

Monday, June 27, 2016

Minutes

Attendance: Julian Kadish, Lisa Carrozza, Dan Pearson, Scott Ollerhead, Vice Chairman and Conservation Agent, Jennifer Carlino

Absent: Ron O'Reilly and Jan Franceschelli

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

DRAFT MINUTES

April 11, 2016 – The minutes were tabled to the next meeting for lack of a quorum.

April 25, 2016 – The minutes were tabled to the next meeting for lack of a quorum.

Discussion: David Lennon – vandalism on the Norton Reservoir Islands.
Jennifer Carlino noted that no one was present for the discussion.

March 21, 2016 – Minor edits were made to the draft minutes. Motion by Dan Pearson to accept the minutes, as amended, seconded by Jan Franceschelli. Approved. Lisa Carrozza abstained from voting.

7:05 pm Request for a Determination of Applicability – **(DET. #1039) – TEC Associates – Massachusetts Coastal Railroad Right of Way** – for vegetation control within Railroad right-of-way using herbicides and mechanical methods.

Document List

1. WPA Form 1 – Request for Determination of Applicability
2. Yearly Operational Plan, 2016.
3. Notice from (Massachusetts Department of Agricultural Resources. (MDAR)

Attending the public hearing was Tom Lewis from TEC Associates who commented that the Massachusetts Coastal Railroad is required to have a 5-year Vegetation Management Plan that is approved by the MDAR. He stated he has to apply to all the municipalities in which rights-of-way to be treated are located, Norton being one of them.

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Lisa Carrozza asked Mr. Lewis if had flagged the wetlands along the right-of-way and he replied that he had. He commented that he has a spray pattern to go by and the regulations allow him to spray within 10 feet of any resource areas. He said spraying is allowed in Buffer Zone areas. Mr. Lewis noted that the different areas such as buffer zone, uplands, water resource, no spray, etc. are marked with different colored permanent metal markers on the tracks.

Lisa Carrozza asked Mr. Lewis how often the markers are replaced and he replied they are checked each time spraying has to be done. He commented that a maintenance person usually checks the markers every year also. He stated that the only time the marker areas are changed is when something new develops, such as an added drinking supply or well, or enlarging of a well. He noted he has a record of the marker areas.

Jennifer Carlino asked about the vernal pool located on Union Road. Mr. Lewis commented that he does not spray within 10 feet of any vernal pools and he does check the markers before spraying.

Motion by Lisa Carrozza to continue the public hearing to the next regular meeting of Monday, July 11, 2016, seconded by Julian Kadish. Approved.

7:15 pm Amended Order of Conditions - (#250-960) – **Condyne Capital Partners – Parcel 116 (Assessor's Map 24) 60 Commerce Way – (cont. from the June 13, 2016 mtg.)** - to amend/modify the building size, stormwater management and drainage changes, installation of fuel island and a new water line.

Lisa Carrozza recused herself from the public hearing.

Jennifer Carlino noted that she has not heard from the applicant and no one is here this evening.

Motion by Julian Kadish to continue the public hearing to the next regular meeting of Monday, July 11, 2016, seconded by Dan Pearson. Approved.

Discussion: **Right-of-First Refusal** – 19 Leonard Street (Lot 11-66)

Discussion: **Right-of-First Refusal** – 235 East Main Street (Lot 11-32), 0 Leonard Street (Lot 11-22), 0 Leonard Street (Lot 11-25) & 0 Leonard Street (Lot 11-25-01).

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Jennifer Carlino commented that a developer is interested in purchasing this property and is trying to get the zoning on the property changed to industrial. She noted that a significant amount of the property is within a floodplain as well as the Canoe River Greenbelt project.

Julian Kadish suggested sending a letter to the Selectmen notifying them of the amount of floodplain on the property. Jennifer Carlino suggested sending a very detailed letter listing all wetlands, floodplain and water resource areas.

Kathy Zawaski had concerns regarding a Conservation Restriction and Conservation property adjacent to these parcels. She offered assistance to try and preserve the parcels.

Lisa Carrozza recused herself from any decisions.

Request for a minor modification to File #250-937 – Brett Chapman/Norton Solar I LLC /Wheaton College – Clapp Street

Jennifer Carlino noted that the changes are due to conflicts with the neighbors. She said the changes include changes to the entrance driveways which have been re-aligned to obscure the view a little more, 10 white pines have been added, the trees varieties have been better mixed. She said there are no impacts to the wetlands.

Motion by Lisa Carrozza to accept the modification as presented, seconded by Julian Kadish. Approved.

Request for a Duplicate Order of Conditions for File #250-937 – Brett Chapman/Norton Solar, LLC
- Parcels 50, 52 & 70 (Map 23) Clapp Street

Motion by Julian Kadish to issue the duplicate Order of Conditions, seconded by Lisa Carrozza. Approved.

REQUEST FOR PARTIAL/FULL CERTIFICATE OF COMPLIANCE

#250-944
(full)

Weder Pereira

Parcels 220 & 222 (Map 9)
60R Reservoir Street

--- 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.

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Jennifer Carlino said she did the site inspection today and she noticed a couple of small issues; one issue is a small amount of bank alteration caused by a new dock, the other is the alteration of the No-Disturbance Zone by storing boats in the area. She said that the boats that were stored in the No-Disturbance Zone were moved to a different part of the No-Disturbance Zone which has already been altered.

She commented that they had a stream crossing which required compliance with stream crossing standards. She noted that looking from the top it appears that the grading has been done in a way that any drainage will wash over the top of the culvert into the stream. Lisa Carrozza commented that she would have to take a look at it before making any decisions.

Lisa Carrozza asked if the boat storage is ok and Jennifer Carlino replied it can be allowed but they should be advised of the possible violation.

Jennifer Carlino commented that the opening to the dock within the visual barrier fence should only be 10 feet wide.

Jennifer Carlino noticed there were no dry wells at the house as proposed.

Julian Kadish recused himself from voting on the Certificate of Compliance.

Because of lack of a quorum, it was agreed to extend the request for a Certificate of Compliance to the next regular meeting of Monday, July 11, 2016.

#250-816	Donald Shulman/Development Assoc., Inc.	Parcel 32 (Map 33)
(full)	c/o Cairn Stone Properties, LLC	312 Taunton Avenue
--- modular home, garage, driveway, parking area, drainage, grading, utilities		

Jennifer Carlino noted this was a commercial project for a model home. She noted that a Certificate of Compliance was never issue for this project and the house is for sale. She commented that the As-Built Plan shows that the garage was never built, the parking area is smaller and graveled, not paved, and the drainage area has not been constructed per the approved plan.

Motion by Lisa Carrozza to **deny** the request for a Certificate of Compliance, seconded by Julian Kadish. Approved.

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Request for a Duplicate Partial Certificate of Compliance for **File #250-823 -Daniel Gioiosa-SITEC, Inc. - (Lot 29) Parcel 283 (Map 21) 9 Goff Road**

Jennifer Carlino noted she had inspected the site today and it appeared to be completed and suggested issuing a full Certificate of Compliance.

Motion by Julian Kadish to issue a full Certificate of Compliance, seconded by Lisa Carrozza. Approved.

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

Amended Order of Conditions (**#250-930**) – **Vincent Grzesik – Parcel 39 (Assessor's Map 9) 40 Farm Lane.** – Installation of a dock on Norton Reservoir.

--The members reviewed the draft Amended Order of Conditions.

Motion by Lisa Carrozza to sign and issue the Order of Conditions as drafted, seconded by Dan Pearson. Approved.

Notice of Intent – (**#250-977**) – **Thomas Jackson – Parcel 50 (Assessor's Map 118) South Washington Street.** – for proposed plans to construct a single-family house within 100 feet of wetlands, a driveway crossing the wetland and to remove an existing culvert and restore the stream bed and bordering vegetated wetlands.

--The members reviewed the draft Order of Conditions. Minor edits were made to the draft Order of Conditions.

Motion by Lisa Carrozza to sign and issue the Order of Conditions, as amended, seconded by Julian Kadish. Approved.

Notice of Intent (**#250-982**) – **Michael Yunits/Town of Norton – Parcel 10-03 (Assessor's Map 29) 0 Crane Street.** – for proposed plans to install storm water management infiltration basin within 100 feet of wetlands and the Three-Mile river.

--The members reviewed the draft Order of Conditions.

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

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Notice of Intent (#250-985) – **Brian & Jackie Donahue – Parcel 162 (Assessor's Map 15) 2 Foster Drive.** – for proposed plans for restoration of 4,127 sq.ft. of wetlands, installation of in-ground pool, landscaping and a fence within 100 feet of wetlands.

--The members reviewed the draft Order of Conditions. Minor edits were made to the draft Order of Conditions.

Motion by Lisa Carrozza to sign and issue the Order of Conditions, as amended, seconded by Julian Kadish. Approved.

Notice of Intent (#250-981) – **Tom Brodeur, The Players Club of Boston (TPC Boston) – Parcels 16-02, 16-03 & 123 (Assessor's Map 8) 400 Arnold Palmer Boulevard.** – for proposed plans – for proposed plans to renovate two holes (#12 and #13) within the 100-foot buffer zone and construct a pile-supported bridge through a portion of a bordering vegetated wetland.

--The members reviewed the draft Order of Conditions.

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

OLD BUSINESS

Violations:

90A Freeman violation – Jennifer Carlino commented she will have pictures for the next meeting.

241 Dean Street – No new information

#250-38 – 162 West Main Street – Jennifer Carlino noted that Town Counsel has submitted the injunction and there is a tentative court date of July 20, 2016.

#250-961 – Fairlee Lane – Jennifer Carlino made the following comments:

- noted a wetlands permit was given to correct a large hole in the side of the bank.
- says she has been working with them for 3-4 years trying to fix the bank.
- said that they received the permit at the end of last year and was supposed to begin work on June 1st.
- she sent an email to remind them.
- she received a letter stating that ProTech wanted their name removed from the permit and she replied to them that this was the name printed on the application.
- she noted that they wanted nothing to do with the project at this time and requested their name be removed from the permit.
- she said she will have to issue an Enforcement Order.

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Lisa Carrozza commented that the immediate issue is to fix the stabilization on the bank. She suggested giving the permit holder a time frame and if not completed by that date, issue an Enforcement Order.

NEW BUSINESS

Reservoir Update – Jennifer Carlino noted the dam work will begin tomorrow with site meetings beginning at 8:00 am on Tuesdays.

Jennifer Carlino noted she will remind the members by email for a site inspection on July 11, 2016.

Report from Staff

Site visits

Waterbodies Committee update – Jennifer Carlino noted the Invitation to Bid went out due back by July 19, 2016.

Jennifer Carlino noted the Requests for Proposals for the Town's Peer Review Consultant is due this week. (July 30th) She noted she and Lisa Carrozza will be reviewing them.

Jennifer Carlino commented a letter dated June 9, 2016 from Ruth, Ken and Julie Perlow has been received with complaints regarding the poured concrete. The Perlows have suggested covering the dam with a layer of sod and grass to prevent any accidents from occurring.

Julian Kadish replied that the area is not for recreation, but to safely pass water. He suggested sending a polite reply letter stating that the area is not for recreation by for the control of the water in the reservoir.

Jennifer Carlino noted a pre-construction meeting was held for the **Wheaton Peacock Pond** project. She said they submitted information/maps regarding the Wildlife Habitat around the pond and stated no herbicide treatments would be performed this year. She commented they wanted to begin the project today and she was ok with this.

Scott Ollerhead read aloud a thank you letter to Alnylam.

Grants

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

The meeting adjourned at 10:13 pm.

Minutes Approved by Committee on: _____
(Date)

Respectfully submitted,

Signature:

(Name)

Chairman, _____