

## **MINUTES**

Monday, October 6, 2014

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

**Attendance:** David Henry (Chairman), Ron O'Reilly (Vice-Chairman), Julian Kadish, Jan Franceschelli, Daniel Pearson and Jennifer Carlino, Conservation Agent

**Absent:** Lisa Carrozza and Scott Ollerhead

7:00 pm           **BILLS PAYABLES:**

**Verizon** – Motion by Ron O'Reilly to pay the bill, seconded by Julian Kadish. Approved.

**Herb Church** – Motion by Ron O'Reilly to pay the bill, seconded by Julian Kadish. Approved.

**Chartley Landscaping** – Motion by Ron O'Reilly to pay the bill, seconded by Julian Kadish. Approved.

**W.B. Mason** – Motion by Ron O'Reilly to pay the bill, seconded by Julian Kadish. Approved.

7:05 pm           Notice of Intent – (**#250-939**) – **David Welch/D.K.W. Builders, Inc. – Parcels 171 & 13 (Assessor's Map 12) 142 Bay Road** – for proposed plans to construct a house and well with related grading within 100 feet of wetlands.

### **Document List**

1. WPA Form 3 – Notice of Intent
2. Plan entitled "On-Site Sanitary Disposal System "New Construction", 142 Bay Road, Map 12, Plot 171, Norton, MA" prepared by Pilling Engineering Group, Inc., Scale 1"=30', signed and stamped by Bruce R. Pilling and dated July 29, 2014 with latest revisions on October 1, 2014.

Present at the public hearing were Lucas Klim from Pilling Engineering Group, Inc. Mr. Klim stated the applicant is proposing to construct a single-family house, of which a portion is within the 100-ft. buffer zone.

Mr. Klim noted that the location of the house is where it is because of Zoning sideline and setback regulations.

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Mr. Klim commented that in reply to the two comments by Jennifer Carlino, a post and rail fence has been added at the 50-ft. buffer zone area as a visual barrier. He said he added details on the retaining wall to the plans. Jennifer Carlino stated that it is required that filter fabric be placed between the retaining wall and the fill to help keep the fill from seeping through the stone wall. She said she will add this requirement as a condition in the order.

Jennifer Carlino noted that on the original application it was not checked that the project is within the ACEC of Canoe River. She said a revised page has been submitted.

Ron O'Reilly made a motion, seconded by Julian Kadish, to close the public hearing. Approved.

7:10 pm      Notice of **Intent** – (#250-940) – **Aspen Properties Group, LLC – Parcel 73-21 (Assessor's Map 25) 21 King Philip Road** - for proposed plans to connect to sewer within the 100-yr floodplain and 100 feet of Lake Winnecunnet.

**Document List**

1. WPA Form 3 – Notice of Intent Form
2. Plan entitled "Notice of Intent, 21 King Philip Road, Assessors Map 25, Parcel 73-21, Norton, MA Scale 1"=10', prepared by Thompsonfarland, signed and stamped by Christian Albert Farland and dated September 18, 2014.

Present at the public hearing was Stevie Cavahlo of Thompson Farland. He said the applicant is proposing to connect to the existing sewer line within 100 feet of Lake Winnecunnet and Floodplain.

Jennifer Carlino asked Mr. Cavahlo why altered BVW and BLSF are checked on the applicant with the altered amount listed as 0. Mr. Cavahlo replied that he did not list an amount because everything was going to be put back as it was. He said the trench would be dug and the soil put back immediately. Jennifer Carlino asked if he had spot grades to show this on the plan and he replied they were on the plan.

Jennifer Carlino asked Mr. Cavahlo to describe the grinder pump and asked him how the flood plain will be protected and he described the kind of pump to be used. He noted there would be a rubber gasket on the pump to prevent water from going in or coming out of the pump. He said the pump is equipped with an alarm in case the electricity is cut off.

Julian Kadish asked if any dewatering would be needed and Mr. Cavahlo replied he does not know at this time because no soil tests were done. He asked if there was any chance of the pump coming out of the ground and Mr. Cavahlo replied there was a collar underneath the pump on which dirt is placed to keep it from lifting out of the ground.

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David Henry asked if a copy of the grinder pump instruction manual could be provided to the commission and Mr. Cavahlo replied he would provide a copy. Jennifer Carlino asked if there were any other plans for work on the house and Mr. Cavahlo replied there were not. Ron O'Reilly made a motion, seconded by Julian Kadish, to close the public hearing. Approved.

7:15 pm      Notice of Intent – (#250-941) – **Aspen Properties Group, LLC – Parcel 73-23 (Assessor's Map 25) 23 King Philip Road** - for proposed plans to connect to sewer within the 100-yr floodplain and 100 feet of Lake Winnecunnet and to raise a building to comply with floodplain regulations.

**Document List**

1. WPA Form 3 – Notice of Intent
2. Plan entitled "Notice of Intent" 23 King Philip Road, Norton, MA, Scale 1"=10', prepared by ThompsonFarland, signed and stamped by Christian Albert Farland and dated September 18, 2014.

Present at the public hearing was Stevie Cavahlo of Thompson Farland. He stated that this is the same type of project as 21 King Philip Rd. using a grinder pump. He said the one difference is the proposal to raise the house. He said the fill would be brought on site.

Jennifer Carlino commented that there are no details on the raising of the house and since all the work will be entirely within the floodplain, this information is required. She noted the F.E.M.A. Map of the property is also required.

Mr. Cavahlo stated the elevation at the top of the foundation is 69.8 feet and the house will be raised approximately 4 feet to be at an elevation of 73 feet. Jennifer Carlino asked Mr. Cavahlo to put these details on the plan. She asked Mr. Cavahlo to submit information on how the standards are met for Bording Land Subject to Flooding. Mr. Cavahlo agreed to submit revised plans.

Jennifer Carlino noted there is an open permit on this property (File #250-682) and a Certificate of Compliance needs to be applied for and issued. She requested this be done before issuing the Order of Conditions for this application.

Ron O'Reilly made a motion, seconded by Julian Kadish, to continue the public hearing until the regular meeting of Monday, October 27, 2014 to allow the applicant to submit the requested information. Approved.

7:20 pm      **Notice of Intent – (#250-937) – Brett Chapman, Norton Solar I, LLC – Parcels 50, 52, 53 & 70 (Assessor's Map 23) Clapp Street – (cont. from the August 11, 2014 mtg.)** for proposed plans to construct a solar project, access road, storm water management and grading within 100 feet of bordering vegetated wetlands.

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David Henry noted an email has been received from Connor Nagle/Weston & Sampson requesting a continuance of the public hearing to the first meeting in November. Ron O'Reilly made a motion, seconded by Dan Pearson, to continue the public hearing to the regular meeting of November 10, 2014. Approved.

The members reviewed the draft Order of Conditions for Notice of Intent – (**#250-929**) – **Jeffrey O'Neill, Condyne Capital Partners – Parcels 86 & 84-01 (Assessor's Map 25) 40 Commerce Way** - 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. There were minor edits made to the Order. Ron O'Reilly made a motion, seconded by Julian Kadish, to sign and issue the Order of Conditions, as amended. Approved.

## **OLD BUSINESS**

### Violations:

90A Freeman violation  
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

**#250-38 – 162 West Main St.** - Jennifer Carlino handed out a draft letter for the commission's review. She noted that the restoration will be extremely costly. She mentioned she has had many inquiries on the property lately. It was agreed to require the owner to come to the November 10, 2014 meeting with a proposal to restore the property. The members agreed to have her send the letter, as drafted, with minor edits.

## **NEW BUSINESS**

Jennifer Carlino commented that she received a call from the Wading River Golf course requesting that she call and ask the Attleboro Conservation agent to allow for one of their dams to be opened in order to allow more water to flow into the Wading River as it is too dry for them to pump out water for their golf course. She said it has been a dry summer and there is no water available for irrigation. She said it has rained since she received the call and they do not need her to call at this time.

Jennifer Carlino stated she would check with the secretary regarding updating the member list with MACC to see if Dan Pearson had been added to the list as a member.

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She said she would check into ordering the MACC E-handbook.

**5 Dion's Way** – Jennifer Carlino commented that the owners want to install an in-ground pool but it is within 100 feet of wetlands. She said this would require a permit unless they use sediment control and all the fill is removed from the site to meet the exemption under WPA.

Watershed Policy  
Reservoir Update  
Report from Staff  
Site visits

Waterbodies Committee update  
Draft Dock Guidance

Wetland Protection Fund

Grants

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

David Henry adjourned the meeting at 8:04 pm.

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

Respectfully submitted,

*Signature:*

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

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