



Norton Conservation Commission
70 East Main Street
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NORTON TOWN CLERK

2018 JAN 29 A 10:51

**Monday, October 16, 2017
6:30 pm
2nd Floor Conference Room
Norton Town Hall**

MINUTES

recorded by Regen Milani, Conservation Secretary

The meeting was called to order at 6:36 pm.

Attendance: Scott Ollerhead, Julian Kadish, Dan Pearson, Gene Blood, Agent Jennifer Carlino, Secretary Regen Milani

Absent: Lisa Carrozza, Ron O'Reilly

WETLAND HEARINGS Wetland hearings will be taken in order.

A. Request for Determination of Applicability (DET#1059). Brandon Barrick (Eagle Scout project)

Proposal to replace a boardwalk, extermination of non-native, invasive plants (Japanese Knotweed), and trail clean up within 100 feet of wetlands.

Document list

- 1. WPA Form 1 -RDA application for Brandon Barrick Eagle Scout project in Leonard Park on Parker Street. Dated 9/25/17.*

Brandon went into detail regarding his project. The bridge his brother built for his Eagle Scout project is now in disrepair and he would like to repair and improve it. Photos of the site were presented to the Committee. He hopes to use 4" x 6" boards in replacement of the telephone poles which are too bulky. He has a contractor and a carpenter helping him with the structural requirements/engineering of the bridge. This work will be done in November when water level is lower than other times of the year. Brandon reached out to Matt Crowe who Carlino recommended for advice on best practices for eradicating the invasive species Japanese knotweed, which can overgrow to the point of blocking the kiosk at the site. Removal will happen in the spring, and will require physical cutting, burning of plant material, and chemical round-up application into the root stem in a multi-session, phased approach. Barrick hopes that this will be completed by late spring/early summer 2018. Chairman and Agent commented it was a good project. Agent noted that she observed on her site visit that a neighbor was dumping yard waste into the wetlands on this property, and that a letter to them will be required.

Motion was made to close the public hearing for DET 1059, made by Kadish, seconded by Pearson. Motion passes.



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Motion was made to issue a negative (#3) Determination of Applicability for DET file 1059 by Kadish, seconded by Pearson. Motion passes.

B. Notice of Intent (#250-1005). Daniel Defeo, 1 Mulberry Brook Drive (Map 5, Parcel 250). Proposal to construct a single-family house, driveway, septic system, well, and associated grading within 100 feet of wetland.

Document list

1. *WPA Form 3 -Notice of Intent application for 1 Mulberry Brooke Drive. Dated 9-21-17.*
2. *Subsurface Sewage Disposal System Plan signed by Christopher D. Yarworth, Yarworth Engineering Company. Dated 9-12-17.*

Daniel Defeo and Chris Saunders from Yarworth Engineering were in attendance to represent this project. A portion of the project is within the buffer, the in-law apartment, well and patio, turn-around on driveway, and small corner of the patio. They have proposed post and rail fence with signage along with the conservation placards will be on the fence as shown on the plans. A revised plan will be submitted shifting all disturbance 15 feet further from the wetland. Abutter Karen Taylor had a question about the shared driveway. It is dirt now and Ms. Taylor is concerned about runoff if the driveway is paved. Taylor has access but is not using it right now. both parties will review easement language and will discuss this off line. Carlino asked Saunders to put a note on the plan about the shared drive. Yarworth will send a revised plan based on the comments listed.

Motion was made to continue to 11/13/17 with a prepared set of conditions by Kadish, seconded by Pearson. Motion to Continue passes.

C. Notice of Intent (#250-1001). Margaret Robinson, American Tower. 122 W Hodges Street (Map 34, Parcel 2) (cont. from 9/25/17). Proposal for the construction of a 150-foot monopole communications tower within 100 feet of a wetland and rare species habitat.

Document list

1. *Notice of Intent for a proposed construction of a 150-foot monopole for communications tower, prepared by Nicholas Carmen of Aquaeter, Inc. Dated 8/29/17.*
2. *Zoning drawings. Dated January 27, 2017, revised 5 times last time 4/6/17, signed by Patrick Barry 4/10/17.*
3. *Site plans entitled "Overall Site Plan" dated 1/27/17 revised 4 times last time on 4/6/17, signed by Patric Barry 4/10/17.*
4. *Wetland Delineation Report prepared by Aqueater. Dated 10/25/16.*
5. *Natural Heritage & Endangered Species Program NHESP File No 17-37145 determination letter. Dated 9/21/17.*
6. *Proof of certified shipment to NHESP.*
7. *Page 7 completed will all check and electronic submission information*
8. *Proof of NOI submission for payment documentation.*



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9. *Stormwater Management Report for Site #202111- 122 W. Hodges Street American Tower Build to Suite Project. Prepared by American Tower Engineering Services. Dated 1/31/17.*

Applicant requested a continuance to the next meeting. Motion was made to continue to 11/13/17 by Kadish, seconded by Pearson. Motion to Continue passes.

**D. Request for an Amended Order of Conditions, and Request for an Extension (#250-943)
Bernard Marshall, Norton Water Department. Off Plain Street (Map 19, Parcels 2 & 3).
Proposal to construct a new water treatment plant with associated water piping.**

Document list

1. *Request for Order of Conditions Amendment and Extension prepared by Weston & Sampson. Dated 10/2/17.*
2. *Site plans entitled 'Town of Norton, Massachusetts, Water treatment Plant' signed by Barbara K. Cook of Weston & Sampson Engineers, Inc. Dated 10/2/17.*
3. *Certified abutter mailing list evidence. Dated 10/4/17.*

Applicants were notified of a bill for legal notice. They received another copy. Barbara Cook and Blake Martin of Weston & Sampson Engineers and Bernie Marshall, Superintendent of the Norton Water Department were present to represent the project. They explained that due to archeological work required by the Massachusetts Historical Commission, that a large part of the site can't be built upon. Mass Historical said they could not go out of the limit of work they originally proposed. There is a circular 'donut hole' in the middle of the site that cannot be built upon due to Native American relics found. There is no change in the impact to the wetlands from the original Order of Conditions. At this time the site design has been cleared by Mass Historical and construction can now go ahead. But since construction has been delayed, they need to request an extension in addition to the Amendment. Stormwater has a slight increase in impervious surfaces for the propane generator and tank's concrete pads within the floodplain, but the approved BMPs can handle this under storm water MA DEP standards. They went back to Natural Heritage and Endangered Species Program (NHESP), and there was no change in this layer since the original permit application. Emergency energy is required for pump 5, and so they are going to add a propane tank and a propane generator. These will each have a small pad. The project will be completed in fall of 2019. The summary of impacts is cumulative and they have submitted a revised NOI sheet. Is it enough floodplain compensation, Pearson asked? Carlino indicated that this would run off into the sand and gravel next to the well and is not as big a concern as if there was construction on the other side of the river. The Commission will need to update the summary of the impacts will need to be changed in the Amended Order. The Amended OOC will need to be recorded before we can issue an extension can issued. Resident Lynn Sicola, asked what was found on site. Marshall stated that Native American artifacts were found, and some items need to be protected in place but no burials were found. Abutter Paul Danforth, of Plain St, asked it if it was closer to his property. He asked why this site was decided. Originally it was going to be on the other side of the river. Cook explained that due to so many Native American items found near the two wells, MA Historical required the town investigate the option on the other side of the Canoe River to see if there would be less negative impacts. the location of the current proposal was recommended. The purpose of the treatment



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facility is to filter out manganese and iron; it will not smell. Sand drying beds will be less in new program. Another audience member asked if it is smaller. This design will be operable, but the older design was more robust. This will be more maintenance for water department staff. A six-foot fence will border the property.

Motion was made to continue the public hearing to 11/13 with a prepared set of conditions and to receive the legal notice fee by Kadish, seconded by Blood. Motion to Continue passes.

E. 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, Nov. 28, 2016, Dec. 19, 2016, Jan 9, 2017, Jan 23, 2017, Feb 13, 2017, March 13, 2017, April 10, 2017, April 24, 2017, May 15, 2017, 6/12/17, 6/26/17, 7/10/17, 7/24/17, 8/14/17, 8/28/17, 9/11/17, 9/25/17, 9/25/17)- for the construction of 56 single-family units with loop road, stormwater detention ponds and work within 200 feet of Rumford River.

Applicant requested a continuance. Motion was made to continue to 11/13/17 by Kadish, seconded by Blood. Motion to Continue passes.

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

REQUEST FOR PARTIAL/FULL CERTIFICATE OF COMPLIANCE

#250-937	Norton Solar I & II	Clapp Street
Full		map 23, parcel 50, 52, 53 & 70
Solar farm		

Motion to issue a full Certificate of Compliance was made by Kadish, seconded by Blood. Motion passes.

#250-570	Stephen Cahill	14 Maplewood Avenue
Full		map 19, parcel 45
Lake Winnecunnet Association residential sewer tie in within wetland resource area.		

#250-570	Theodore Coolidge	42 Charlotte Avenue
Full		map 19, parcel 31
Lake Winnecunnet Association residential sewer tie in within wetland resource area.		

Motion to issue a full Certificate of Compliance for the two properties under file # 250-570 was made by Kadish, seconded by Pearson. Motion passes.

REVIEW DRAFT MINUTES

8/28/17 *No quorum.*

9/21/17 special meeting *No quorum.*

9/25/18 *No quorum.*



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OLD BUSINESS

MEPA-Secretary's Certificate issued on 9/22/17 for Norton Business Park, Leonard St EEA 15750
Massachusetts Environmental Policy Act- The Secretary of Executive Office of Energy and Environmental Affairs issued the Secretary's Certificate stating that Condyne will have to do much more thorough Environmental Impact Report (EIR). This decision was emailed to all Commission members previously by Carlino.

NEW BUSINESS

Fall Town Meeting (October 23) includes the following four articles to:

1. Purchase Camp Edith Read

Carlino has applied for a state LAND grant which will cover 64% of the purchase price for this property.

2. Conduct Phase II evaluation of Chartley Pond required by Office of Dam Safety
3. Conduct repairs to upstream wall of Chartley Pond required by Office of Dam Safety
4. Design and permitting for Walker Street culvert replacement at Wading River-

Regrettably, while Carlino applied, we were notified that we did not get this grant.

Reservoir Update

Chartley Pond update

Report from Staff

Waterbodies Committee update

Wetland Protection Fund FY18 spending plan -*A copy of this was given to the Committee members and this allows the commission to spend predetermined approved line items without the additional step of getting the Town Manager's signature.*

Grants

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

Not on the agenda, but Carlino notified the commission of the recent announcement by the EPA that the Shpack Landfill Superfund Site is now removed from the U.S. Environmental Protection Area's National Priority List because the cleanup is now complete. They removed everything, and now it has been capped with sand.

Motion to adjourn at 7:29 by Kadish, seconded by Pearson. Motion passes and meeting was closed.

Respectfully submitted by:


Regen Molani, Conservation Secretary

Minutes approved by the Commission on 1/8/18 (Date)

Conservation Commission Signature:


Scott Ollerhead, Conservation Commission Chairman