

MINUTES

October 27, 2014

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

Attendance: Scott Ollerhead, Dan Pearson, Jan Franchescelli, Julian Kadish, Lisa Carrozza and David Henry, Conservation Agent Jennifer Carlino

Absent: Ron O'Reilly

7:00 pm **Review draft minutes:**

December 16, 2013 - Motion by Lisa Carrozza, seconded by Scott Ollerhead. Jan Franceschelli and Dan Pearson abstained. Approved.

January 13, 2014 - Motion by Lisa Carrozza, seconded by Julian Kadish. Jan Franceschelli and Dan Pearson abstained. Approved.

January 27, 2014 – No quorum, moved to next meeting

January 27, 2014 (Executive minutes) - No quorum, moved to next meeting

Bills Payable

Chessia – Motion by Scott Ollerhead, seconded by Julian Kadish. Approved.

WB Mason – Motion by Lisa Carrozza, seconded by Scott Ollerhead. Approved.

Pare Corp. – Motion by Lisa Carrozza, seconded by Julian Kadish. Approved.

Verizon – Motion by Julian Kadish, seconded by Scott Ollerhead. Approved.

7:05 pm Notice of Intent – (#250-941) – **Aspen Properties Group, LLC – Parcel 73-23 (Assessor's Map 25) 23 King Philip Road – (cont. from the Oct. 6, 2014 mtg.)**
- 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.

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Documents:

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 with latest revisions on **October 27, 2014**.
3. Drawings entitled “ 23 King Philip Drive” Proposal to Complete Existing Construction, Norton, Massachusetts, 10/20/2014 Issued for Construction, dated 10/20/2014.
4. Flyer within information on Insulated Flood Vent
5. Letter dated October 4, 2014 to the Conservation Commission from ThompsonFarland
6. Request for Certificate of Compliance for File #250-682
7. BLSF Standards letter
8. Revised Notice of Intent
9. Foundation Modification Plans

Christian Farland addressed the commission and stated he had submitted revised plans and architectural plans as requested at the previous meeting.

Lisa Carrozza asked what elevation the driveway will be after placing the gravel down and Mr. Farland replied it would be 68 feet.

Among other revisions to the plans was the use of Smart Vents. Jennifer Carlino asked what the elevation of the Smart Vents was and Mr. Farland replied the Smart Vents cannot be more than 12 inches above the existing grade.

Julian Kadish commented that the final elevation of the first floor of the house must be at 73 feet or higher. Mr. Farland stated he would be submitting an As-Built plan at the completion of the project as well as an Elevation Certificate.

Julian Kadish made a motion, seconded by Scott Ollerhead, to close the public hearing. Approved. Lisa Carrozza abstained from voting.

7:15 pm Notice of Intent – (**#250-942**) – **Ashley Ware – Parcel 29 (Assessor’s Map 11) 71 Leonard Street** – for proposed plans to upgrade a sanitary disposal system with associated grading within 100 feet of wetlands and within floodplain.

Documents:

1. WPA Form 3 – Notice of Intent

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2. Plan entitled “Subsurface Sewage Disposal System Plan” prepared by Yarworth Engineering Company, Inc., Scale 1”=20’, signed and stamped by Christopher D. Yarworth and dated September 26, 2014.
3. Volume Calculations for Leach Field Construction in Flood Plain

Chris Yarworth addressed the board and explained the project is a septic repair to an existing house to replace the existing cesspool. He said all work is out of the 100-ft. buffer zone but the entire site is in the floodplain. He said in order to get above the water table, fill would have to be brought in. He noted the replication area will be within the 100-ft. buffer zone.

Chris Yarworth noted the cesspool will be filled. Jennifer Carlino noted that the compost in the wetlands will have to be removed and Mr. Yarworth agreed it would be removed.

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

7:25 pm Notice of Intent – (**#250-944**) – **Weder Pereira – Parcels 220 & 222 (Assessor’s Map 9) Reservoir Street** – for proposed plans to construct a single family dwelling, driveway, & septic system with related utilities and grading and upgrade an existing stream crossing with new headwalls and new pipe within 100 feet of Norton Reservoir.

Documents:

1. WPA Form 3 – Notice of Intent
2. Plan entitled “Lot #220 & #222, Reservoir Street Resource Area Plan in Norton, MA prepared by Landmark Site Design, Scale 1”=40’ and dated September 15, 2014.
3. Letter/Report dated October 13, 2014 from Scott Goddard, Goddard Consulting, LLC to Weder Pereira.
4. Letter dated October 16, 2014 to Peter Lavoie/Landmark Site Design from Jennifer Carlino.

Julian Kadish recused himself from the public hearing as he is a direct abutter to the property.

Present at the public hearing was Weder Pereira and his representative Peter Lavoie of Landmark Site Design who addressed the board. He commented that the project consists of two lots, one consisting of 7.6 acres and the other consisting of 3 acres. He noted there is an existing 8-ft. cart path that leads directly to the water. He said that there is a man-made swale on the east side that leads into an intermittent stream then to the reservoir. He pointed out a vernal pool on the property. He commented that Scott Goddard had flagged the property.

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Mr. Lavoie stated the applicant is proposing to widen the cart path to a 10-ft. graveled driveway. He noted that the septic system is designed to service the house and a barn with rooms above. He said a well will be utilized on the property.

Mr. Lavoie noted there is no filling proposed and pointed out the flood plain area which is 103.65. He said some yard clearing is proposed.

Jan Franceschelli asked how long the cart path is and if a turn-around was proposed on any portion of it. Mr. Lavoie replied the cart path is approximately 1200 feet long with no proposed turn-around. He noted there will be a place to turn around at the end near the proposed house.

Mr. Lavoie proceeded to go through Jennifer Carlino's comment letter dated October 16, 2014 as follows:

- **1. Regarding the NOI referencing the Swansea Wetland Bylaw.**

He replied that he used an old NOI form.

- **2. Regarding the proposed upgrading of the existing culvert.**

He replied that he did put more details regarding the crossing on his revised plans. He said an open-bottom culvert is proposed. He said approximately 80 sq. ft. of temporary-disturbance will take place and 36 linear feet of stream will be restored as a stream where it had been filled. Jennifer Carlino commented that the newly-restored stream bottom has to be exactly like the existing stream bottom and suggested he may need to consult a Wetland Scientist.

He noted that only approximately 1 acre out of 10 acres will be disturbed, clearing brush and trees.

Lisa Carrozza commented that trees will have to be cleared around the utility poles. She said that the snow storage areas are shown to be located in the same areas as the utility pole locations and that one or the other has to be revised.

- **3. Regarding the driveway.** He commented that the grade of the driveway will remain the same. He said 8" of soil will be dug out and mixed with gravel. Lisa Carrozza commented that any areas adjacent to a wetland should be paved to prevent erosion into the wetlands.

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Lisa Carrozza suggested that the homeowner may want to pave the driveway because snow plows can easily rip up gravel. Julian Kadish commented that if a snow blower and home tractor are used, the blades can be lifted high enough to prevent digging up of the gravel. Lisa Carrozza noted that it will be the homeowner's decision for the driveway design. The homeowner replied that he would prefer to pave the driveway.

- **4.** He commented that he made an error on the plan noting the project street as Prospect Street instead of Reservoir Street and will revise the plan.
- **5. Regarding sediment control.** He stated a combination of silt fence and mulch sock will be used.
- **6. Regarding utilities and clearing.** He replied he is still working on this.
- **7. Regarding wetland flag location errors.** He commented he is still in the process of correcting the errors and needs to go back to the site and make revisions in the field and on the plans.
- **8. Regarding removed flags.** He commented he will go out and reflag #38 through #41.
- **9.** He commented that the revised plans show revisions to the Buffer Zone to accurately depict jurisdictional areas within 100 feet of all banks.
- **10.** He commented that only 1 acre out of 10 acres of property will be disturbed and he is making use of the existing cart path to lessen disturbance. Lisa Carrozza replied that the project could be moved further from the buffer zone. Mr. Lavoie replied that the homeowner would like to view the reservoir from his back deck if possible. Lisa Carrozza suggested moving the septic system to the other side of the house. He commented he would look into this.

Jan Franceschelli asked if the homeowner had given any thoughts regarding a dock. Jennifer Carlino suggested adding this to this application to avoid having to file a new application later.

- **11.** He noted a fence is proposed as a visual barrier at the 25-ft. no disturbance area and he will add it to the plans.

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- **12. Regarding the diversion ridge directing water to the stream.** He commented he could direct the water toward an earth berm on the other side. Jennifer Carlino replied this would be ok if all sediment is removed first.
- **13. Regarding the construction sequence notes.** He commented he added all the information as requested in Jennifer Carlino's comment letter.
- **14.** He commented that under Note #6, the 15,567 sf refers to the construction of the house and grading. Jennifer Carlino asked him to rewrite Note #6 to clarify that.
- **15.** He commented that he sized the cultec units for the 25-yr. storm as each unit will service one half of the house. He said he did not propose anything for the barn. Jennifer Carlino suggested he look at what zone the house is in to see if it is in the wellhead area which has state restrictions.
- **16. Regarding zoning.** Jennifer Carlino commented that 2 buildings are not permitted on the property

Jennifer Carlino asked Mr. Lavoie to label the Potential Vernal Pool as Isolated Land Subject to Flooding.

Lisa Carrozza suggested doing the work in the intermittent stream during the dry weather. She commented if the work cannot be done during the dry season, the contractor should use sand bags or turbidity barriers.

Jennifer Carlino noted a DEP number has not been received yet.

Don Swavely, 62 Reservoir Street, asked if curbing at the entrance would be needed and Mr. Lavoie replied that this is a single-family house project and not a subdivision project, therefore, curbing is not needed.

Lisa Carrozza made a motion, seconded by Scott Ollerhead, to continue the public hearing to the next regular meeting of Monday, November 11, 2015 for revised plans and the obtaining of a DEP File number. Approved.

REQUEST FOR PARTIAL/FULL CERTIFICATE OF COMPLIANCE

#250-448 **Keith & Kristine LaVoie** **Parcel 201 (Map 31)**
(full) **5 Dion's Way**

Jennifer Carlino noted that it is stabilized but they want to put in an in-ground pool. She said it Meets exemption under WPA and they put notes on plan about removing all soil and no concrete mwashout on property. Motion to issue a full a Certificate of Compliance made by Lisa Carrozza and seconded by Scott Ollerhead. Approved.

#250-921 (full)	Paul Freeman	Parcel 53 (Map 17) 86 East Main Street
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Jennifer Carlino noted the project has been completed according to the approved plans. Motion to issue a full Certificate of Compliance made by Lisa Carrozza and seconded by Scott Ollerhead. Approved.

#250-928 (full)	249 So. Worcester St. Realty Trust c/o Douglas Obey, Trustee	Parcel 213 (Map 27) 249 South Worcester St.
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Jennifer Carlino noted the project has been completed according to the approved plans. Motion to issue a full Certificate of Compliance made by Scott Ollerhead and seconded by Lisa Carrozza. Approved.

#250-927 **Alex Kravitz** **Parcel 39 (Map 20)**
(full) **Rubber Realty, LLC** **17 Noves Street**

Jennifer Carlino noted the project has been completed according to the approved plans. Motion to issue a full Certificate of Compliance made by Scott Ollerhead and seconded by Julian Kadish. Approved.

#250-230 Angela R. Papa 20 Boutas Dr (lot 6)
(partial lot 6 only)

Jennifer Carlino noted an As-Built plan has been received for this parcel. Motion by Lisa Carrozza, to issue a partial Certificate of Compliance for lot 6 only, seconded by Julian Kadish . Approved.

**SIGN/ACCEPT ORDER OF CONDITIONS/ORDER OF RESOURCE AREA
DELINEATION**

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.

Jennifer Carlino stated the NHESP letter stating there are no adverse impacts has been received. Motion by Scott Ollerhead to issue the Order of Conditions, seconded by Julian Kadish. Approved.

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.

Jennifer Carlino commented that the owner had stated he was not doing any work on the house and then applied for a building permit to gut the inside of the house. She said the work does not meet the criteria to require an application to include flood construction.

Jennifer Carlino said she would email the draft Order of Conditions to the members for their review. The members agreed to sign the Order of Conditions and to vote on it after they review the draft Order of Conditions.

OLD BUSINESS

Violations:

162 w main st – Jennifer Carlino stated she sent a letter to the owner and has not heard from the owner.

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

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NEW BUSINESS

MEPA – solar project on Hill St Landfill - Jennifer Carlino noted they will file a Notice of Intent.

Watershed Policy
Reservoir Update
Report from Staff
Site visits

Waterbodies Committee update – David Henry read aloud a letter from Caro Zwicker, Waterbodies Committee asking that the Conservation Commission donate funding for various signs to be used at the various waterbodies in town.

Draft Dock Guidance
Wetland Protection Fund

Grants - Jennifer Carlino stated she received a \$25,000 grant from SRPEDD through South Coast Rail Technical Assistance grant to do a storm water retrofit at Crane ST near Three-Mile River. She said the grant is valued at \$25,600.

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

DEP # 250-682, 23 King Philip Rd, Request for a COC, was not on the agenda by accident. It will be added next time.

The board members agreed that they would like the guardrail post on Crane Street to be removed so no one else punctures a tire. A note was made to contact District 5 MassDOT.

The meeting adjourned 8:46 pm.

Minutes Approved by Committee on: _____
(Date)

Respectfully submitted,

Signature:

(Name)

Chairman, _____