



CONSERVATION COMMISSION

70 EAST MAIN STREET

NORTON, MASSACHUSETTS 02766-2320

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NORTON TOWN CLERK

Monday, June 25, 2001

7:30 pm

Attendance

Bob Medeiros (Vice-Chairman), Dana Rappaneau,
Julian Kadish, Neil Linehan,
Jennifer Carlino, Director

Jeff Houde (Chairman), Ed Breault & Leonard Silvia were absent.

Minutes

The members reviewed the draft minutes of April 25, 2000. Dana Rappaneau made a motion, seconded by Neil Linehan, to table the minutes until the next regular meeting of July 9, 2001. Approved.

The members reviewed the draft minutes of June 27, 2000. Dana Rappaneau made a motion, seconded by Neil Linehan, to table the minutes until the next regular meeting meeting of July 9, 2001. Approved.

The members reviewed the draft minutes of August 14, 2000. Dana Rappaneau made a motion, seconded by Neil Linehan, to table the minutes until the next regular meeting of July 9, 2001. Approved.

The members reviewed the draft minutes of September 11, 2000. Dana Rappaneau made a motion, seconded by Neil Linehan, to table the minutes until the next regular meeting of July 9, 2001.

The members reviewed the Bills Payable Sheet. Dana Rappaneau made a motion, seconded by Julian Kadish, to pay the bills. Approved.

The members reviewed a Notice of Intent – (#250-480) - **Teddy Realty Trust – Parcel 527 (assessors map 10) & Parcel 57 (assessors map 17) Talbot Drive “Irene Estates II” Subdivision. (cont. from the May 14, 2001 & June 11, 2001 mtgs.)** – for proposed plans to construct a 527 foot road with utilities and related grading for future construction of seven single family homes within the 100-foot buffer zone of a bordering vegetated wetland. Dana Rappaneau made a motion, seconded by Julian Kadish, to close the public hearing. Approved. Dana Rappaneau made a motion, seconded by Julian Kadish to issue and sign the Order of Conditions. Approved.

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The members reviewed a Notice of Intent – **(#250-485) – Mark & Carolyn Pelletier – Parcel 102 (assessors map 35) 41 East Hodges Street** – for proposed plans to construct a mud room and a 26' x 26' garage within 100 feet of wetlands. Mark & Carolyn Pelletier were present at the public hearing. The Director stated that the Department of Environmental Protection was waiting for more information from Carolyn Pelletier in order to make an accurate decision on this project. The Natural Heritage and Endangered Species Program was also going to review this project and has not responded yet. Dana Rappaneau made a motion, seconded by Julian Kadish, to continue this project until the next regular meeting of Monday, July 9, 2001 at 7:40 pm in order for the Natural Heritage and Endangered Species Program to send their comments to the Conservation Agent and also to obtain a file number from the Department of Environmental Protection. Approved.

The members reviewed a Notice of Intent – **(#250-483) - National Grid USA – Hill Street** – for proposed installation of 5 utility poles, a portion of which will be within 100 feet of a bordering vegetated wetland. Diana Walden of the BSC Group was present at the public hearing. Ms. Walden explained that at the Selectmen meeting, the members wanted underground lines only. It was the consensus of the Commission to have Jennifer Carlino send a letter to the Board of Selectmen stating that the Commission will approve this project as long as there will be no underground wires and that the current proposal will not disturb the wetland. Dana Rappaneau made a motion, seconded by Julian Kadish, to close the public hearing. Approved. Julian Kadish made a motion, seconded by Neil Linehan, to issue and sign the Order of Conditions as written. Approved.

The members reviewed a Notice of Intent – **(#250-482) – National Grid USA – South Washington Street** – for proposed installation of 5 utility poles, a portion of which will be within 100 feet of a bordering vegetated wetland. Dana Rappaneau made a motion, seconded by Julian Kadish, to waive the reading of the legal notice for this project. Approved. Diana Walden of the BSC Group was present at the public hearing. Ms. Walden explained that at the Selectmen meeting, the members wanted underground lines only. It was the consensus of the Commission to have Jennifer Carlino send a letter to the Board of Selectmen stating that the Commission will approve this project as long as there will be no underground wires and that the current proposal will not disturb the wetland. Neil Linehan made a motion, seconded By Dana Rappaneau, to close the public hearing. Approved. Dana Rappaneau made a motion, seconded by Julian Kadish, to accept and sign the Order of Conditions as written.

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The members reviewed a Notice of Intent – **Robert Foster – (#250-481) - Parcel 247 (assessors map 10) 6 Rumford Road** – for proposed plans to construct a single family house with a gravel driveway within 100 feet of a bordering vegetated wetland and within 100 feet of a riverfront area, Rumford River. Bruce Malcom represented the applicant at the public hearing. The chairman read a letter addressed to the Board from Mr. Bob Kelner stating his concerns with this project. The Director mentioned that while she was on the site-inspection Mr. Kelner approached her about the project. She spoke with him for a time until he starting using inappropriate language and was visibly upset. She continued with the inspection. The “ditch” on the plan is a bypass channel for Rumford River. The depression may function as a vernal pool; pond snail was found but water was not seen in the hole at either site inspection. Members questioned whether the depression was isolated land subject to flooding since the bottom is lower than the 92-foot floodplain elevation on the plans. Mr. Malcolm stated there was no water in the depression and that Dr. Hewitson inspected it for vernal pool characteristics. Bob Medeiros said he saw the whole site flooded and had worked at the area years ago. On several occassions the lot was flooded. Other members also recall seeing water there. An abutter, Mr. Jim Carlin of 8 Rumford Road (lot 242) presented pictures of this property during wet weather. Jennifer Carlino stated that she requested at a previous meeting with the engineer that the applicant revise the plan and submit an alternatives analysis. She stated that she has received an alternative analysis but it has not been done according to the regulations. A resident questioned the stability and affects of a dam downstream from the project site. Members discussed the back flooding that would occur along Rumford River as a result of the dam. The resident also mentioned the dam was clogged or had a tree growing in front of it that would also affect flood water. Mr. Malcom stated he would inspect the dam to see if it would affect the floodplain. Members also questioned the elevation of the floodplain and whether they could require that the applicant further study the floodplain area. The Commission requested that the floodplain be studied further. Dana Rappaneau made a motion, seconded by Julian Kadish, to continue the public hearing until the next regular meeting of Monday, July 9, 2001 at 7:45 pm. Approved.

The members reviewed a Notice of Intent – **(#250-484) - Norton Water & Sewer Department – Off Mansfield Avenue** – proposed plans to install a new 12” D.I. water main at the Great Brook. Dwayne Knapp, Water and Sewer Superintendent and Howard Baker of the Water and Sewer Commission were present at the public hearing to explain the project to the members. The Director had inspected the project area with Duane Knapp. She expressed her concern about dewatering and reverting the river temporarily. Mr. Knapp assured the Commission that they would use the utmost caution with erosion and sedimentation control. After some discussion, Dana Rappaneau made a motion, seconded by Neil Linehan, to close the public hearing. Approved. Dana Rappaneau made a motion, seconded by Neil Linehan, to accept and sign the Order of Conditions as written, but not to issue the Order of Conditions until a file number has been received from the Department of Environmental Protection. Approved.

The members reviewed a request for a Duplicate Certificate of Compliance for **File #250-335 – Angelo Pasqualino/ P & A Construction** – for **builders lot 28 (assessors map 27) Danielle Street**. Julian Kadish made a motion, seconded by Dana Rappaneau, to issue a duplicate Certificate of Compliance. Approved.

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Other Business

Dick Kelly requested another extension of the file for Topflight Drive. The members discussed Mr. Kelly's numerous delays. The extension will expire August 15, 2001. The members wanted Mr. Kelly to come to the next meeting to discuss the current delays.

Jennifer Carlino asked the members to take money from the budget for trail markers. Dustin Benoit, will be doing an Eagle Scout project at the Leo Yelle Conservation area posting the markers.

Jennifer Carlino stated that she had received a complaint about fill dumped into the wetlands on Plain Street at Mulberry Meadow Brook where Corey Anderson was found. Mr. Anderson put the fill there for a parking area. Jennifer explained that he could not fill wetlands. He was asked to remove the fill. The members will go to the site to inspect it and asked Jennifer to send a violation letter.

Jennifer Carlino stated that Title insurance will be required for the Subon property in order for the Division of Conservation Services to reimburse the Conservation Commission. The members voted to approve the expenditure of \$337.00 for the insurance. Kopelman & Paige will send us the insurance and the bill. Julian made a motion, seconded by Dana Rappaneau, to obtain the necessary insurance. Approved.

Pare Engineering informed the Director of a grant for repairing the dams. There will be a cost to prepare it. The members asked Jennifer Carlino to write the grant instead.

Dana Rappaneau made a motion, seconded by Neil Linehan, to adjourn the meeting at 9:20 pm. Approved.

Respectfully Submitted,



Jennifer Carlino
Conservation Director

JC/pmb