



CONSERVATION COMMISSION
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2001 MAY 18 AM 8:56
NORTON TOWN CLERK

Monday, November 13, 2000
7:30 pm

Attendance

Jeff Houde (Chairman), Bob Medeiros (Vice-Chairman)
Patrick Corcoran, Julian Kadish, Jennifer Carlino, Director

Leonard Silvia, Dana Rappaneau and Ed Breault were absent

Minutes

The members reviewed the draft minutes of **April 25, 2000**. Bob Medeiros made a motion, seconded by Patrick Corcoran, to continue the minutes until the next regular meeting of November 27, 2001. Approved.

The members reviewed the draft minutes of **May 9, 2000**. Bob Medeiros made a motion, seconded by Julian Kadish, to continue the minutes until the next regular meeting of November 27, 2001. Approved.

The members reviewed the Bills Payable Sheet. Bob Medeiros made a motion, seconded by Patrick Corcoran, to pay the bills. Approved.

The members reviewed a Notice of Intent – **John Scott Boulevard, LLC – File #250-454 - parcel A, parcel (portion of) 196 (assessors map 31) and Lot 1, parcel 126 (assessors map 32) – Myra's Way– (continued from the May 9, 2000, May 22, 2000, June 27, 2000, July 24, 2000, August 14, 2000, September 11, 2000 & October 23, 2000 meetings.)** for proposed plans to construct a driveway, single family house and septic system within the 100 foot buffer zone of a bordering vegetated wetland. Approximately 4,320 sq. ft. will be filled and 5,014 sq. ft. will be replicated. No one was present to represent the project. The Director stated that she had not heard from anyone regarding this project. Bob Medeiros made a motion, seconded by Patrick Corcoran, to continue the public hearing until the end of the meeting. Approved. Bob Medeiros made a motion, seconded by Patrick Corcoran, to continue the public hearing until Monday, December 11, 2001 at 7:40. Approved.

The members reviewed a Notice of Intent – **Timberstone Custom Builders, Inc. (#250— parcel 6 (assessors map 13) Lincoln Street – (continued from the October 23, 2000 meeting) -** for proposed plans to construct a single-family house, sewage disposal system and associated grading within the 100 foot buffer zone of a bordering vegetated wetland. Jeff Houde excused himself from the meeting. Bob Medeiros made a motion, seconded by Patrick Corcoran, to continue the public hearing until the end of the meeting for lack of a quorum for this project. Approved. Bob Medeiros made a motion, seconded by Patrick Corcoran, to continue the public hearing until the next regular meeting of November 27, 2001 at 7:55 pm. Approved.

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The members reviewed a Request for a Determination of Applicability – **(DET. #727) - Baker's Landscaping – parcel 88 (assessors map 24) 145 Pine Street** – for a **post facto** project for repairs to an existing retaining wall within 100 feet of wetlands and 200-foot Riverfront Area. Chris Baker was present at the hearing as well as the owner, Mike Saba. Bob Medeiros asked Mr. Baker if the wall was an existing wall and he said that it was. The Director explained that soil had been disturbed and that she told the worker from Baker Landscaping that a permit is needed to complete the work. The Director allowed work to be finished provided that 1. he immediately install erosion control and 2. he apply for the appropriate permit. The members discussed the project with Mr. Baker explaining that the exposed soil could wash into wetlands and the stream. Bob Medeiros made a motion, seconded by Patrick Corcoran, to close the public hearing. Approved. Bob Medeiros made a motion, seconded by Julian Kadish to issue a negative Determination of Applicability as long as the work was done according to the submitted plans. Approved.

The members reviewed a Request for a Determination of Applicability – **(DET. #728) - Lorbridge Construction, Inc. – parcel 10 (assessors map 10) 85 Elm Street** – for proposed plans to construct a single family dwelling, garage, driveway and sewage disposal system within the 100 foot buffer zone of a bordering vegetated wetland and partially within the 200-foot Riverfront Area. Ralph Maloon of RIM Engineering represented the applicant at the public hearing. He stated that he had received a letter from Jennifer Carlino and did respond to the letter. Discussion ensued regarding an area that could be an Isolated Land Subject to Flooding (ILSF). According to Mr. Maloon, this area will not be jurisdictional because it is not an ILSF. The Director stated that since Mr. Maloon had requested the Commission decide all resource areas, he would still need to submit calculations regarding this area. Mr. Maloon was asked if the septic could be moved out of the Riverfront area. Mr. Maloon stated that he spent a lot of time doing percs on this lot and did not put all the percs on the plan. He stated that he put the test hole C where the house proposed to justify the ground water and A and B where the leach field was proposed. He stated he couldn't move the system. Julian Kadish had questions regarding the locus versus the site itself. He said that he noticed that there were different descriptions. Mr. Maloon mentioned that he was investigation two lots and that is why the project site had a different description than the locus site for this lot. He further stated that there would not be any alteration of the floodplain. Jennifer Carlino suggested that the mean annual high water line be moved slightly to coincide with the wetland boundary. Mr. Maloon agreed to do so and also stated that all the debris on the property would be cleaned up during construction. Julian Kadish had soil questions for Mr. Maloon which he did explain. Mr. Maloon showed the members where the lawn would be around the house. Bob Medeiros had concerns with the length of the pipe being used and Ralph Maloon explained that this is a pumping system and it does go downhill. Mr. Maloon stated that he would be willing to remove any invasive plants present, but he would probably need some help. Mr. Maloon asked the Director that if any of the grading goes into the Riverfront area, would a Notice of Intent have to be filed and she replied that it would because it is a Resource area. Patrick Corcoran made a motion, seconded by Julian Kadish to close the public hearing. Approved. Patrick Corcoran made a motion, seconded by Bob Medeiros, to issue a positive Determination of Applicability (number 2). Approved.

The members reviewed a Notice of Intent – **Town of Norton/Water and Sewer Commissioners – River Road, Bay Road, Maplewood Avenue, Charlotte Avenue, Samoset Road and King Phillip Road** – for proposed plans to install 12,930 linear feet of sewer line along River Road, Maplewood Avenue, Charlotte Avenue, Samoset Road, King Phillip Road and a portion of Bay Road and to

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construct a pump station on Bay Road within 100 feet of wetlands and the 200-foot Riverfront Area. Jeff Houde stated that no file number has been assigned to this project by the DEP, and there are two parts of the plans that are incomplete, calculations and documentation. He also stated that all resource areas are not shown on the submitted plans and proof of notification to abutters are not submitted. Tim Sullivan and Tracey Wood of Earth Tech represented the applicant at the public hearing and submitted revised plans. Mr. Sullivan stated that he had talked with Dorothy Blickens at the DEP and she told him what was needed to receive a file number. One issue was the proof that a letter had been sent to the Natural Heritage and Endangered Species Program even though no work was proposed in a natural heritage area. He stated that he had a copy of this letter and sent it to DEP. The other issue was the floodplain issue. Mr. Sullivan stated that he was being very conservative with estimates for the floodplain impacts because he needs this permit for funding of this project. The Director was asked by the Chairman if she had any questions for Mr. Sullivan and she requested that Mr. Sullivan present the project first. Ms. Wood stated that all the work was going to be within the existing roadways except for the pump station. A discussion ensued regarding an existing tree and an existing monument or stone plaque on the lot. Ms. Wood stated that the tree would not be touched and that it would be the memorial structure that may have to be moved. Jeff House asked if the sewer lines were going to be connected to each home. Duane Knapp, Water Sewer Superintendent, mentioned to Ms. Wood that there was a Lake Winnecunnet Association and she said that she should contact them. Ms. Wood replied that the waterlines would go to each property line and it would be up to the homeowner to contact a contractor to connect to the sewer line. She also stated that the contractor would be given guidelines to go by for the connection process. Jeff Houde suggested that the contractors would be working with the Commission during the connection process. Bob Medeiros stated that this should be in the Order of Conditions. He also stated that he thought there would be a problem with dewatering. The Director asked how the water lines would cross the bridge as shown on the plans. Ms. Wood said the lines would be attached to the existing utility bay under the bridge. Jennifer Carlino asked what was going to be done with the spoils and Ms. Wood replied that the specifications require that they would have to be legally disposed of off site by the contractor. Again, Bob Medeiros suggested that this would be included on the Order of Conditions. Bob Medeiros asked how many pumps were going to be used and Ms. Wood replied only one would be used as each house would have its own system. Jennifer Carlino asked about the manhole covers and Ms. Wood said they would be of a pre-cast construction and would have to be watertight as well as the gravity sewer, and would be tested by the contractor to make sure that they are as required by DEP. Duane Knapp stated that the Norton Water Department would be maintaining the sewers and drainage system in the future. He also stated that once the sewer system was in place, the residents would have two years to connect to it as voted on at one of the Town Meetings. Patrick Corcoran made a motion, seconded by Bob Medeiros, to continue the public hearing under the meeting of September 27, 2000 at 7:40 pm. Approved.

The members reviewed a Notice of Intent – **Wheaton College – parcels 93 & 100 (assessors map 17) East Main Street** – for proposed plans to install a subsurface stormwater management system for the demolition of two buildings; and work within 100 feet of a wetland associated with the construction of a new dormitory to include the installation of a subsurface stormwater system, access drive and regrading access drive and minor grading within wetlands. Patrick Corcoran made a motion, seconded by Bob Medeiros, to waive the reading of the legal notice. Approved. David Manoogian, Attorney, represented the applicant at the public hearing and proceeded to explain the proposed project to the Commission members. With him also were Bob Campbell of Wheaton College and Bob Manoinnes, Engineer for the project from Toomey-Munson. Mr. Manoogian mentioned that a few utilities would

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have to be moved and some catch basins and road would have to be re-aligned. He mentioned that the topsoil storage area would probably have to be on another site where there is not enough room in the area of work to store the soil. According to Mr. Manoogian, the public safety building would be taken down. Jennifer Carlino asked if an old drainage pipe was going to be cut or removed. Mr. Manoogian stated that it was going to be cut and removed. Jennifer Carlino brought up the fact that she wanted the invasive plants removed so that they don't take over the native wetland vegetation. His answer was that if there was very little invasive plant growth he would rather wait until the end of the project before cutting it. Bob Medeiros asked if there was a DEP file number assigned to the project yet and Mr. Manoogian stated that the computers were down at the DEP and he could not get an answer to that question. Patrick Corcoran made a motion, seconded by Bob Medeiros, to continue the public hearing until the next regular meeting of November 27, 2001 at 7:50 pm in order to obtain a DEP file number. Approved.

Other Business

Signing of the Order of Conditions for Notice of Intent – File #250-467 - Gregory Bramwell, et ux – parcels 243 & 246 (assessors map 21) 96 North Worcester Street – for proposed plans to construct a dwelling, driveway and sanitary system and yard grading within 100 feet of wetlands. Jack Vance represented the applicant at the hearing and stated that a letter from DEP had been received asking the applicant; 1. rethink the proposed lot line so that the house won't be in the Riverfront Area and, 2. to reduce the disturbed area. Mr. Vance presented a letter sent back to DEP stating that; 1. the lot could only be changed by 1,000 sq. ft. and that would not help at all and 2. he had reduced the disturbed area within the Riverfront from 9% to 4 %. Bob Medeiros made a motion, seconded by Julian Kadish to accept and sign the Order of Conditions as written. Approved.

The members reviewed a request for a Certificate of Compliance for file **DET. #472 – Malloch Construction c/o Dan Secor** – for lot 14, parcels 9 & 9-01 (assessors map 36) 14 Richmond Drive. The Director stated that the project was complete. Julian Kadish made a motion, seconded by Patrick Corcoran, to issue the Certificate of Compliance. Approved.

The members reviewed a request for a Certificate of Compliance for file **#250-334 & #250-334A – Creative Homes, Inc.** – for parcels 68, 69, 72 & 24-01 (assessors maps 18 & 24) South Washington Street. The Director stated that the project was complete. Patrick Corcoran made a motion, seconded by Bob Medeiros, to issue the Certificate of Compliance. Approved.

The members reviewed a request for a DUPLICATE Certificate of Compliance for file **#250-158 – Norton Golf Course, Inc. – Oak Street**. Bob Medeiros made a motion, seconded by Julian Kadish, to issue the DUPLICATE Certificate of Compliance. Approved.

The Director stated that she received a letter from the Wading River Golf Course in regards to their removing water from the Wading River. Bob Medeiros made a motion, seconded by Patrick Corcoran, to send a response to this letter stating that this was not under Conservation jurisdiction. Approved.

In regards to creating a Fee schedule for the Norton Conservation Commission, it was the consensus of the Commission to postpone the issue until a future date.

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The Director stated that the Selectmen have asked the Commission to address an abutter's driveway at Johnson Acres. They requested that a letter be sent to an abutter to Johnson Acres asking him to create another driveway because he is using the entrance to Johnson Acres as his driveway. Bob Medeiros made a motion, seconded by Patrick Corcoran, to send the letter. Approved.

The Director stated that the Order of Conditions for the animal shelter has not been recorded yet. It was the consensus of the Commission to have Jennifer Carlino send the Town Manager a letter stating that if the Order of Conditions is not recorded within a week, the project will be shut down.

Jennifer Carlino stated that there were several miscellaneous congratulation and thank you letters to be signed. Bob Medeiros made a motion, seconded by Julian Kadish, to sign the letters. Approved.

Norton Reservoir Dredging Proposal Schedule

After reviewing the bids for the dredging project permitting process, the Commission decided to continue the reviews until the next regular meeting of November 27, 2001 by interviewing each applicant for 15 minutes and to invite the Selectmen to participate. The Commission instructed Jennifer Carlino to schedule the interviews and invite the Selectmen.

Bob Medeiros made a motion, seconded by Patrick Corcoran, to adjourn the meeting at 9:23 pm. Approved.

Respectfully Submitted,



Jennifer Carlino
Conservation Director

JC/pmb