



CONSERVATION COMMISSION
70 EAST MAIN STREET
NORTON, MASSACHUSETTS 02766-2320
(508) 285-0275
Fax (508) 285-0277

RECEIVED
2002 JAN 15 AM 11:00
NORTON TOWN CLERK

Monday, July 9, 2001
7:30 pm

Attendance

Bob Medeiros (Vice-Chairman), Julian Kadish,
Neil Linehan, Kathleen Giblin
Jennifer Carlino, Director

Jeff Houde (Chairman), Ed Breault & Dana Rappaneau were absent.

Minutes

The members reviewed the draft minutes of April 25, 2000. Julian Kadish made a motion, seconded by Neil Linehan, to table the minutes until the next regular meeting of July 23, 2001. Approved.

The members reviewed the draft minutes of June 27, 2000. Julian Kadish made a motion, seconded by Neil Linehan, to table the minutes until the next regular meeting meeting of July 23, 2001. Approved.

The members reviewed the draft minutes of August 14, 2000. Julian Kadish made a motion, seconded by Neil Linehan, to table the minutes until the next regular meeting of July 23, 2001. Approved.

The members reviewed the draft minutes of September 11, 2000. Julian Kadish made a motion, seconded by Neil Linehan, to table the minutes until the next regular meeting of July 23, 2001.

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

The members reviewed a Notice of Intent – **(#250-485) – Mark & Carolyn Pelletier – Parcel 102 (assessors map 35) 41 East Hodges Street – (con't. from the June 25, 2001 mtg.)** - for proposed plans to construct a mud room and a 26' x 26' garage within 100 feet of wetlands. Jennifer Carlino stated that a letter has been received from the Natural Heritage and Endangered Species Program (NHESP) and they thought that this project might have an adverse effect on the spotted turtle habitat. They would like more information. The secretary called Carolyn Pelletier and told her that she would be getting a letter from the NHESP and if she would like to come into the Conservation office, the Director would be glad to help her with it. Neil Linehan made a motion, seconded by Julian Kadish, to continue the public hearing until the next regular meeting of Monday, July 23, 2001 at 7:40 pm. Approved.

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The members reviewed a Notice of Intent – **Robert Foster – (#250-481) - Parcel 247 (assessors map 10) 6 Rumford Road – (con't. from the June 25, 2001 mtg.)** - 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. Bob Medeiros stated that a letter was sent to the Commission by the Engineer, Bruce Malcom, requesting a continuance for this project until the July 23, 2001 meeting. Julian Kadish made a motion, seconded by Neil Linehan, to continue the project until the next regular meeting of Monday, July 23, 2001 at 7:45 pm. Approved.

The members reviewed a Request for a Determination of **Applicability – DET. #743 - Town of Norton/Conservation Department – Leo Yelle Conservation Area – Freeman Street** - for proposed plans to relocate a boardwalk within 100 feet of a wetland. Jennifer Carlino asked Mr. Roger Marsan who was present at the public hearing if Dustin Benoit, the Eagle Scout doing this project, was present. He replied that Mr. Benoit was counseling at a summer camp and could not be here. He explained that this project involved moving an existing boardwalk from one area to another. He said that the boardwalk was approximately 40 feet long and 14 feet wide. Mr. Marsan explained that Dustin Benoit was an Eagle Scout trying to do his project as best he could. Dustin Benoit showed up at the public meeting and explained his project to the Commission. He stated that the boardwalk would be taken apart in three pieces and then moved to a new location that was better aligned with the bridge and trail. He also stated that he wanted to mark the four existing trails and paint the front entrance sign. Julian Kadish asked Mr. Benoit if he intended on anchoring the boardwalk to the ground and Mr. Benoit replied that since the boardwalk was not presently anchored to the ground, that he would not use footings. Julian Kadish suggested that it might be a good idea of anchoring the boardwalk down in case of vandalism. Dustin Benoit replied that he thought it would not be a good idea to anchor down the boardwalk in case of future repairs or replacements. Julian Kadish made a motion, seconded by Neil Linehan, to close the public hearing. Approved. Julian Kadish made a motion, seconded by Neil Linehan, to issue a negative (#3) Determination of Applicability as long as the project was done according to the submitted plans. Approved.

The members reviewed a Request for a Determination of Applicability – **DET. #744 - Kathleen Sheridan – Parcel 103 (assessors map 28) 4 Garrett Drive** – for proposed plans to construct a point well for irrigation purposes within the 100 foot buffer zone of a bordering vegetated wetland. Kathleen Sheridan was present at the public hearing and explained that she was putting in a well but maintained a 25-foot buffer. The members asked the Director if she had any problems with the project and she replied that she did not. Julian made a motion, seconded by Neil Linehan, to close the public hearing. Approved. Julian Kadish made a motion, seconded by Neil Linehan, to issue a negative Determination of Applicability (#3) as long as the work was done according to the submitted plans. Approved.

Dave Pickhart of Vanasse Hangen Brustlin, Inc. presented a request for a minor modification to plans for file **#250-445 – TPC Golf Course**. The modifications include:

1. Drainage redesign on holes 6, 7 and 16;
2. Potential plantings in cleared wetlands;
3. Constructed wetlands and pond overflow structure near 2nd green/3rd tee;
4. 8th hole cart path modifications; and
5. Vernal pool habitat replacement area changes.

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Julian Kadish made a motion, seconded by Neil Linehan, to accept the minor modifications as explained by David Pickhart. Approved.

Other Business

The Director asked the members, in regards to the Chartley Pond Dam, if they were going to go ahead with the structural stability analysis or get a letter from the Office of Dam Safety stating this was not necessary. She stated that she had called Frank Terranova of the Office of Dam Safety and his opinion was that it was not up to him to say whether or not this should be done. He stated that it was up to Pare Engineering to write a letter stating that because of the location of the dam, a structural stability analysis would not be necessary. Jennifer Carlino stated that she talked with Matt Bellisle of Pare Engineering and it was his opinion that it was, in fact, part of the Office of Dam Safety's regulations. Jennifer further stated that she thought the structural stability analysis should be done to avoid problems in the future especially since the Office of Dam Safety wouldn't commit this in writing. Julian Kadish said it would be a good idea to do the analysis and have it on record. He stated that you never know when there will be a storm and if there is anything wrong with the dam, it would be discovered. Julian Kadish made a motion that Pare Engineering should proceed with the structural stability analysis as stated in the proposal, RFP and giving the fact that the money is available. The motion was seconded by Neil Linehan. Approved.

The Director stated that Pare Engineering had sent a grant announcement that was due next week. She further stated that it seemed like a good grant, but there would not be enough time to complete it. The grant would involve DEM identifying 3-5 lakes or ponds and making them demonstration areas for restoration. The available funding would include \$100,000.00 per year for up to three years to be used for water quality, water quantity, biodiversity and habitat, invasive species, dam maintenance and/or removal and natural and human uses of lakes and ponds and their watersheds. Bob Medeiros asked Jennifer if she would be able to complete the application for this grant and she stated that Pare Engineering offered to put this grant together for her. She asked them if this was part of the RFP and they stated that it was not, and that there would be a fee for this. She has not heard back from Pare yet. Jennifer stated that she would be reading through the grant again. She further stated that Pare Engineering had mentioned breaching the dam and that she doubted anyone in the Community would be in favor of that. The members agreed.

The Director stated that an complaint was received by a an anonymous person regarding the filling in of bordering vegetated wetlands at the Mulberry Meadow Brook on Plain Street. A call was received by Mr. Anderson the next day admitting to involvement with this violation and requested that Jennifer Carlino meet with him at this site. He claims that there was already a mound of dirt there and he just pushed it around. She told him that she would discuss this at the next meeting with the Commission members. Bob Medeiros and Kathleen Giblin agreed to go and check this area tomorrow.

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Julian Kadish made a motion, seconded by Neil Linehan, to adjourn the meeting at 8:30 pm.
Approved.

Respectfully Submitted,

A handwritten signature in cursive script, appearing to read "Jennifer Carlino".

Jennifer Carlino
Conservation Director

JC/pmb