



Norton Conservation Commission
70 East Main Street
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conservation@nortonmaus.com

RECEIVED
NORTON TOWN CLERK
2017 OCT 16 A 10:54

Monday, March 13, 2017
6:30 pm
2nd Floor Conference Room
Norton Town Hall

Minutes

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

Attendance: Julian Kadish, Ron O'Reilly, Dan Pearson, Gene Blood, Lisa Carrozza, and Conservation Agent, Jennifer Carlino

Absent: Scott Ollerhead, Jan Franceschelli

WETLAND HEARINGS

6:31 pm **22 Maplewood Ave Enforcement Order** (Map 19, parcel 49)
Violation consists of altering Bordering Land Subject to Flooding, Priority Habitat and buffer zone to Bordering Vegetated Wetland to Winnecunnet Pond without a valid permit. Alteration consists of regarding the yard and expanding the parking area.

This item was mistakenly added to the agenda too early. It should be heard on 3/27/17.

6:35 pm **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) – (cont. from the Dec. 19, 2016, Jan 9, 2017, Jan 23, 2017, Feb . 13, 2017, Feb. 27, 2017) -** for proposed plans to install new underground conduit by directional drilling under wetland and Goose Branch Brook and within the 100-year floodplain.

-Project is located in Riverfront Area, Bordering land subject to flooding and buffer zone to bordering vegetated wetland and bank.

They have asked to withdraw their application because they say the revised plans moved all work outside of jurisdictional areas. I asked for copy of the plan to verify this.



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6:40pm

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, Feb . 13, 2017., Feb. 27, 2017)** - to amend/modify the building size, stormwater management and drainage changes, installation of fuel island and a new water line.

Document List:

1. *Request for an Amendment to the Order of Conditions prepared by Condyne Engineering Group, received February 25, 2016.*
2. *Site Plans, 80,000 sf facility, 60 Commerce Way, Norton Commerce Center, Norton MA, prepared by Condyne Engineering Group, signed and stamped by Mark Dibb, dated October 10, 2016, final revision date 12/7/16.*
3. *60 Commerce Way, Norton Commerce Center, Stormwater Management Report, prepared by Condyne Engineering Group, signed and stamped by Mark Dibb, dated 5/13/2005, revised 7/20/15, revised 4/6/16, November 7, 2016*
4. *Norton Commerce Center, 60 Commerce Way, Layout plans options, prepared by Condyne Engineering Group, dated 4/6/15.*
5. *NHESP Vernal Pool Observation Report VI239, dated 4/7/16.*
6. *Letter from NHESP to Conservation Commission re: certified vernal pool, dated August 28, 2015.*
7. *Email thread from Chessia Consulting Services LLC to Tom Maguire, DEP re: VP setbacks under WPA Regs, dated May 17, 2016.*
8. *Letter from Chessia Consulting Services LLC to Conservation Commission dated May 13, 2016.*
9. *Letter from Chessia Consulting Services LLC to Conservation Commission dated November 2, 2016*
10. *Letter from Chessia Consulting Services LLC to Conservation Commission dated November 21, 2016*
11. *Letter from Condyne to Conservation Commission dated December 7, 2016*
12. *Letter from Chessia Consulting Services LLC to Conservation Commission dated December 16, 2016*
13. *Letter from Chessia Consulting Services LLC to Conservation Commission dated December 29, 2016.*
14. *Letter from Chessia Consulting Services LLC to Conservation Commission dated January 23, 2017*
15. *Stormwater Management Table CA-2*



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-Carrozza recused from the meeting. Mark Dibb, Condyne Engineering, attended the hearing. He described changes to the plans that included:

- Commission requested chain link fence and curbstops or guard rail along parking area to prevent accidental future encroachment or trash from entering CVP. A fence was added at parking area near the certified vernal pool*
- Revised snow storage area*

Dibb submitted vernal pool evaluation to document there won't be a negative impact to the Certified Vernal Pool (CVP).

At the last meeting the Commission requested a restoration plan for southwest side of CVP where the basin was proposed and is currently cleared. The Commission also requested motion sensing or dimming lights in parking lot near CVP and Dark Sky Compliant fixtures. Applicant agrees and Commission will condition it.

Commission requested revised Operation and Maintenance (O & M) to include keeping infiltration basin valve be kept clear of snow and be appropriately signed in event of emergency. Valve is to prevent oil or gas spill from entering infiltration basin. Snow storage will be addressed in O & M and has been added to plans. Revised SWPPP pages will be submitted for review prior to construction and will be conditioned.

Chessia's latest report suggested a number of conditions for the Order of Conditions (OOC) and those will be added. The 8 ½ x 11 BMP plan for the O & M will be submitted prior to issuance of the OOC.

A motion was made by Pearson, seconded by Blood to close the public hearing. Approved. Carrozza abstained.

6:45 pm

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, Feb . 13, 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.*



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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.*
17. *Letter from Goddard Consulting to Conservation Commission and NHESP dated February 20, 2017.*

Frank Gallagher, Gallagher Engineering attended the meeting. Gallagher, Carlino, Chessia and McDonough met in the Conservation Office last Friday and got a significant amount of work done. Chessia's summary memo dated 2/28/17 was reviewed. It was decided that a summary review would be more appropriate until we all



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met again to review in order to save time and money on the ongoing reviews. There are 3 items the Commission needs to decide so the engineers can move forward.

1. Distance from the infiltration basin to the wetland. *DEP stormwater handbook requires infiltration basin to be more than 50 feet from wetland. Chessia uses the whole footprint of the basin because if there isn't a berm, there isn't a basin. Gallagher only uses the inside top of berm of the basin because that is where the infiltration occurs. The Commission requested that the swales within the basins be extended along the full length of the basins to prevent any shortchanging of treatment and that all outfalls be a minimum of 50 feet from a wetland. Basin 2 should still meet the requirement to be 100 feet from a CVP; expecting the adjacent vernal pool to be certified. Basin 3 outfall velocity dissipater will be deepened to serve as a sediment trap. Gallagher will revise the plans. The Commission determined that Gallagher has measured to the center of the berm to get 50 feet from the wetland. In this case, Commission finds this to be adequate and will write findings for Order of Conditions (OOC).*

Draft findings were discussed and agreed, although all understand there may be some more tweaking of the finding before the OOC is issued.

- a. *Infiltration basins 1 and 4 have been designed such that the center of the berm is 50 feet from a Water of the Commonwealth (wetland). The Conservation Commission determined that this is in compliance with the Handbook requirements.*
 - b. *Infiltration basin 2 has been designed such that the center of the berm is 50' from a Water of the Commonwealth (wetland) but only 80 feet from the Certified Vernal Pool (CVP). The Commission has determined that the discharge from infiltration basin 2 will do to the wetland and a stream between the basin and the CVP and therefore, will not have a negative impact on the CVP.*
 - c. *Infiltration basin 3 has been designed such that the center of the berm is 50 feet from a Water of the Commonwealth (wetland) in most cases but only 40 feet in the southernmost portion.*
2. The CN value. *Chessia thinks the land best meets the definition of brush-good (value of 30) because the definition is a mix of brush-weeds and grass. Gallagher used brush-fair (value of 35) because ½ land is grass, ½ is brush. Gallagher submitted current photographs of the site vegetation. The Commission determines that brush-fair with CN value of 35 is accurate. The Commission finds this to be adequate; Carrozza would lean toward Chessia's recommendation but the Commission will write a finding in the OOC.*

A draft finding was discussed and agreed. Non-wooded cover type has been determined to be Brush-brush-weed-grass mix with brush as major element, fair condition, Type A soil has a CN value of 35 and type B soil has a CN value of 56.



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3. Sideslopes to the basins. Chessia says DEP handbook requires sideslopes for stormwater basins to be 3:1 for maintenance purpose. The applicant proposed at the last meeting that the town would be asked to accept the road and be responsible for the drainage after construction. Gallagher would like sideslopes to be 2:1 so he can keep the basins out of the No Disturb Zone. Carlino asked Keith Silver, Highway Superintendent, what he prefers since the Highway Department would maintain it. Silver stated he prefers 3:1 slopes because he can drive the mower on them; he cannot on a 2:1 slope. Commission determines that 3:1 slopes are required by Stormwater Handbook and preferred by Highway Department. Commission suggests Gallagher get confirmation from client whether road will be private or public and to meet with Silver to review plans for any other items that would prevent a town acceptance of the road.

Other items:

- They have agreed to schedule test pits for groundwater elevation to be witnessed by Chessia.
- I will inspect CVP flagged boundaries
- We will condition that the dwy and front yards shall be graded toward the roadway, Gallagher will add note to the plan and spot grades on the lots.

Chessia will wait to finish the full evaluation until after the groundwater testing in case additional plan changes are necessary.

A motion was made by Carrozza, seconded by O'Reilly to continue the hearing to March 27, 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**

For proposed plans to construction as house, septic, driveway within 100 feet of wetland and priority habitat area. Barron emailed and asked to postpone to Spring. He will notify Carlino when ready for final inspection.



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REVIEW DRAFT MINUTES

February 13, 2017 – *A motion was made by Carrozza, seconded by O'Reilly to accept the minutes. Approved.*

February 27, 2017 – *A motion was made by Carrozza, seconded by Pearson to accept the minutes with edits. Approved.*

OLD BUSINESS –no discussion

Violations:

- 90A Freeman
- 241 Dean Street
- 388 Reservoir St

NEW BUSINESS

Request for Wetland Protection Funds from Selectmen – *Pearson recused, discussion is postponed to next meeting*

Reservoir Update - *Carlino met with Pare Corp and MAS Building and Bridge today at the dam to review punch list. She also reviewed 4 letters from Office of Dam Safety regarding Reservoir and Chartley Dams. She reviewed future contracts and recent bills that are beyond the approved contract amount.*

Chartley Pond update – *All items are ongoing, no new information*

- Pare contract addendum request-
- Request for legal services to determine owner of all retaining walls-

Report from Staff

Site Visits

Waterbodies Committee update

Wetland Protection Fund

Grants

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

- *Carlino suggested drafting an administrative review policy for small projects. Commission agreed it would be good to have it written so it is consistent and residents are comfortable approaching Commission about small projects (like tree removal).*

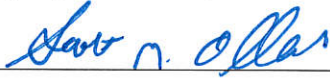
Meeting adjourned at 8:30pm.



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Minutes approved by the Commission on 3/27/17 (Date)

Respectfully submitted,

 (Signature) Chairman, Conservation Commission

Scott Ollerhead (Printed name)