

MINUTES

January 12, 2015

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

Attendance: Scott Ollerhead, (Vice-Chairman), Ron O'Reilly, Julian Kadish, Jan Fraceschelli, Dan Pearson and Conservation Agent Jennifer Carlino

Absent: David Henry (Chairman) and Lisa Carrozza

7:00 pm **Bills Payable**

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

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

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

Review draft **minutes of:**

March 10, 2014 - Motion by Ron O'Reilly, seconded by Julian Kadish, to accept the minutes as drafted. Approved.

March 24, 2014 – Motion by Ron O'Reilly, seconded by Julian Kadish, to accept the minutes as drafted. Approved.

April 14, 2014 – Motion by Ron O'Reilly, seconded by Julian Kadish, to accept the minutes as drafted. Approved.

April 28, 2014 – Motion by Ron O'Reilly, seconded by Julian Kadish, to accept the minutes as drafted. Approved.

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7:05 pm Request for a Determination of Applicability – (DET. #1013) – Sheila Kilday – Parcel 582 (Assessor's Map 10) 2 Eisnor Drive – for proposed plans to remove trees within 100 feet of wetlands.

Document List

1. WPA Form 1 – Request for Determination of Applicability
2. Plan entitled “Plan to Accompany a Conservation Application- Tree Removal Plan”, 2 Eisnor Drive, Norton, MA prepared by Collins Engineering Group, Inc., Scale 1”=20’, signed and stamped by George R. Collins and dated November 4, 2014.

Present at the public hearing were David Klenert of Collins Engineering Group, Inc. and the owners Sheila and John Kilday.

Mr. Klenert commented that the Kildays are planning to remove a few trees which he pointed out on the plan. He said a silt fence is proposed to protect the wetlands as well as a post and rail fence for a visual barrier to the wetlands.

Jennifer Carlino noted the existing compost pile cannot be moved any closer to the wetlands and Ms. Kilday agreed it would not. She said the tires would have to be removed from the rear of the property if they are on this property. She asked if the trees are going to be stumped for a lawn and Ms. Kilday replied they are going to be stumped.

Motion by Julian Kadish to close the public hearing, seconded by Ron O'Reilly. Approved.
Motion by Julian Kadish to issue a negative (#3) Determination of Applicability, as long as the work is done according to the approved plan, seconded by Ron O'Reilly. Approved.

7:10 pm Request for a Determination of Applicability – (DET. #1014) – Alice Janelle – Parcel 59 (Assessor's map 14) 10 Sanlin Street – repairs to/replacement of a septic system within 100 feet of wetlands. (postfacto)

Document List

1. WPA Form 1 – Request for Determination of Applicability
2. Plan entitled “Emergency Septic Upgrade, Immanent Health Hazard Plan to Accompany a Conservation Application.
3. Color pictures
4. As-Built Plan, Subsurface Sewage Disposal System Upgrade/Alice Janelle, 10 Sanlin Street, Norton, MA prepared by Collins Civil Engineering Group, Inc., Scale 1”=30’, signed and stamped by George R. Collins and dated January 12, 2015.

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5. WPA Emergency Certification Form

Present at the public hearing were David Klenert, Collings Civil Engineering Group, Inc., Bob Medeiros and Alice Janelle.

Mr. Klenert stated this is a septic repair which has already been done. He said a silt fence was used around the limit of work. He said the existing system has been replaced with a slightly raised pump system.

Jennifer Carlino asked the applicant to cease dumping leaves in the wetlands if she is doing so.

Motion by Julian Kadish to ratify the Emergency Certificate, seconded by Ron O'Reilly. Approved.

Motion by Julian Kadish to close the public hearing, seconded by Ron O'Reilly. Approved.
Motion by Julian Kadish to issue a negative (#3) Determination of Applicability as long as the work is done according to the approved plans, seconded by Ron O'Reilly. Approved.

7:05 pm **Notice of Intent – (#250-945) – Kevin T. Mulligan – Parcel 128 (Assessor's Map 36) 7 Richmond Drive – (cont. from the December 15, 2014 mtg.) - for proposed plans for construction of an attached garage within 100 feet wetlands and a vernal pool.**

Documents:

1. WPA Form 3 – Notice of Intent
2. Plan entitled "Conservation Commission Proposed Garage Plan of Land, 7 Richmond Drive in Norton, MA" prepared by John W. DeLano and Associates, Inc., Scale 1"=20', signed and stamped by John W. DeLano dated November 6, 2014 with **latest revisions on January 7, 2015.**

Jennifer Carlino stated a revised plan had been requested at the previous meeting which she said she has received. She said the silt fence has been changed to exclude amphibians and reptiles from getting into the work area and just waddles will be used along the driveway. She noted that the filter trench as been flipped to the upland side of the sediment control.

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

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The draft Order of Conditions was reviewed by the members. Motion by Julian Kadish to accept the sign and issue the Order of Conditions as drafted, seconded by Ron O'Reilly. Approved.

7:10 pm Notice of Intent – (**#250-944**) – **Weder Pereira – Parcels 220 & 222 (Assessor's Map 9) Reservoir Street – (cont. from the December 15, 2014 mtg.)** – 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.
5. Report from Goddard Consulting LLC dated November 14, 2014.
6. Letter dated November 18, 2014 to the Norton Conservation Commission from Peter M. Lavoie, Project Engineering, Landmark Site Design.
7. Letter dated December 8, 2014 to the Norton Conservation Commission from Peter M. Lavoie, Landmark Site Design.
8. 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 with **latest revisions on December 11, 2014.**

Julian Kadish recused himself from the public hearing.

Present at the public hearing was Weder Pereira and his engineer, Peter Lavoie.

Mr. Lavoie commented that he has not made any changes to the plans submitted at the last meeting.

Julian Kadish, as an abutter to the project, asked if three flags on the shoreline can be removed and Jennifer Carlino replied they cannot be removed until the project is completed which is a standard DEP condition.

Motion by Ron O'Reilly to close the public hearing, seconded by Dan Pearson. Approved.

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The members reviewed the draft Order of Conditions. A minor revision was made to the draft. Motion by Ron O'Reilly to sign and issue the Order of Conditions, as amended. Approved.

7:30 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 December 15, 2014 mtg.)** for proposed plans to construct a solar project, access road, storm water management and grading within 100 feet of bordering vegetated 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.
4. Letter dated July 22, 2014 from Jennifer Carlino to David Pickart, VHB, Inc.
5. Stormwater Pollution Prevention Plan (SWPPP) (November 24, 2014).
6. NHESP VERNAL POOL OBSERVATION REPORT
7. Copy of the Peer Review report requested of the Planning Board written by Patrick G. Brennan of Amory Engineers, P.C. dated August 6, 2014.
8. Stormwater Pollution Prevention Plan (SWPPP) submitted on December 31, 2014.

Present at the public hearing were Connor Nagle, Engineer and a representative of VHB who noted revised plans addressing Conservation comments and a revised SWPPP have been submitted. She noted there were minor changes on the plans. She said she maintained the existing vegetation along the street, added additional plantings for screening at #37 and eliminated the two wetland crossings.

She noted that the fencing was lowered at the request of abutters during a Planning Board hearing. Jennifer Carlino replied that the Conservation Commission has always required fencing to be at a certain height to help wildlife migrate. Jennifer Carlino suggested leaving the fence at 6" from the ground.

Jennifer Carlino asked how Wheaton College was going to remove all the metal debris from the property. She said removing the metal will be a condition.

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

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7:15 pm Notice of Intent – (#250-943) – Bernard Marshall/Norton Water Department – Parcels 2 & 3 (Assessor’s map 19) off Plain Street – (cont. from the December 15, 2014 mtg.) - for the construction of a new water treatment plant with associated water piping.

Scott Ollerhead stated the applicant has requested a continuance of the public hearing to the next regular meeting. Motion by Ron O’Reilly to continue the public hearing to the next regular meeting of Monday, January 26, 2015, seconded by Julian Kadish. Approved.

7:35 pm Notice of Intent – (#250-947) – Norton Landfill Solar, LLC – Parcels 31-03-0-E, 36-0-E, 49-0-E & 50-0-E (Assessor’s Map 24) 0 (rear of So. Washington St., 0 (rear) Hill Street & 0 Hill Street – for proposed plans to install solar PV modules, construct a portion of a gravel access road & removal and clearing of vegetation within 100 feet of wetlands.

Jennifer Carlino stated that as a result of her comment letter, the applicant has requested a continuance of the public hearing to the next regular meeting. Motion by Julian Kadish to continue the public hearing to the next regular meeting of Monday, January 26, 2015, seconded by Ron O’Reilly. Approved.

REQUEST FOR PARTIAL/FULL CERTIFICATE OF COMPLIANCE

**#250-923 Richard Gibson Parcel 7 (Map 7)
176 Lincoln Street
Repair/replace sewage disposal system**

Jennifer Carlino commented that the yard was expanded an additional 50’x40’ closer to the wetland. She suggested the Commission deny the request and confirm the 25-foot no disturbance zone be maintained and be marked by a fence and markers.

Motion by Ron O’Reilly to **deny** the request, seconded by Julian Kadish. Approved.

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REQUEST FOR EXTENSION PERMIT

#250-853 Timothy & Mary Longo Parcel 90 (Map 30)
71 Maple Street

Motion by Ron O'Reilly to issue a 1-year Extension Permit, seconded by Julian Kadish.
Approved.

OLD BUSINESS

Lease Agreement – Norton Kayak Company, Inc./Town of Norton Conservation Commission
Motion by Julian Kadish to sign the lease, seconded by Ron O'Reilly. Approved.

Section 4f, Canoe River and Plain Street

Jennifer Carlino commented that she attached a copy of the MassDOT's response to her letter to this agenda.

Violations

195 East Main Street
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

Jennifer Carlino noted she has no new information on the above violations.

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NEW BUSINESS

MS4 General Permit – Jennifer Carlino noted comments are due by the end of December. She said this is the Town's permit. She commented that the Town's By-law on storm water will have to be re-written.

Jennifer Carlino noted she received the Shpack Wetland Monitoring Report for the first year which she will review.

Jennifer Carlino noted the ALI Meeting is continued to Tuesday, February 17th

Jennifer Carlino commented that the Land Preservation Society contacted her to let her know that the Edith Reid Girl Scout Camp on North Worcester Street is for sale and asked her if the Town has any interest in it.

Jennifer Carlino commented to the members that the MACC Annual Conference is February 28th and that they would probably receive an email with all the information.

Motion by Ron O'Reilly to adjourn the meeting at 8:03 pm, seconded by Julian Kadish. Approved.

Minutes Approved by Committee on: _____
(Date)

Respectfully submitted,

Signature:

(Name)

Chairman, _____