



Norton Conservation Commission  
70 East Main Street  
Norton, MA 02766  
508-285-0275  
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[conservation@nortonmaus.com](mailto:conservation@nortonmaus.com)

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**Monday, February 27, 2017  
Minutes**

The meeting was called to order at 6:30 pm.

**Attendance:** Julian Kadish, Scott Ollerhead, Dan Pearson, Gene Blood, Lisa Carrozza, and Conservation Agent, Jennifer Carlino

**Absent:** Ron O'Reilly, Jan Franceschelli

**WETLAND HEARINGS**

**Abbreviated Notice of Resource Area Delineation – DEP# 250-994, Daniel Rich – 65 Plain Street (map 18, parcel 7) – for verification of wetland resource area boundaries.**

**Document list**

1. Abbreviated Notice of Resource Area Delineation (ANRAD) prepared by DeLano and Associates, received January 11, 2017
2. "Abbreviated Notice of Resource Area Delineation in Norton MA", prepared by DeLano and Associates, signed and stamped by John W. DeLano, dated November 29, 2016, Revised February 8, 2017.
3. Site photographs
4. Email to DeLano from Conservation Commission dated January 31, 2017.

*John DeLano presented the plan. The wetland boundary was reviewed and determined to be accurate. The Certified Vernal Pool boundary is based on aerial photographs and not field delineated. Commission will make a finding that the VP boundary is not verified with the ORAD.*

*A motion was made by Carrozza, seconded by Kadish, to close the public hearing. Approved. A motion was made by Kadish, seconded by Carrozza, to issue the ORAD as drafted. Approved.*

**Request for Determination of Applicability - DET 1053 – Dylan Ribiero – 72 South Worcester St (map 26, parcel 139-01) – for proposed plans to repair and replace a septic system within 100 feet of a wetland.**

**Document List**

1. Request for Determination of Applicability application prepared by BDO Engineering, received 1-23-17.
2. "Upgrade of Subsurface Disposal System at 72 South Worcester St, Norton MA".
3. Site photographs.



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4. Email to Oberlander from Conservation Commission dated January 31, 2017.

*Carlino apologized and explained the legal notice did not get sent to the Sun Chronicle. David Oberlander presented the plan as an informal discussion at the last meeting. Carlino showed the plan to members who were not present at the last meeting. Small pile of leaves to be removed from wetland and letter to be sent to owner explaining not to put leaves in wetland is all that will be required. Carlino said the legal notice bill had not yet been paid.*

*A motion was made by Carrozza, seconded by Kadish, to close the public hearing. Approved. A motion was made by Kadish, seconded by Carrozza, to issue a negative 3 Determination and issue pending payment of the legal notice bill. Approved.*

**Notice of Intent – (#250-995) – Erin Whoriskey, Massachusetts Electric Company d/b/a National Grid- West Hodges Street public roadway shoulder (nearest Assessor's Map 35, Parcel 7-04) –for proposed plans to install new underground conduit by directional drilling under wetland and Goose Branch Brook and within the 100-year floodplain.**

*Applicant requested a continuance. Motion was made by Carrozza, seconded by Pearson, to continue public hearing to March 13, 2017. Approved.*

**Amended Order of Conditions - (#250-960) – Condyne Capital Partners – 60 Commerce Way, (Assessor's Map 24, Parcel 116)– (cont. from the October 24, 2016, Nov. 14, 2016 mtg, Nov. 28, 2016, Dec. 19, 2016, Jan 9, 2017, Jan 23, 2017.) - to amend/modify the building size, stormwater management and drainage changes, installation of fuel island and a new water line.**

*Applicant requested a continuance. Motion was made by Kadish, seconded by Pearson, to continue public hearing to March 13, 2017. Approved. Carrozza abstained.*



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Notice of Intent (#250-983) – **Muhammad Itani/Island Brook LLC – 0 East Main Street – (Assessor’s Map 17, Parcels 57, 238, 239, 240, 241, 242, 243, 244 & 245) (cont. from the October 24, 2016, Nov. 14, 2016 mtg, Nov. 28, 2016, Dec. 19, 2016, Jan 9, 2017, Jan 23, 2017.)**- for the construction of 56 single-family units with loop road, stormwater detention ponds and work within 200 feet of Rumford River.

Document List:

1. Notice of Intent application prepared by Goddard Consulting, dated May 31, 2016.
2. Preliminary Plan, Comprehensive Permit, “Island Brook” in Norton MA. Prepared by Gallagher Engineering, signed and stamped by Frank Gallagher. Dated 4/15/14, revised 1-27-16, final revision 2-1-17
3. Stormwater Management Report, “Island Brook”, prepared by Gallagher Engineering, dated June 21, 2013, revised October 24, 2016.
4. Stormwater Pollution Prevention Plan, prepared by Gallagher Engineering, dated 5/27/16.
5. Notes, office meeting with Gallagher, Goddard, Chessia and Conservation Commission, June 29, 2016
6. Site photographs, June 14, 2016.
7. Letter from Conservation Commission to Muhammad Itani dated July 13, 2016.
8. Letter from Chessia Consulting Services to Conservation Commission dated August 2, 2016.
9. Letter from Gallagher Engineering to Conservation Commission dated November 21, 2016 with revised engineering calculations and plans.
10. Letter from Goddard Consulting to Conservation Commission and NHESP dated December 27, 2016.
11. Riverfront Area Performance Standards and Alternatives Analysis, prepared by Goddard Consulting, dated December 27, 2016.
12. Riverfront Area Invasive Species Management and Restoration Plan, prepared by Goddard Consulting, dated December 27, 2016.
13. Email from NHESP dated January 6, 2017 to Goddard Consulting.
14. Letter from Chessia Consulting Services to Conservation Commission dated January 18, 2017.
15. Email from NHESP dated February 22, 2017 to Gallagher Engineering.
16. Copies of Stormwater Handbook, Chapter 1, page 4 and LID page of Smart Growth/Smart Energy Toolkit from [www.mass.gov/enfir/sgtk.htm](http://www.mass.gov/enfir/sgtk.htm).
17. Letter from Goddard Consulting to Conservation Commission and NHESP dated February 20, 2017.



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*Frank Gallagher, Muhammad Itani and Renee McDonough attended the public hearing. Chessia is evaluating whether more funding is needed for next review. Carlino suggested meeting in the office again instead of multiple letters to expedite review. Groundwater is main concern. Gallagher will conduct additional perc tests, to be witnessed by town representative, per DEP handbook.*

*Discussion of LID was held. Applicants acknowledge project isn't LID project. Carrozza explains they should be looking at the 11 acres of buildable land and finding LID design and features in that vs. claiming the regulatorily restricted land is the LID portion. Gallagher removed only LID because of Chessia comments. Carlino explained his comments were about constructability and compliance with DEP regs not that LID shouldn't be used in that location.*

*Gallagher updated the Commission on the revised plans dated 2-1-17 and items from the last meeting.*

- *E Main is a town, not state road.*
- *Concrete bounds for NHESP will be set 6" above ground*
- *Open space parcels are combined to 29 acres, no future use, unless they decide years from now to put in solar or cell tower. Carlino reminded them that if they did that they wouldn't be doing LID and that the 40B requirements include a deed restriction for open space as does NHESP. Commission will condition no future access to the open space land from the development side near lots 4 and 5.*
- *Claimed stormwater bmps are now 100 feet from CVPs*
- *Existing culvert from wetland to river at the entrance meets some stream crossing standards. Carlino requested chart showing which standards have been met.*
- *Directional drilling information was added after consultation with contractor*
- *Catch basins will have 4' sumps as required by DEP.*
- *Retaining wall detail was revised.*
- *Draft SWPPP is in the drainage report.*

*Discussion was held regarding the No Disturbance Zone and minimum 25-foot buffer/visual barrier requirement. Gallagher claims they have done as much as possible. Carlino agreed alteration at the entrance road is unavoidable but on a vacant lot, proposed alteration for a lawn or a house is avoidable. Lots 17 and 18, alteration is for construction only. Applicant agrees to not creating lawn, restoring area and adding visual barrier at 25-foot area. Same condition and agreement for lots 6 and 7. Gallagher will continue to look at lots 27-29 to reduce alterations. It was noted those lots have a side yard, where other lots didn't and could make up for not having a rear yard. Lots 23-24 will become walk-outs to reduce amount of fill needed.*

*There is a planting plan for the abutters off the site to be reviewed by the zoning board.*

*Snow storage areas will be added to the full plan set, and operation and maintenance plan.*



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*McDonough gave presentation of the invasive removal plan. NHESP commented the plan should be minimum of 5-7 years. Invasive removal will begin before construction. Snow may contain sand/salt and impact newly planted restoration area. McDonough to review and revise as necessary. Carlino asked how they want to handle a 7 year plan with the request for certificate of compliance. Normally commission would require a bond posting in order to get COC if the monitoring plan wasn't done yet.*

*Carrozza asked about the phasing of the project. Gallagher said it is 2 phases. Carrozza asked if this is clear to the contractor in the SWPPP. Gallagher replied yes. Commission to add condition about potential locations for siting temporary stormwater basins during construction.*

*McDonough explains gravel will be used in recreated stream bed and wetland seed mix planted prior to release of water to stabilize. Carrozza asked about sinuosity of the recreated stream vs the straight channel on the plans. McDonough said it will be a naturally functioning stream bed. Carrozza asked to consider adding a plunge pool at end of stream before entering Rumford River. Pearson recommended apiphilic plants.*

*A motion was made by Carrozza, seconded by Kadish, to continue to March 13, 2017. Approved.*

## **SIGN AND ISSUE ORDER OF CONDITIONS/ORDER OF RESOURCE AREA DELINEATION**

### **REQUEST FOR PARTIAL/FULL CERTIFICATE OF COMPLIANCE**

#250-866  
(partial)

Paul Barron

55 Lincoln St  
Map 12, parcel 174

*Mr Barron is not ready for the inspection and asked to continue to March 13.*

### **REVIEW DRAFT MINUTES**

January 9, 2017

*A motion was made by Carrozza, seconded by Kadish, to accept minutes. Approved. Ollerhead abstained.*

February 13, 2017-

*There is not a quorum. It will be postponed to the next meeting.*

## **OLD BUSINESS**





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Violations:

- 90A Freeman
- 241 Dean Street

388 Reservoir St

22 Maplewood Ave Enforcement Order (Map 19, parcel 49) revised 2-13-17

**NEW BUSINESS**

Request for Wetland Protection Funds from Selectmen –*Pearson recused from discussion. Commissioners discussed necessity for secretary and a reliable vehicle for inspections to administer and enforce WPA. Discussion is postponed until next meeting for full board.*

Reservoir Update

- Chartley Pond update Pare contract addendum request-
- Request for legal services to determine owner of all retaining walls- *Counsel has contacted me and I've supplied additional info. He is sending to title examiner.*

Report from Staff

Site visits

Waterbodies Committee update

Wetland Protection Fund

Grants

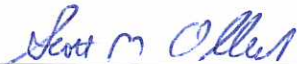
**OPEN SESSION (TOPICS NOT REASONABLY ANTICIPATED 48 HOURS IN ADVANCE)**

- *Thank you letters were drafted and signed for Nicholas Denham (eagle scout), Herb and Bruce Church (maintenance of Johnson Acres) and Family of Hervarth (donation on Reservoir St).*

*Meeting adjourned at 8:30pm.*

Minutes approved by the Commission on 3/13/17 (Date)

Respectfully submitted,

 (Signature) Chairman, Conservation Commission

Scott Ollerhead (Printed name)