



Norton Conservation Commission

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NORTON TOWN CLERK

2018 JUN 11 P 12:22

Monday, April 23, 2018

6:30 pm

2nd Floor Conference Room

Norton Town Hall

MINUTES

recorded by Regen Milani, Conservation Secretary

6:30 pm Open meeting

The meeting was called to order at 6:32 pm.

Attendance: Scott Ollerhead, Julian Kadish, Lisa Carrozza, Ron O'Reilly, Daniel Doyle Jr., Dan Pearson, Agent Jennifer Carlino, and Secretary Regen Milani

Absent: Gene Blood

Executive Session. Discuss strategy in executive session with respect to 162 West Main Street litigation, related the enforcement order issued by the Commission (DEP File No. 250-38), pursuant to G.L. c. 30A, §21(a)(3), if discussing the matter in open session will have a detrimental effect on the Town's litigating position and the chair so declares; votes may be taken.

A motion was made to enter Executive Session by Kadish, seconded by Carrozza. Motion passes. Roll call to enter was taken: Scott Ollerhead, Julian Kadish, Lisa Carrozza, Ron O'Reilly, Daniel Doyle Jr., Dan Pearson. The Commission entered executive session at 6:39pm.

A motion was made to return the public hearings at 7:02pm by O'Reilly, seconded by Kadish. Motion passes. Roll call to enter was taken: Scott Ollerhead, Julian Kadish, Lisa Carrozza, Ron O'Reilly, Daniel Doyle Jr., Dan Pearson.

WETLAND HEARINGS

Wetland hearings will be taken in order.

Estimated start time is 7pm

A. Notice of Intent (#250-1014). Massachusetts Electric Company. 122 & 0 West Hodges Street (Maps 35 & 34, Parcels 5_0 & 2_0) Proposal to remove five trees along the 8L2/8L4 distribution lines within 100 feet of wetlands.

Document list

1. Notice of Intent (NOI) application prepared by P. Chase Bernier, BSC Group, Inc., dated 3/29/18.

2. "8L2/8L4 Distribution Upgrade", prepared by BSC Group, ,not signed and stamped, dated March 26, 2018.
3. Letter from MA Division of Fisheries & Wildlife Natural Heritage & Endangered Species Program. Dated 4/11/18.

Chase Bernier of BSC Group was here to present the project. The site is bordered to the east by Dean Street. It is part of a larger vegetation management project but 2 of the 5 trees are in BVW and 3 are in 100-foot zone. Three of the trees were already dead. The trees are proposed to be cut at grade and chipped on site and removed. No vehicle access needed. Erosion and sediment control added. Carlino asked if trucks are parked on road, and they will walk in with chains saws and needed equipment to do the cutting. They will use the existing roads and work by hand only. Carrozza asked if they propose grubbing. Carrozza asked if [the applicants] have thought of leaving the snags and only removing the branches. Bernier replied that these particular trees are unstable and compromise the line, and that in the area there are many dead stags already. He added that these particular trees are the minimum they can take to protect the lines. Carlino asked if the trees have been marked, and Bernier indicated that he will mark the trees with a bright blue spot. Carlino said that in the future, if they mark them when they file then they can close the night of the hearing as she can inspect the site(s) right away. Bernier said he would let her know as soon as the trees for this site are marked so she can do her inspection in time for them to close for the meeting May 21, 2018.

Motion was made to continue 250-1014 to 5/21/18 by Carrozza, seconded by Kadish. Motion to Continue passes.

- B. Notice of Intent (#250-1006). Eco-Site. 15 South Washington Street (Map 18, Parcel 31 & 150)** (cont. from 12/18/17, 1/8/18, 1/22/18, 2/12/18, 2/26/18, 3/12/18). Proposal to construct a cell tower facility with associated driveway crossing and appurtenances within 100 feet of a wetland.

Applicant requested a continuance. Motion was made to continue to 5/21/18 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, 10/16/17, 11/27/17, 12/18/17, 1/8/18, 1/22/18, 2/12/18, 2/26/18, 3/12/18, 3/26/18). Proposal for the construction of a 150-foot monopole communications tower within 100 feet of a wetland and rare species habitat.

Applicant requested a continuance. Motion was made to continue to 5/21/18 by Pearson, seconded by Kadish. Motion to Continue passes.

- D. Abbreviated Notice of Resource Area Delineation (ANRAD) (DEP #250-1011) Jeffrey O'Neil, Condyne Capital Partners. 0 Leonard Street, 0 Rear Leonard Street, 0 Burt Street (Map 11 Parcels 22, 25-0, 25-1; Map 25 Parcel 15) NORTH** (Cont. from 3/12/18, 3/26/18). Proposed plans to verify wetland resources areas.

Motion was made to continue 250-1011 to 5/21/18 by Kadish, seconded by Pearson. Carrozza abstained. Motion to Continue passes.

E. Abbreviated Notice of Resource Area Delineation (ANRAD) (DEP #250-1010) Jeffrey O'Neil, Condyne Capital Partners. 237, 227, 235 E. Main Street, 19 Leonard St. (Map 11 Parcels 32, 34, 35, 66) SOUTH (Cont. from 3/12/18, 3/26/18). Proposed plans to verify wetland resources areas.

Motion was made to continue 250-1010 to 5/21/18 by Pearson, seconded by Doyle. Carrozza Abstained. Motion to Continue passes.

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

Notice of Intent (#250-1015). Peter Murphy. 312 Taunton Avenue (Map 33, Parcel 32) Proposal to complete site work including paved and crushed stone parking/access, drainage and infiltration area and finished site work within 100 feet of wetlands.

The file number needs to be corrected on the Order itself. Motion to issue an Order of Conditions for NOI 250-1015 was made by Carrozza, seconded by Kadish. Motion passes.

REQUEST FOR PARTIAL/FULL CERTIFICATE OF COMPLIANCE

**#250-864 Elizabeth A. Brown Trustee 15 Samoset Realty Trust 15 Samoset Road
Full Map 25 Parcel 21-26 & 31-32
Plans to cut trees and brush within 100 feet of bordering vegetated wetlands.**

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

REVIEW DRAFT MINUTES

6/13/16 Motion to accept by Kadish, seconded by Pearson. Motion passes. Carrozza abstains.

10/24/16 First paragraph, "the sediment fence" instead of sedimentary" and page 2 "silt sock" and not "silk sock" and page 4 "instead of riff raff" change to "Rip Rap" And "Weston Sampson", add the ampersands in between these two words. With these edits required, Carrozza made a motion to accept, which was seconded by Kadish. Motion passes.

3/26/18 Carrozza asked for edit "all the work will be performed by hand" and scratch "on". With this edit required, Carrozza made a motion to accept, which was seconded by Kadish. Motion passes.

4/9/18 Motion to accept by Carrozza, seconded by Kadish. Motion passes. Pearson abstained.

OLD BUSINESS

NEW BUSINESS

— Reservoir Update

- **Chartley Pond update-** *Upstream wall repair bid recommendation. Bid opening was last week. Commission members had all results. Recommendation by Pare was Dandel Construction, Inc. Carrozza had a question – is the work being subbed out? If so, to whom? Doyle informed her that it is Lock Dry Basements out of New Hampshire (from the bid). The Commission wanted to know if they (Dandel) have experience with Lock Dry Basements. Doyle has heard of Aqua Line and they are quality, but they are higher in cost. Carrozza asked if they had to go with the lowest bid. Carlino says you have to go with the low bidder unless a company misses something in the bid submittal. Carlino will need the Commission to read the contract as a “second set of eyes”. Carrozza asked if legal council can read the contract? Carlino will ask to see if she can get this permission. She said it would come out of the legal fund of the town.*

Motion to accept the low bidder by Dandel Construction pending the legal council's review of the terms and conditions was made by Carrozza seconded by Kadish. Motion passed.

- Report from Staff
- Waterbodies update
- Grants

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

Motion to adjourn by Kadish, seconded by O'Reilly. Motion passes and meeting closes at 7:35 pm.

Respectfully submitted by: 
Regen Milani, Conservation Secretary

Minutes approved by the Commission on 5/21/18 (Date)

Conservation Commission Signature:


Scott Ollerhead, Conservation Commission Chairman