to help with the 40B permitting process.

Jennifer Carlino stated that the owners at 23 Newcomb Street are trying to sell the property but the driveway is on Conservation property. She said that before the Conservation Commission purchased Johnson Acres, a family by the name of Woodasons owned this property and the owners of Johnson Acres filed a "Prevention of Acquisition of Easement by Prescription" and explained to the Woodasons that they could not keep their driveway forever. Jennifer Carlino commented that when the Woodasons sold the property to the Hart family she gave them a copy of this information regarding the driveway. Jennifer Carlino said she met with all parties involved and explained that the driveway will have to be moved, but has since received threatening emails which she handed to Mike Yunits, Town Manager, to respond to.

Lisa Carrozza asked if she would like anyone to join her for the Alder Road inspection. Julian Kadish, Scott Ollerhead and Lisa Carrozza agreed to meet Jennifer Carlino at the Norton Reservoir dam on Thursday evening at 4:30 pm. Jennifer Carlino noted she could take them to the site and explain what the issue is but would have to return to the Town Hall for the Open Space Committee meeting to be held at 5:30 pm.

David Henry adjourned the meeting at 8:05 pm.

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

Respectfully submitted,

*Signature:*

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

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