

Monday, June 22, 2015

Minutes

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

Attendance: David Henry, Chairman, Julian Kadish, Ron O'Reilly, Lisa Carrozza, Jan Franceschelli, Dan Pearson and Conservation Agent, Jennifer Carlino

Absent: Scott Ollerhead, Vice Chairman

7:00 pm Review draft minutes:

February 23, 2015 - Motion made by Lisa Carrozza, seconded by Dan Pearson.
Approved. Ron O'Reilly abstained.

March 23, 2015 - Motion made by Dan Pearson, seconded by Julian Kadish. Approved.
Lisa abstained.

Bills Payable

There were no bills.

7:05pm Request for a Determination of Applicability – **(DET. #1016) – Timothy & Emalee Johnson – Parcel 97 (Assessor's Map 18) 0 South Washington Street - (cont. from the June 8, 2015 mtg.)** - to determine if proposed work for a house, septic system, driveway and lawn are jurisdictional.

Jennifer Carlino commented she has not received any new information as requested. She noted the engineer called to ask what information was requested in her letter. Motion by Julian Kadish, seconded by Lisa Carrozza, to continue the public hearing to the next regular meeting of Monday, July 13, 2015. Approved.

7:10 pm Notice of Intent – **(#250-956) – Michael Yunits/Town of Norton –Parcels 49, 50, 36, 31-03 (Assessor's Map 24) 0 Hill Street – (cont. from the June 8, 2015 mtg.)** - for proposed plans repair the landfill cover and stabilize the slope within 100 feet of wetland.

Norton Conservation Commission
Monday, June 22, 2015
Minutes, Page 2.

Documents:

1. WPA Form 3 – Notice of Intent
2. Landfill Cover Restoration Corrective Action Design Report for Approval/Former Norton Landfill Site, Hill Street, Norton, MA dated March 27, 2015 prepared by CHA.
3. Landfill Cover Restoration Health & Safety Plan, Former Norton Landfill Site, Hill Street, Norton, MA dated March 19, 2015 prepared by CHA.
4. Letter dated May 28, 2015 from Jennifer Carlino to Gabriel Crocker, CHA.
5. Plan entitled “Former Norton Landfill, Landfill Cover Restoration for Norton Board of Health, 70 East Main Street, Norton, MA, prepared by CHA, signed and stamped by Gabriel R. Crocker and dated May 21, 2015 with latest revisions June 8, 2015.
6. Letter dated June 8, 2015 from Gabriel Crocker, CHA in response to Jennifer Carlino’s letter dated May 28, 2015.
7. Copy of DEP Final Approval with Conditions sent to Christian Zahner IV, Town of Norton Board of Health dated May 13, 2015.
8. NPDES General Permit for Construction Activities – Storm Water Pollution Prevention Plan, Former Norton Landfill-Landfill Cover Restoration, Norton, MA prepared by CHA dated June 11, 2015 and revised on June 19, 2015.

Present at the public hearing was Ryan Larmouth, CHA. He commented that he had submitted a SWPPP since the previous meeting and is submitting the revised SWPPP this evening. He said a small change was made to the plan and will submit the revised sheet next week. Motion made by Julian Kadish, seconded by Ron O’Reilly, to close the public hearing. Approved. Jennifer Carlino made the change to the plan revision date on the Order of Conditions. Other minor changes were made to the Order of Conditions. Motion made by Lisa Carrozza, seconded by Julian Kadish, to sign and issue the draft Order of Conditions, as amended. Approved.

7:20 pm Notice of Intent – **(#250-955) – Carroll Construction Corp. – Parcel 14 (Assessor’s Map 4) 1 Brook Parkway (cont. from the June 8, 2015 mtg.)** – for proposed plans to demolish a house and accessory buildings and to construct a house, pave a portion of a driveway and to install utilities within 100 feet of wetlands.

Documents:

1. WPA Form 3 form – Notice of Intent
2. Letter dated June 1, 2015 to Bill Buckley from Jennifer Carlino.
3. Letter dated June 8, 2015 to Jennifer Carlino from William R. Buckley, Jr.

Norton Conservation Commission
Monday, June 22, 2015
Minutes, Page 3.

4. Plan entitled "Building Permit Plan", prepared for Carroll Construction for 1 Brook Parkway, Norton, MA 02766, prepared by Bay Colony Group, Inc., signed and stamped by William R. Buckley, Jr. and Richard J. Leslie, scale 1"=20' and dated May 21, 2015 with revisions on June 8, 2015 – **LATEST SUBMISSION:** June 17, 2015

Attending the public hearing was William Buckley, Jr. who noted he had submitted revised plans. Motion by Julian Kadish, seconded by Ron O'Reilly, to close the public hearing. Approved. Lisa Carrozza abstained from voting. The members reviewed the draft Order of Conditions. Minor revisions were made to the Order. Motion by Julian Kadish, seconded by Ron O'Reilly, to sign and issue the Order of Conditions, as amended. Approved. Lisa Carrozza abstained from voting.

7:25 pm Request for a Determination of Applicability – **(DET. #1020) – Edward J. Smith – Parcel 5 (Assessor's Map 9) 11 Sailors Lane** – for proposed plans to install a drain and construct a deck within 100 feet of Norton Reservoir.

Document List:

1. WPA Form 1 – Request for Determination of Applicability
2. Several color photos of the site

Attending the public hearing was Edward Smith who explained that last spring he had a sump pump installed in the crawl space under his house which was discharging into the middle of his garden. He commented it was creating a large puddle in his garden therefore he moved the pipe to the edge of the reservoir. He noted he had removed a pile of compost from the edge of the bank as requested by Jennifer Carlino.

Jennifer Carlino commented she had received a complaint regarding illicit discharge into the reservoir. After inspecting the site, she noted it was just a sump pump from the crawl space.

Mr. Smith noted he is requesting to construct a deck at the rear of the house. He said the deck will be 10' x 12' with only one portion hanging 2 feet over the edge of the bank using sono tubes. Lisa Carrozza asked if the sono tubes will be installed by hand and Mr. Smith replied they would. Lisa Carrozza asked if there were any resource areas and Jennifer Carlino replied mostly bank.

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

Norton Conservation Commission
Monday, June 22, 2015
Minutes, Page 4.

7:30 pm Presentation: Dan Campbell – Amendment Request for Turtle Crossing #250-888

Nick Facendola, Level Design Group gave a brief presentation of a request for an amendment to the Order of Conditions for File #250-888 – Turtle Crossing 40B project on Newland Street.

He noted that the request is to modify the language for Condition #38 which is requiring that prior to construction an amphibian survey shall be conducted on the vernal pools between March 1st and May 1st. He commented that the project was on hold this year because the owner did not anticipate a sale of the property this year but did receive an offer on the property. He said he would like to begin the project this calendar year with continuous monitoring of the vernal pool sites throughout construction. He noted that if any criteria for certification of the vernal pools are found, proper paper work will be sent to NHESP.

Mr. Facendola commented that no work is proposed near these vernal pool areas. He said his client is willing to post a bond to ensure the proper monitoring is performed.

Jennifer Carlino stated that if the applicant is going to submit a request to amend the Order of Conditions for the next regular meeting, paper work should be submitted this week. Mr. Facendola agreed to submit the necessary paper work this week in order to advertise the request in the paper and notify abutters.

REQUEST FOR A PARTIAL/FULL CERTIFICATE OF COMPLIANCE

#250-925	Peter LaChance, TR	Parcel 48 (Map 19)
(full)	(Fred Bottomley)	16 Maplewood Avenue

---project to install a dock, raze a house and construct a new house within 100 feet of Lake Winnecunnet
Motion by Lisa Carrozza, seconded by Julian Kadish, to DENY the request because the application is incomplete. Jennifer Carlino commented that they didn't submit the Elevation Certificate, the Visual Barrier sign posts are inadequate and grades are not as proposed. Approved.

#250-917	D & C Realty	Parcel 38 (Map 13)
(partial)	(Sam David)	126 Lincoln Street

---project to construct a paved driveway and utilities with associated grading
Motion by Lisa Carrozza, seconded by Ron O'Reilly, to DENY the request because the visual barrier isn't installed, the sediment control isn't fixed properly and the area closest to the bvw is still disturbed. Approved.

Norton Conservation Commission
Monday, June 22, 2015
Minutes, Page 5.

OLD BUSINESS

Violations:

195 East Main Street

90A Freeman violation- Jennifer Carlino commented that the area has been inspected and is growing in but still needs some trees/shrubs. The commission agreed that a full planting plan should be submitted, particularly since they didn't require the owner to go through the expense of the engineered plans.

241 Dean Street

250-38 - 162 West Main St., - Jennifer Carlino commented that the request for an update letter was sent. She suggested sending an Enforcement order if there is no response by the next meeting. She noted that the matter may need to be sent to Town Counsel for an injunction.

NEW BUSINESS

Reservoir Update - Pare Corp. construction review proposal – Jennifer Carlino noted that Pare Corp. submitted a contract for construction oversight totalling \$79,505.00. Lisa Carrozza had a question about the shutdown and requested the details. Jennifer Carlino did confirm that the plan for the post and rail fence will be adjacent to the property line, not the middle of the property as we thought from the last plan.

60 Commerce Way – Jennifer Carlino notified the commission that the application came in incomplete. She said she extended deadline for 2 more days but still didn't have plans. She noted that the project will not be advertised for the 6/22/15 meeting.

Report from Staff

Site visits

Waterbodies Committee update

Draft Dock Guidance

Wetland Protection Fund

Grants

Norton Conservation Commission
Monday, June 22, 2015
Minutes, Page 6.

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

The meeting adjourned at 8:05pm.

Minutes Approved by Committee on: _____
(Date)

Respectfully submitted,

Signature:

(Name)

Chairman, _____
David Henry