

MINUTES

Monday, September 22, 2014

The meeting was called to order at 7:00pm.

Attendance: Ron O'Reilly, Scott Ollerhead, Jan Franchescelli, Julian Kadish, Lisa Carrozza and Conservation Agent Jennifer Carlino

Absent: David Henry

7:00 pm **Minutes of November 25, 2013.**

Motion made by Lisa Carrozza, seconded by Julian Kadish to accept with edits.
Approved.

Bills Payable

Chessia – Motion by Ron O'Reilly, seconded by Julian Kadish. Approved.

Pare – Motion by Lisa Carrozza, seconded by Ron O'Reilly. Approved.

7:05 pm Request for a Determination of Applicability – **(DET. #1011) – Dylan Ribeiro – Parcel 65 (Assessor's Map 30) 105 Harvey Street** – for proposed plans to repair/replace a septic system within 100 feet of wetlands.

Documents:

1. WPA Form 1 – Request for a Determination of Applicability
2. Plan entitled “ Upgrade of Subsurface Disposal System at 105 Harvey Street, Norton, MA, prepared by BDO Engineering, signed and stamped by David A. Oberlander with latest revisions on August 29, 2014.

Dylan Ribeiro, contractor and David Oberlander attended the meeting. Mr. Oberlander described the project to the members. He said the system cannot be placed in the front of the house because of the well and driveway. He said the septic system is high enough to use the gravity system. Jennifer Carlino stated she explained to the owner that she cannot cut or clear beyond the existing lawn without a valid wetland permit. Julian Kadish made a motion, seconded by Lisa Carrozza, to close the public hearing. Approved. Julian Kadish made a motion, seconded by Lisa Carrozza, to issue a negative (#3) Determination of Applicability as long as the work is done according to the approved plan. Approved.

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7:10 pm Request for a Determination of Applicability – **(DET. #1012) – Mike & Christine Esmeraldo – Parcel 283 (Assessor’s Map 27) – 10 Margaret Drive -** for proposed plans to remove 6 trees and re-establish lawns within 100 feet of wetlands.

Documents:

1. WPA Form 1 – Request for a Determination of Applicability
2. Plan entitled “On-Site Sanitary Disposal System” As-Built 10 Margaret Drive, Norton, MA prepared by Pilling Engineering Group, Inc., signed and stamped by Bruce R. Pilling and dated May 9, 2005. (from File #250-644).

Attending the public hearing was Mike Esmeraldo and Bryan Beattie, B & B Landscaping. Mr. Esmeraldo stated he would like to cut trees. He said he will leave 12 feet standing for the two trees next to the house and leave the stumps for the remaining trees. He said he proposes to re-seed the back yard. Mr. Esmeraldo noted there will be no machinery on the property.

Lisa Carrozza suggested placing sediment control near at the edge of the lawn to prevent debris running into the wetlands. Julian Kadish made a motion, seconded by Ron O’Reilly, to close the public hearing. Approved. Julian Kadish made a motion, seconded by Lisa Carrozza, to issue a negative (#3) Determination of Applicability as long as the work is done according to the approved plan. Approved.

7:15 pm Notice of Intent – **(#250-929) – Jeffrey O’Neill, Condyne Capital Partners – Parcels 86 & 84-01 (Assessor’s Map 25) 40 Commerce Way – (cont from the September 8, 2014 mtg.)** for proposed plans to construct a 14,400 s.f. building with associated parking and utility improvements and a private fueling facility within 100 feet of wetlands.

Documents:

1. WPA Form 3 – Notice of Intent
2. Stormwater Report
3. Plan entitled “Proposed Solar Farm” Clapp Street, Norton, MA Prepared by Vanasse Hangen Brustlin, Inc., signed and stamped by Conor P. Nagle and dated July 10, 2014.
Letter dated July 22, 2014 from Jennifer Carlino to David Pickart, VHB, Inc.
Appendix D Illicit Discharge Compliance Statement
4. Checklist for Storm Water Report

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5. Stormwater Management System Operations and Maintenance Manual
6. Letter dated July 22, 2014 from Jennifer Carlino to David Pickart, VHB, Inc.
7. Letter dated July 30, 2014 from Conor Nagle, PE, VHB
8. Drainage Calculations submitted on August 15, 2014.
9. Chessia Consulting Report dated July 24, 2014.
10. Letter dated August 28, 2014 from Condyne Engineering Group to the Norton Conservation
11. Commission
12. Drainage calculations submitted on September 2, 2014.
13. Drainage Area Plan, Existing with latest revisions on August 28, 2014.
14. Chessia Consulting Report dated September 5, 2014
15. Condyne Engineering Group letter dated September 8, 2014.
16. Chessia Consulting Services LLC review proposal dated September 10, 2014.
17. Underground Tank information submitted by Condyne Engineering Group.
18. Certificate of the Secretary of Energy and Environmental Affairs on the Single
Environmental Impact Report dated September 13, 2013.
19. Chessia Consulting Services, LLC report dated September 19, 2014.
20. Storm Water Management Report with latest revisions on September 17, 2014
21. Stormwater Pollution Prevention Plan (SWPPP) dated September 15, 2014.

Mark Dibb, Condyne Engineering Group and John Chessia, Chessia Consulting Services, LLC attended the public hearing. Jennifer Carlino suggested they go back and forth responding to Chessia's letter dated September 19, 2014 as follows:

- Regarding Standard 1 – Untreated Stormwater - regarding the runoff from the small area of the driveway. John Chessia noted the applicant has revised the plan to have double grates.
- Regarding Standard 2 - Post Development Peak Discharge Rates. John Chessia noted all his comments were satisfactorily addressed.
- Emergency overflow spillway. John Chessia noted an emergency overflow has been added.
- Regarding the standard requiring the emergency overflow spillway be sized to convey the 100-yr. storm with other outlets not functioning during that event in the model. John Chessia replied the applicant has proposed an emergency overflow supporting sizing calculations.
- Regarding the standard requiring the design of the outlet structure be consistent with the calculations. He said that the outlet structure has been revised to match the plans and the
- calculations, excepting that the maintenance drain has a lower elevation in the basin area than at the outlet structure.

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- Regarding Standard 3 – Recharge to Groundwater. John Chessia stated the calculations have been revised.
- Regarding Standard 4 – 80% TSS Removal. He said this has been satisfactorily addressed. He said the site as highly pervious soils requiring pretreatment of 44% removal prior to discharge to an infiltration system. He noted the site is also Land Use with Higher Potential Pollutant Loads. (LUHPPL) which requires about 44% pretreatment.

Mr. Chessia noted that the well is no longer in service. He said that the applicant has responded satisfactorily to: Street sweeping, Deep sump catch basins, Proprietary treatment units Infiltration basins. He noted calculations for the forebay have been provided.

- Mark Dibb replied the final number for TSS Removal is 86%.
- Standard 5 – Higher Potential Pollutant Loads - John Chessia had a question with the fueling operation. He suggested a second tank but the applicant will be using a shut off valve and does comply with EPA requirements.
- Standard 6 - Areas of Critical Concern. John Chessia commented the property is in an ACEC area.
- Standard 7 - Redevelopment Project. John Chessia commented it is not a redevelopment project.
- Standard 8 – Erosion/Sediment Control – John Chessia commented a draft SWPPP has been received. He commented the soils are good soils. He recommended both erosion and sedimentation control plans be added to the plans.

Lisa Carrozza suggested many smaller basins might be needed during construction rather than 1 large one. She commented that there is a lot of earth work to be done before winter is here and would like temporary stabilization to be in place. She suggested a 2-yr. storm event basin be in place.

- Standard 9 – Operation and Maintenance Plan – John Chessia commented this issue has been addressed satisfactorily.

Lisa Carrozza asked Mr. Dibb if there was any portion of the property that would not be disturbed and he replied there was not.

Mark Dibb submitted a draft SWPPP and revised plans.

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

REQUEST FOR A PARTIAL/FULL CERTIFICATE OF COMPLIANCE

#250-914 - Tony Zerilli – Weston & Sampson - (for Norton Water Department) Parcels 2 & 3 (Map 19) Plain Street

Motion to issue **full** COC made by Lisa Carrozza, seconded by Julian Kadish. Approved.

OLD BUSINESS

Violations:

90A Freeman violation – Jennifer Carlino noted that for the restoration plan, commission would need a rough estimate of the pond size now. It is still much larger than the previous wetland area and requires more woody debris around it.

East Hodges Street – Fred Bottomley
Alder Road
12 Forest Lane
7 Todd Drive
14 Laura Lane
243 So. Worcester Street
241 Dean Street
5 Sailors Lane

NEW BUSINESS

Jennifer Carlino noted that new member information was included with this agenda.

Chartley repairs - Jennifer Carlino stated that the commission has two options to do the repairs. The members chose permit #1.

Plain Street Bridge – The members agreed they would like to see a nicer fascade.

Watershed Policy
Reservoir Update
Report from Staff

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Site visits

MACC fall conference on aquatic invasive plants

Waterbodies Committee update – The minutes of their meeting were included in the packet

Draft Dock Guidance suggestion was made to see if ME or NH have any that we can use.

Wetland Protection Fund

Grants

Open Session (topics not reasonably anticipated 48 hours in advance)

40 Power Street clearing – members mentioned noticing land clearing at 40 power st. and asked Jennifer to inspect

162 W Main Street - violation - Dylan Ribeiro and David Oberlander appeared to discuss the violation (**DEP # 250-38**). Members made suggestions on their next steps. Lisa, Ron and David would like to do a site inspection. There are approximately 2500-3000 yards of material to be removed from over 11,000 sf of excess material placed in the wetland. Members said to pull out excess fill to the approved limit of work line and install the visual barrier fence. They would like to see a new plan for removal and site stabilization, re-organize the business area, conduct good housekeeping with materials in rear yard, submit a time schedule and look at winter stabilization. Dylan estimates \$50,000-\$100,000 to complete work..

The meeting adjourned at 8:40 pm.

Minutes Approved by Committee on: _____
(Date)

Respectfully submitted,

Signature:

(Name)

Chairman, _____