



Norton Conservation Commission

70 East Main Street

Norton MA 02766

508-285-0275

Email: conservation@nortonmaus.com

<https://www.nortonma.org/conservation-commission>

RECEIVED
NORTON TOWN CLERK
2022 JUL -7 PM 3:19

Monday May 23, 2022

6:30 pm

****Remote Participation Only****

Next Meetings:

6-13-22

6-27-22

7-11-22

7-25-22

https://us02web.zoom.us/j/82445145480?pwd=qzAT76P9y_hT7NFk-UorNgjPZg7Edt.1 When prompted, enter the **Meeting ID:** 824 4514 5480, **Passcode:** 160589. 1-646-558-8656

Chairperson to read about Public Meetings:

Pursuant to Governor Baker's March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, §18, and the Governor's March 15, 2020 Order imposing strict limitation on the number of people that may gather in one place, this meeting of the **Norton Conservation Commission** will be conducted via remote participation to the greatest extent possible. Specific information and the general guidelines for remote participation by members of the public and/or parties with a right and/or requirement to attend this meeting can be found at the end of this agenda.

Members of the public attending this public hearing/meeting virtually will be allowed to make comments if they wish to do so, during the portion of the hearing designated for public comment, by raising their hand virtually or pressing *9 if participating by phone.

No in-person attendance of members of the public will be permitted, but every effort will be made to ensure that the public can adequately access the proceedings in real time, via technological means. In the event that we are unable to do so, despite best efforts, we will post on the **Norton Cable website** (<https://www.nortonmediacenter.org/>) an audio or video recording, transcript, or other comprehensive record of proceedings as soon as possible after the meeting.

AGENDA

****Public Hearings and possible Commission deliberations will be taken in order of this Agenda****

6:30pm Open meeting

Members Present	<ul style="list-style-type: none">• Julian Kadish, Chair• Lisa Carrozza, Vice Chair• Daniel Pearson	<ul style="list-style-type: none">• Kerry Malloy Snyder• Tamah Vest• Marc Fernandes• Ronald O'Reilly
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I. NEW PUBLIC HEARINGS

II. CONTINUED PUBLIC HEARINGS

A. (DEP# 250-1070) Notice of Intent - 0 Rear Eddy Street - Widak/Sher Corp. LTD

REQUESTED A CONTINUANCE TO JUNE 13TH

(Map 32, Parcel 31) <https://tinyurl.com/rearEDDYSherCorp>

(Continued from 1/25/2021, 2/8/2021, 3/8/2021, 3/22/2021, 4/12/2021, 5/10/2021, 6/14/2021, 7/26/21, 8/30/2021, 9/27/2021, 10/18/21, 11/8/2021, 11/22/21, 12/13/2021, 1/10/22, 1/24/22, 2/28/22, 3/14/2022, 3/28/22, 4/11/2022)

The proposed project is to construct a common driveway with associated stormwater management, septic system, utilities, retaining walls and grading for 4 duplex units within 100 feet of bordering vegetated wetland.

Applicant/ Representative	None Present
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Applicant requested a continuance until June 13th.

Motion to continue till 6/13/2022 made by Daniel Pearson	Seconded by: Kerry Malloy Snyder Aye: Daniel Pearson, Kerry Malloy Snyder, Tamah Vest, Marc Fernandes, Julian Kadish, Lisa Carrozza Motion carries
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B. (DEP 250-1093) – NOI – 70 Oak Street

REQUESTED A CONTINUANCE TO JUNE 13TH

(Map 21, Parcel 254-01) <https://tinyurl.com/70OAKSTREET-NOI>

The proposed project to construct a driveway and utilities to gain access to a proposed single-family home.

Applicant/ Representative	None Present
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Applicant requested a continuance until June 13th.



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Motion to continue till 6/13/2022 made by Daniel Pearson	Seconded by: Lisa Carrozza Aye: Daniel Pearson, Kerry Malloy Snyder, Tamah Vest, Marc Fernandes, Julian Kadish, Lisa Carrozza Motion carries
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C. (DEP#250-1096)-ANRAD-93 Mansfield Ave, 0 Mansfield Ave, and 0 Reservoir Street-Residential DeNovaes

(Map 16,9,9, Parcel 66,225,223) <https://tinyurl.com/93MansfieldANRAD>.

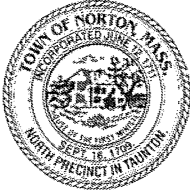
The proposed project is to verify on site resource areas. (Continued from 2/14/22)

Applicant/ Representative	Representative: Jim Burke
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Doc list –93 Mansfield Ave, 0 Mansfield Ave, 0 Reservoir St

- ANRAD Form 4A
- Site plans titled ANRAD PLAN by Claudio Sala
- Site Narrative
- Certified abutters list
- Affidavit of service
- Notification to abutters
- Wetland Resource Evaluation Report by Ecotec, Inc,
- Nation Flood Hazard Layer FIRMette
- Natural Heritage
- Supporting calculations for determination of ILSF

Jim Burke speaks to the changes that have been made to the plans. At the previous meeting the applicant was asked to add more spot shots to the plans to prove that the area is not ILSF. Jim explains that they found that the area was 4,085 cubic ft of volume. Jurisdictional volume for ILSF is 10,250 cubic ft of volume, which means the area in question is non-jurisdictional. John Thomas mentions that on the plans there is a potential vernal pool. John mentions that if the commission chooses to issue an ORAD that in the Order it be conditioned that the vernal pool is either confirmed with a Notice of intent application or that the applicant concedes that it is



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potentially a vernal pool. Jim speaks to the fact that he has spoken to Art Allen and he agrees with John Thomas and the representative has no issue proceeding with the area as a vernal pool and they can address it in a Notice of Intent in the future. Lisa Carrozza asks if the commission is going to require that the applicant certify the vernal pool. John mentions he would like to require the pool be certified in the ORAD per a condition. John asks if the commission agrees with that possible option. Lisa asks Jim when he thinks they will be submitting a Notice of Intent. Jim explains that the end of the summer would be the soonest they would be able to get the Notice of Intent in. Jim agrees to having the conditions of the ORAD include the certification of the vernal pool. Lisa makes the statement that the commission should agree to state that it is a certifiable vernal pool and that the applicant should certify it through NHESP. Jim agrees that there will be time to get it certified, prior to construction.

Motion to close the public hearing made by Lisa Carrozza	Seconded by: Daniel Pearson Aye: Daniel Pearson, Tamah Vest, Marc Fernandes, Julian Kadish, Lisa Carrozza, Kerry Malloy Snyder Motion carries
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III. REQUEST FOR PARTIAL/ CERTIFICATE OF COMPLIANCE

A. (DEP#250-368)- Partial COC- 196 Mansfield Ave

(Map 9, Parcel 278-17)

Request for a partial certificate of compliance, where the proposed work was never done.

John Thomas speaks to the fact that this is just an administrative close out, as the work was never done. Lisa Carrozza asks why they are only asking for a partial COC and John Thomas explains that the original permit is tied to multiple parcels.

Motion to issue COC for DEP#250-368, Parcel 278-17 made by Lisa Carrozza	Seconded by: Kerry Malloy Snyder Aye: Daniel Pearson, Kerry Malloy Snyder, Tamah Vest, Marc Fernandes, Julian Kadish, Lisa Carrozza Motion carries
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Jim Marsh, the representative of Map 9, Parcel 278-17 comments that the COC should also include parcel 278-18, as well. The commission agrees to make another motion for the additional parcel.

Motion to issue COC for DEP#250-368, Parcel 278-18 made by Lisa Carrozza	Seconded by: Kerry Malloy Snyder Aye: Daniel Pearson, Kerry Malloy Snyder, Tamah Vest, Marc Fernandes, Julian Kadish, Lisa Carrozza Motion carries
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IV. SIGN AND ISSUE ORDER OF CONDITIONS/ORDER OF RESOURCE AREA DELINEATION

A. (DEP# 250-1102) ORAD - 0 S. Washington Street

(Map 25, Parcel 9) <https://tinyurl.com/OSWashingtonANRAD>

The proposed project is to verify on site resource areas.

Applicant/ Representative	None present
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Motion to approve ORAD as submitted made by Tamah Vest.	Seconded by: Marc Fernandes Aye: Daniel Pearson, Kerry Malloy Snyder, Tamah Vest, Marc Fernandes, Julian Kadish Abstained: Lisa Carrozza Motion carries
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B. (DEP#250-1101) OOC-173 S. Worcester Street

(Map27, Parcel 194-0) <https://tinyurl.com/173SWorcester>

The proposed project involves the construction of an addition conjoining the existing residence and garage within 100 feet of a wetland resource area. (Continued from 4/11/2022, 4/25/2022)

Applicant/ Representative	None present
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Lisa Carrozza comments on some of the conditions in the OOC, for the purpose of clarity for the applicant. The OOC is adjusted per comments.

Motion to accept OOC as revised made by Lisa Carrozza.	Seconded by: Kerry Malloy Snyder Aye: Daniel Pearson, Kerry Malloy Snyder, Tamah Vest, Marc Fernandes, Julian Kadish, Lisa Carrozza Motion carries
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V.REVIEW DRAFT MINUTES

****It is recognized that Ronald O'Reilly has been present for the whole meeting but due to technical difficulty was unable to talk. The technical issues are resolved in time for him to vote on the executive session minutes. ****

- 3/10/2022 executive session

***Julian Kadish and Marc Fernandes leave the meeting prior to voting on executive session minutes. ***

Motion to accept minutes as drafted made by Tamah Vest.	Seconded by: Kerry Malloy Snyder Aye: Daniel Pearson, Ronald O'Reilly, Tamah Vest, Kerry Malloy Snyder Abstained: Lisa Carrozza Motion carries
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- 4/5/2022 executive session

***Julian Kadish and Marc Fernandes leave the meeting prior to voting on executive session minutes. ***

Motion to accept minutes as drafted made by Tamah Vest	Seconded by: Kerry Malloy Snyder Aye: Daniel Pearson, Ronald O'Reilly, Tamah Vest, Kerry Malloy Snyder Abstained: Lisa Carrozza Motion carries
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• 5/9/2022

Motion to accept minutes as revised made by Lisa Carrozza	Seconded by: Tamah Vest Aye: Daniel Pearson, Tamah Vest, Marc Fernandes, Julian Kadish, Lisa Carrozza Abstained: Kerry Malloy Snyder Motion carries
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VI. NEW/OLD BUSINESS

- Site Inspections
 - *John Thomas mentions that due to the agreeable weather, the office has been busy.*
- Report from Staff
- Summer meeting schedule
 - *It is mentioned that there may be changes to the meeting schedule; John Thomas mentions that he may not be in attendance for the July 11th meeting. John Thomas asks that if any of the members know in advance they will be absent for a meeting, let him know so he can make sure there will be a quorum.*

VII. BILL SUMMARY

5/9/2022- 5/23/2022			
Name	Amount	Account number	Account name
Chessia Consulting	\$ 67.50	243-171-100-5700	Outside Consulting Fee
McGregor & Legere, P.C.	\$ 588.00	001-171-570-5315	Professional Services- Island Brook



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Comcast	\$ 168.44	001-171-570-5308	Maintenance of Conservation Areas
National Grid	\$ 24.68	001-171-570-5309	Maintenance of Conservation Areas

VIII. RATIFY LAST MEETING'S OPEN SESSION (TOPICS NOT ANTICIPATED 48 HOURS IN ADVANCE)

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

X. PUBLIC REMOTE PARTICIPATION PROCEDURE

For this meeting, members of the public who wish to participate in the meeting may do so in the following manner:

1. To participate in the meeting, we recommend downloading the zoom app  before the meeting. (This may not be necessary because you can click the link below but we have found that this makes logging in to the meeting easier.)

2. **Join the Zoom Meeting at 6:30pm.** Using your computer or smart phone go the Zoom app and click "join a meeting" or click on:

https://us02web.zoom.us/j/82445145480?pwd=qzAT76P9y_hT7NFk-UorNgjPZg7Edt.1 When prompted, enter the **Meeting ID:** 824 4514 5480, **Passcode:** 160589. 1-646-558-8656

- The site can be a little tricky so if it doesn't work the first time, try again. Try copying and pasting the link into a google chrome browser if internet explorer or another browser doesn't work for you.
- Using "connecting to video and audio through the computer" has been the easiest method. So make sure your computer's video/audio is on.
- If you cannot hear, you may need to phone in by calling 1-646-558-8656, same meeting ID and password as above. If it asks for a participant id you can just hit #. Please put your phone on mute until the Chairman asks for your comments.



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- Everyone will be placed on mute at the beginning of the meeting as you sign in but you should be able to hear. We will unmute you when we reach the public question and answer portion of our meeting.
- 3. If, for some reason, neither option is working for you, you can email the Conservation Commission at conservation@nortonmaus.com to ask your questions. We will read your email address, name and comments into the public record.
- 4. The standard procedure for a public hearing is a presentation by the applicant's representative, questions and comments by the Conservation Commission and Director, then opening questions and comments to the abutters. Please be patient and wait for your turn to participate.
- 5. If there are no additional questions by the Conservation Commission or Director, the hearing would typically close; however, to ensure adequate opportunity for public participation, those specific hearings will be continued until the next meeting. This will be announced. You will have until the next meeting to provide your comments and questions before the Commission closes the hearing and makes a decision.

Respectfully submitted by: Megan Harrop

Minutes approved by Commission on: 6/13/2022

Conservation Signature:

Julian Carter 7/6/22
Signature Date