

Monday, September 14, 2015

Minutes

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

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

Absent: Jan Franceschelli

Draft minutes:

May 18, 2015 – Minor edits were made to the draft. Motion by Lisa Carrozza to accept the minutes, as amended, seconded by Ron O'Reilly. Approved.

June 8, 2015 – Minor edits were made to the draft. Motion by Lisa Carrozza to accept the minutes, as amended, seconded by Julian Kadish. Approved.

June 22, 2015 – Motion made by Julian Kadish to accept the minutes as written, seconded by Lisa Carrozza. Approved.

Bills Payable

Verizon Wireless - motion by Scott Ollerhead, seconded by Julian Kadish, to pay the bill. Approved.

Home Depot– motion by Scott Ollerhead, seconded by Julian Kadish, to pay the bill. Approved.

MACC – motion by Scott Ollerhead, seconded by Julian Kadish, to pay the bill. Approved.

Chartley Landscape – motion by Scott Ollerhead, seconded by Julian Kadish, to pay the bill. Approved.

Chessia Consulting – motion by Scott Ollerhead, seconded by Julian Kadish, to place the order. Approved. Lisa Carrozza abstained from voting.

7:05 pm Request for a Determination of Applicability – **(DET. #1023) – John Cummings – Parcel 74 (Assessor's Map 25) – 22 King Philip Road** - for proposed plans to remove 6 trees and replant fruit trees within 100 feet of Lake Winnecunnet.

Document List

1. WPA Form 1 – Request for Determination of Applicability

Norton Conservation Commission
Monday, September 14, 2015
Minutes, Page 2.

Attending the public hearing was John Cummings who explained he would like to cut down 6 trees and replant fruit trees in their place. He said there was another tree which was dead that he would like to remove. Jennifer Carlino replied she had not looked at that new tree yet and it cannot be part of this application.

Motion by Dan Pearson to close the public hearing, seconded by Julian Kadish. Approved.

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

7:10 pm Request for a Determination of Applicability – **(DET. #1024) – Glenn Hadayia - Parcel 46-09 (Assessor's Map 15) – 148 Oak Street** - for proposed plans to repair/replace a septic system within 100 feet of wetlands.

Document List

1. WPA Form 1 – Request for Determination of Applicability
2. Plan entitled “Subsurface Sewage Disposal System Upgrade” prepared by Collins Civil Engineering Group, Inc., signed and stamped by George R. Collins and dated August 17, 2015 with **latest revisions** on September 14, 2015.

Attending the public hearing was Peter Lyons of Collins Engineering Group, Inc. who submitted revised plans and commented the project involves the repair of a septic system designed for 8 bedrooms within a 4-unit apartment building. He said the closest to the wetlands is the corner of the septic tank which is 48 feet from the wetlands. He noted erosion control will be used during construction.

Mr. Lyons stated all debris will be removed from the wetlands. He said 5 markers will be used at the existing tree line. Lisa Carrozza suggested placing a marker at the path that leads to the wetlands to prevent future dumping in the wetlands.

Motion by Lisa Carrozza to close the public hearing, seconded by Scott Ollerhead. Approved.

Motion by Scott Ollerhead to issue a negative (#3) Determination of Applicability as long as the work is completed according to the approved plans, seconded by Julian Kadish. Approved.

Norton Conservation Commission
Monday, September 14, 2015
Minutes, Page 3.

7:15 pm Request for a Determination of Applicability – **(DET. #1025) – Dylan Ribeiro – Parcel 150-01 (Assessor’s Map 27) 106 Barrows Street** – for proposed plans to repair/replace a septic system within 100 feet of wetlands.

Document List

1. WPA Form 1 – Request for Determination of Applicability
2. Plan entitled “Upgrade of Subsurface Disposal System at 106 Barrows Street, Norton, MA” prepared by BDO Engineering, signed and stamped by David A. Oberlander and dated July 22, 2015.

Attending the public hearing was David Oberlander, BDO Engineering and the owner Joseph DeAngelis, Jr.

Mr. Oberlander explained that there are two wetland areas on the property. One is a wooded swamp to the south and the other is a man-made pond to the north. He commented the leaching area will be at least 100 feet from either wetland but a small portion of the existing septic system is located within the buffer zone.

Jennifer Carlino asked Mr. Oberlander about the compost that was dumped in the wetlands and Mr. DeAngelis replied he would have Dylan Ribeiro remove the compost. Jennifer Carlino suggested placing a post with the Conservation marker in the path to the wetlands to prevent any future dumping of compost in the wetlands.

Motion by Scott Ollerhead to close the public hearing, seconded by Julian Kadish. Approved.

Motion by Julian Kadish to issue a negative (#3) Determination of Applicability as long as the work was completed according to the approved plans, seconded by Scott Ollerhead. Approved.

7:20 pm Request for a Determination of Applicability – **(DET. #1026) – Edward Nastar – Parcel 415-01 (Assessor’s Map 10) 18 Cobb Street** – for proposed plans to remove vegetation and construct a gravel driveway within 100 feet of wetlands and 200 feet of Rumford River.

Document List

1. WPA Form 1 – Request for Determination of Applicability

Attending the public hearing was Edward Nastar who explained the project to the members. He said he would like to extend his existing driveway to enable him to park his boat.

Norton Conservation Commission
Monday, September 14, 2015
Minutes, Page 4.

Jennifer Carlino commented that Mr. Nastar had begun to extend the driveway and she asked him to stop all work and file an application for the project which he has done. She noted the driveway will consist of gravel.

Lisa Carrozza asked if any sediment control was being used and Jennifer Carlino requested Mr. Nastar to install sediment control in a portion of the area near the existing river which he agreed to do.

Motion by Lisa Carrozza to close the public hearing, seconded by Scott Ollerhead. Approved.

Motion by Lisa Carrozza to issue a negative (#3) Determination of Applicability as long as the work is completed by the approved application. Approved.

7:30 pm Discussion: **#250-906 – 274 East Main Street Apts.**

Attending the public hearing was David Eastridge, Thorndike Development, Greg Reed, J Reed Corp., contractor and Brenden Gilmore, Campanelli Companies.

David Eastridge noted that he had received a letter pertaining to the construction site and monitoring reports and made several comments to respond as follows:

- there has been a problem with supervisors on the job and there has been a few turnovers. He said there is now a permanent supervisor for the project on-site at all times. He continued to explain that he was on vacation at the start of the project and had a few personal issues to attend to which contributed to his attendance for the project.
- the Enviromental Monitoring Reports (EMR) were lacking detail, thoroughness and documentation, including incorrect items. He noted the contractors were doing a good job filling out the SWPPP information weekly. He said weekly meetings are held on Tuesday evenings, and for the first time tomorrow evening, all team members will be attending. He said the SWPPP reports will be thoroughly reviewed by all. He commented he will be reviewing all EMRs and all weekly SWPPP reports before they are submitted to the Conservation office which will also include more pictures.
- He commented all sediment control is working well with the exception of a 10-12 foot section because most of the project site is sandy. He stated that section will be repaired.

Norton Conservation Commission
Monday, September 14, 2015
Minutes, Page 5.

- the intention is to continue having David Atwell, Kelly Engineering, complete the EMRs.
- dewatering on-site will be better enforced to address complaints regarding dust
- construction entrances have been installed
- much progress is being made on East Main Street regarding utilities and road striping, and should be done within 3 weeks. He said visual barriers (barrels for the construction entrances) will be installed along East Main Street.

Jennifer Carlino asked Mr. Eastridge if the SWPPP is updated noting Mark Kupiec as the person reporting the information and he replied it is.

Jennifer Carlino noted that the contractor cannot ignore comments made by the EM and has to comply with comments made by David Atwell.

Jennifer Carlino asked if he had the John Chessia estimate and he did and said a check will be sent tomorrow to cover the cost of the Peer Review during construction of the stormwater BMPs.

Lisa Carrozza commented:

- that a new commencement meeting should have been held after hiring a new supervisor and he replied there was one with the new supervisor.
- there have been at least three areas of washout onto East Main Street and this should be cleaned up.
- one of the three construction entrances in not long enough
- the stone looked small and should not be compacted on the entrances
- contact information signs should be on site and Mr. Eastridge replied they are nailed to the house but will relocate them to telephone poles near the road for better visibility
- make sure waterflow is directed to sedimentation basins

Jennifer Carlino took a moment to thank Greg Reed donating an hour of his time for blocking off an area where people were dumping and driving trucks into the Canoe River Greenbelt Recreation area.

REQUEST FOR PARTIAL/FULL CERTIFICATE OF COMPLIANCE

#250-910 (full)	Thomas Carmichael	Parcel 4 (Map 23) 15 Barrows Street
***project for addition, septic system upgrade with associated grading		

Motion by Lisa Carrozza to issue and sign the Certificate of Compliance, seconded by Ron O'Reilly.
Approved.

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

Notice of Intent – (#250-960) – Jeffrey O'Neill, Condyne Capital Partners – Parcel 116 (Assessor's Map 24) 60 Commerce Way - for proposed plans to construct a commercial building and a portion of a driveway and storm water management within 100 feet of wetlands.

Motion by Julian Kadish to sign and issue the Order of Conditions as drafted, seconded by Scott Ollerhead. Approved. Lisa Carrozza abstained from voting.

Notice of Intent – (#250-957) – WLFB, LLC – Parcel 114-01 (Assessor's Map 36) 1 Mary Joe Road
- for proposed plans to construct a single-family house and driveway within 100 feet of wetlands.

Notice of Intent – (#250-958) – WLFB, LLC – Parcel 114-04 (Assessor's Map 36) 3 Mary Joe Road - for proposed plans construct a single-family house, a septic system and a gravel driveway with underground utilities and associated grading within 100 feet of wetlands.

Notice of Intent – (#250-959) – WLFB, LLC – Parcel 114-03 (Assessor's Map 36) 4 Mary Joe Road
- for proposed plans construct a single-family house and associated grading within 100 feet of wetlands.

Jennifer Carlino commented it was suggested at the previous meeting to approve the project with the requirement of the submission of storm water management. She said she was advised by Town Counsel to deny the project without prejudice explaining why it was denied.

Norton Conservation Commission
Monday, September 14, 2015
Minutes, Page 7.

Julian Kadish asked if the owner had been contacted requesting storm water management and Jennifer Carlino replied the applicant has been notified and he had commented his engineer is insisting that storm water management is not required.

The members reviewed the draft denial Orders of Conditions. Minor changes were made to the Order.

Motion by Lisa Carrozza to issue the **Denial** Order of Conditions, as amended, for projects **#250-957, #250-958 & #250-959**, seconded by Scott Ollerhead. Approved.

OLD BUSINESS

#250-947 – Hill Street – Landfill update

Jennifer Carlino commented she received the revised plan that shows storm water management for the remainder of the access road that is not in the landfill cap. She stated the outfall looks like it is discharging onto the town's access road so she notified them.

Violations:

195 East Main Street – Jennifer Carlino noted the plans are almost completed.

90A Freeman violation – Jennifer Carlino noted no new information received.

241 Dean Street – Jennifer Carlino noted they are making significant progress-inspect in one month.

12 Harbor Road – Jennifer Carlino noted she received pictures that violation was caused by a storm.

NEW BUSINESS

Office of Dam Safety – Jennifer Carlino noted she received notice to perform Phase I evaluation for the dam on Pine Street. She said the dam is owned by the Water Department.

Reservoir Update Report from Staff

Site visits

Waterbodies Committee update

Draft Dock Guidance

Wetland Protection Fund

Grants

Norton Conservation Commission
Monday, September 14, 2015
Minutes, Page 8.

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

Schedule Performance Review

Jennifer reminded David Henry, Chairman, that he will be meeting with the Town Manager to review Jennifer Carlino's job performance.

Executive Order 562

The Commission received a comment letter from MSMCP regarding each Municipality sending comments to the Portal.

Jennifer Carlino noted she and Lisa were discussing the Federal rules regarding bats and a new condition called "white nose syndrome" and suggested everyone try and find out information regarding the request not to cut more than 1 acre of forest from June to July. She said it is common wildlife and comes under Conservation jurisdiction.

David Henry noted a "thank-you" note was received from Herbert Church for Jennifer Carlino and others for fixing picnic tables at Johnson Acres. Jennifer Carlino commented they will be fixing more tables.

The meeting adjourned at 8:25 pm.

Minutes Approved by Committee on: _____
(Date)

Respectfully submitted,

Signature:

(Name)

Chairman, _____