



Norton Conservation Commission

70 East Main Street

Norton MA 02766

508-285-0275

508-285-0277 fax

conservation@nortonmaus.com

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NORTON TOWN CLERK

2020 JAN 14 A 8:50

Monday, November 4, 2019

6:30 pm

2nd Floor Conference Room

Norton Town Hall

Minutes

6:30pm Open meeting

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

Attendance: Lisa Carrozza, Julian Kadish, Dan Pearson, Ron O'Reilly, Gene Blood, Conservation Secretary Melissa Quirk and Conservation Director Jennifer Carlino

Absent: Scott Ollerhead, Daniel Doyle, Jr.

WETLAND HEARINGS AND POSSIBLE COMMISSION DELIBERATIONS

Wetland hearings will be taken in order.

A. Request for Determination of Applicability (DET #1090). Norton Water Department, Newland Street (Map 5, Parcel 235). (continued from 10/28/19). The proposed project involves plans to install water main pipes within 100 feet of wetlands and 200 feet of the Canoe River.

Document List – Norton Water Department – Newland Street

1. *WPA Form 1 – Request for Determination of Applicability received 10/16/19*
2. *Plans entitled, "Well #3 Water Main Improvements" prepared by Weston & Sampson. Not signed or dated. Received 10/16/19. Notes original plan by Otter Creek Engineering, Inc. in 2008*

Blood recused.

Frank Fournier, Norton Water Superintendent attended the hearing to describe the project. The Water Department is looking to install approximately 220 feet of water main actually creating a loop to go from the existing water pipe alongside the property. There will be a small trench with two parallel pipes in the trench coming back to the existing water main. This will increase the contact time of the chlorine disinfection causing any viruses to become inactive based on the formula that DEP has in place. Fournier explained it lengthens the contact time it takes for the water to go from the point of origin, being the well, to the first consumer's tap. This is a requirement that other towns have put in place and it is a heavy recommendation from DEP to

know the disinfection is working in the best possible manner. There is no other way of doing it. It brings the project within that boundary of the wetlands (buffer zone). Kadish questioned if this concern is more about surface water treatment than a well? Fournier states no. He explained you can still have viruses in groundwater. This will just change the contact time. Kadish questioned the minimum contact time to sterilize. Fournier explained it is based on the size of the pipe. He provided a formula. Kadish clarified that here 5.6 minutes is the time they are trying to meet. Carrozza asked if this would lessen the chlorine smell. Fournier stated not necessarily, but the chlorine smell is actually a good thing. Shows the disinfection is there. Carrozza questioned the size of the straw waddle. Carlino will provide a sheet of what is acceptable.

Motion was made to close the public hearing for DET #1090 by Pearson, seconded by O'Reilly. Motion passes.

Motion was made to issue a Negative 3 Determination for DET #1090 by Carrozza, seconded by O'Reilly. Motion passes.

B. Abbreviated Notice of Resource Area Delineation (#250-1030). John Quattrochi. East Hodges Street (Map 36 Parcel 2-0) (cont. from 10/22/18, 11/19/18, 12/17/18, 1/28/19, 2/11/19, 2/25/19, 3/11/19, 3/25/19, 4/8/19, 4/29/19, 6/10/19, 6/24/19, 7/8/19, 7/22/19, 9/19/19, 9/23/19, 10/7/19, 10/28/19). For proposed plans to verify wetland resource areas.

Carlino updated the ConCom that we were waiting for revised plans and isolated land subject to flooding calcs. She received a table, but the plan was also not properly labeled. She has a few questions for them. Carrozza clarified that the applicant conceded it is ILSF. Therefore, Carrozza stated they must follow through with the additional step which is to determine the lateral extent. They must run the 100 year to figure out what the extent is. The submitted documentation does not tell us what the true extent is. They need to do drainage calcs. They need to do the step by step protocol per DEP policy. The file is still incomplete.

The applicant requested a continuance to 11/18/19. Motion was made to continue the public hearing for DEP#250-1030 to November 18, 2019 by Carrozza, seconded by Pearson. Motion passes.

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

- C. Notice of Intent (#250-1050). Michael Tracy of The Judge Rotenberg Educational Center, Inc. 31 Shelly Road (Map 21, Parcel 164).** For a proposed project to reconstruct an existing driveway within 100 feet of wetlands.

File #250-1050 was closed at the 10/28/19 ConCom meeting. The ConCom reviewed the revised plans that were submitted.

Motion was made to issue the Order of Conditions with modifications as discussed for DEP#250-1050 by Carrozza, seconded by O'Reilly. Motion passes

- D. Request for Amendment to Existing Order of Conditions (#250-996). Thomas Powers, 19 King Philip Road (Map 25, Parcel 73-19).** (continued from 9/9/19, 10/7/19) The proposed project is to raise the existing house above the floodplain elevation within 100 feet of wetlands and within the 100-year floodplain.

Document List – 19 King Philip Road

- 1. NativeTec letter dated 8/2/19, rev 10/2/19.*
- 2. WPA Form 3 – Notice of Intent received 10/7/19.*
- 3. Revised WPA Form 3 – Notice of Intent received 10/15/19*
- 4. NativeTec letter dated 8/2/19, rev 10/10/19*
- 5. Plans entitled, “Existing and Proposed Structural Framing Plans”, prepared by NativeTEC, signed and stamped by Robert Marini, PE, dated 3/4/19, rev 4/10/19*

File #250-996 was closed at the 10/28/19 ConCom meeting at the insistence of the applicant. Carlino updated the ConCom that she has not received any of the information requested at the last meeting. Because the public hearing was closed, a decision must be issued within 21 days which is before the next meeting on the 18th. Kadish questioned if the previous Order was with the same plan. Carlino explained it was a different owner with roughly the same plan. The original approval still had the foundation in it. The ConCom had approved the permit but required a new plan showing the house elevated. The property has since been sold. Kadish noted there was not a lot of willingness by the applicant to try to resolve the problem at the last meeting. We cannot solve the problem if they won't provide the necessary information requested. Pearson stated the attitude at the last meeting was that these are things the Conservation Director wants. There seemed to be a lack of understanding that this is what the ConCom needs because there are regulations to be followed. They are not being singled out. Carrozza states they have an

Order of Conditions on the property today so they can try to amend it again. Kadish and Carrozza clarify the ConCom could potentially deny the amendment until they provide the requested information. Carrozza asks Carlino what the original Order required. Carlino explains the original Order required them to provide a plan showing the elevated house and meeting performance standards. Carrozza wants the applicant to understand that they did not meet the burden of proof with the original Order. Carlino explains since it is an amendment, it is not a denial of a new permit. It is just a denial to the amendment. Kadish states we cannot accept the amendment for lack of adequate information, but that does not invalidate the existing Order. In order to move forward, they need to revise their presentation so that it can meet the requested standards. Carrozza questioned why the hearing was closed if the ConCom had requested information. Kadish and Pearson responded that the applicant insisted the hearing be closed and they would provide the requested information.

Motion was made to deny the Request for Amendment to Existing Order of Conditions for DEP#250-996 by Carrozza with the understanding that the existing Order of Conditions is still valid for the project. The Amendment is denied due to lack of information that was supposed to be provided. The motion is seconded by O'Reilly. Motion passes.

REQUEST FOR PARTIAL/FULL CERTIFICATE OF COMPLIANCE

- E. Request for Duplicate of Certificate of Compliance (#250-309). James & Diane Olson. 15 Eileen Road (Map 28, Parcel 121).** For a proposed project or regulable work activities within wetland resource areas and/or its 100 foot buffer zone.

Motion was made to issue a Duplicate Full Certificate of Compliance for DEP#250-309 by Pearson, seconded by Carrozza. Motion passes.

NEW BUSINESS

OLD BUSINESS

Site Inspections - scheduled 68 Dean -- Site inspection is scheduled for tomorrow 11/5 at 5pm. Resident wants to meet at town hall. The ConCom proposes to meet the resident at town hall Thursday 11/7 at 5pm to discuss the next step. If it cannot be resolved, then it would have to go to DEP. Carlino will email the resident.

Violations

77 Charlotte
68 Dean
10 Dean St
211 Oak and 21 Kensington

4 Kensington

Reservoir Update -
Chartley Pond Update -
Barrowsville Dam
Report from Staff
Waterbodies Committee update
Grants

BILL SUMMARY

Summary list of bills signed period – October 28 – November 4, 2019

FY2020

Vendor Item	Amount	Town Account #
Verizon agent cell phone	\$36.49	242-171-100-5700 – Wetland Protection Fund
W.B. Mason office supplies	\$17.87	001-171-570-5420 – Office Supplies
National Grid pool meter	\$10.00	001-171-570-5308 – Maint. Of Conserv. Areas
EcoTec E. Hodges St review	\$390.00	243-171-100-5700 – Conservation Outside Fees

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

Emergency Certificate was given to Reed & Barton to demo 3 of the buildings at the last meeting.

Pond treatment update was submitted today. They will be at the 12/2 meeting to give a presentation on the progress with the ponds.

Motion to adjourn by O'Reilly, seconded by Pearson. Motion passes and meeting closes at 7:15pm.

Respectfully submitted by: Melissa Quirk Melissa Quirk

Minutes approved by the Commission on 11/18/19 (Date)

Conservation Commission Signature:

Scott Ollerhead
Scott Ollerhead, Conservation Commission Chairman

1/13/20
Date