



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

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NORTON TOWN CLERK

Monday, January 14, 2002
7:30 pm

Attendance

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

Jeff Houde and Ed Breault were absent.

Minutes

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

The members reviewed the minutes of June 25, 2001. Neil made a motion, seconded by Julian Kadish, to accept the minutes as written. Approved.

The members reviewed the minutes of July 9, 2001. Neil made a motion, seconded by Julian Kadish, to accept the minutes as written. Approved.

The members reviewed the minutes of November 26, 2001. Dana Rappaneau made a motion, seconded by Neil Linehan, to continue the minutes until the next meeting. Approved.

The members reviewed the minutes of December 10, 2001. Dana Rappaneau made a motion, seconded by Neil Linehan, to continue the minutes until the next meeting. Approved.

The members reviewed Notice of Intent – **Town of Norton/Park & Recreation Department – Parcel 52 (assessors map 31) Parker Street – (con't. from the 12/10/01 mtg.)** - for proposed plans to make improvements at the Everett Leonard Complex within 100 feet of wetlands and to dispute perennial status of a stream. Ed Fuller and Bob Ingram of Daylor Consultants represented the applicant at the public hearing. Mr. Fuller stated that he had submitted revised plans showing changes to the drainage system as suggested by the Conservation Agent. He also stated that he had a request from the Natural Heritage and Endangered Species Program to keep any work at least 25 feet from the wetlands and had redesigned the drainage areas to comply with their request. Neil Linehan had a question regarding the parking areas. Mr. Fuller explained that the only areas that were going to be paved would be for the

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buses and the handicapped accessible areas. He described where the water from the paved area would be draining toward a swale. Kathleen Giblin made a motion, seconded by Dana Rappaneau, to close the public hearing. Approved. Dana Rappaneau made a motion, seconded by Neil Linehan, to sign and issue the Order of Conditions. Approved.

The members reviewed a Notice of Intent – **Norton Public Schools/Superintendent's Office – Lots 90, 90-01 & 98 (assessors map 22) 64 West Main Street – (con't. from the 12/10/01 mtg.)** - for proposed plans for renovation of existing playfields at the Henry A. Yelle Elementary School and the Norton High School within the 100 foot buffer zone of wetlands. Jennifer stated that the only issues remaining was that a portion of the floodplain was going to be filled in and there was no designated compensation area on the plans. She said that one of the conditions would be that a compensation area would be designated and the Commission would receive a copy of the plan showing that area before work would begin. Chris Huntress of Huntress Associates gave a brief presentation of the project. Julian Kadish made a motion, seconded by Kathleen Giblin, to close the public hearing. Approved. Dan Rappaneau made a motion, seconded by Kathleen Giblin, to sign and issue the Order of Conditions as written.

The members reviewed a Notice of Intent – **Massachusetts Highway Department – (#250-507) – (con't. from the 12/10/01 mtg.) - Routes 123, 140 & I-495** – for routine maintenance on state highway drainage systems within several resource areas. Tom McGuire, District Environmental Engineer for Mass Highway District Five in Taunton presented the project to the members. He further mentioned several projects that he was involved with in Norton. Bob Medeiros stated to Mr. McGuire that during winter months along Route 140 near the Reservoir he noticed approximately 60 to 80 feet of brown ice along the highway, obviously caused by sanding and salting the roads, going into the Reservoir and asked if anything could be done to stop this. Mr. McGuire said he would check into this problem and try to eliminate it. Mr. McGuire asked if a five-year Order of Conditions could be issued. Bob Medeiros stated that a three-year Order of Conditions would be issued and after three years an evaluation of the performance and cooperation of the applicant for this project would be done. At this time, an extension could be issued. 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 sign and issue the Order of Conditions. Approved.

The members reviewed a Request for a Determination of Applicability – **(DET. #760) - Massachusetts Electric Company /J. Lupa – Dean Street** – installation of three utility poles within the buffer zone of a bordering vegetated wetland. Jennifer Martin of BSC Group presented the project to the Commission members. She stated that only one pole was within 100 feet of wetlands. Julian Kadish made a motion, seconded by Dana Rappaneau, to close the public hearing. Approved. Julian Kadish made a motion, seconded by Neil Linehan 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 – **Jeff Astrofsky – (DET. #761) - Parcel 229 (map 27) 18 Barrows Court** – for proposed plans to construct and attach a garage to an existing house within 100 feet of wetlands. Jeff Astrofsky presented the project to the Commission members. Julian Kadish made a motion, seconded by Dana Rappaneau, to close the public hearing. Approved. Julian Kadish made a motion, seconded by Dana Rappaneau, to issue a

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negative Determination of Applicability as long as the work is done according to the submitted plans. Approved.

The members reviewed a Request for a Determination of Applicability – **ESA Management, Inc., c/o Bohler Engineering, PC – parcel 8-12 (assessors map 25) 271 So. Washington Street** – for delineation of the wetland boundaries. Steve DeCorsi fo Bohler Engineering represented the applicant at the public hearing and presented the project to the Commission members. Kate Barnacle of ENSR described the locations of the weland areas on the site. Jennifer Carlino pointed out the areas that contained rare species and also possible vernal pools and advised to not disturb these areas in the future as there was plenty of room to avoid them. Kathleen Giblin made a motion, seconded by Dana Rappaneau, to close the public hearing. Approved. Dana Rappaneau made a motion, seconded by Julian Kadish, to issue a positive Determination of Applicability, checking condition number two, which requires the Determination to list all the resource areas and also points out ILSF area that are not jurisdictional. Approved.

The members reviewed a Notice of Intent – **Shamrock Realty Trust – (#250-510) - parcel 33 (assessors map 21) Walker Street** – for proposed plans to fill wetlands and floodplain for a driveway and for construction of a dwelling, septic system and grading within the 100 foot buffer of a bordering vegetated wetland, 100-year floodplain and riverfront area. Michael Trowbridge of Hutchins-Trowbridge & Associates presented the project to the Commission members. He stated that approximately 18, 070 sq. ft. of wetlands within the floodplain would be filled and 33,675 sq. ft. of bordering vegetated wetland would be compensated. He also stated that he had received a 2-page letter from Jennifer Carlino regarding several issues of the project and that he had retained Dr. Jerome Carr to do a Wildlife Habitat Evaluation. He stated that he would be requesting a continuance of this project at such time he would be going over each item separately in Jennifer Carlino's letter. Jennifer Carlino stated she was waiting for information from the Fire Department which would show reports of several houses along No. Worcester Street that required the use of pumps during various storms in the past. Mr. Trowbridge suggested that the problem was coming from the Walker Street area which is within the 100-year floodplain. An abutter, Paul Broderick, asked if he could walk the site with Jennifer Carlino and the Engineer as long as he received permission from the owner. Bob Medeiros stated to Mr. Broderick that the owner, Shamrock Realty Trust, did give permission for him to walk the site and that the Commission would notify him when that would be done. Dana Rappaneau stated that he would like to be notified of the time for the site walk. Jennifer Carlino and the members agreed to a weekday site walk. Dana Rappaneau made a motion, seconded by Neil Linehan, to continue the public hearing until Monday, February 11, 2002 at 7:40 pm. Approved.

The members reviewed a request for a Certificate of Compliance - **DET. #686 - Creative Homes, Inc./c/o Christopher M. Cappellini – bldrs. lot 14, parcel 88 (assessors map 11) 14 Downing Drive**. Bob Medeiros asked Jennifer Carlino if the project was complete and she stated that it was. Neil Linehan made a motion, seconded by Kathleen Giblin, to issue the Certificate of Compliance. Approved.

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The members reviewed a request for a Certificate of Compliance – **file #250-256 – Allan & Jeanne Campbell c/o Richard Fitzgerald – (assessors map 19) for lot 27 (43 Charlotte Avenue), lot 28 (45 Charlotte Avenue), lot 29 (46 Charlotte Avenue) and lot 30 (48 Charlotte Avenue).** Jennifer Carlino read a letter stating that work had never commenced on these lots. Neil Linehan made a motion, seconded by Dana Rappaneau, to issue the Certificate of Compliance which is needed to release the deed. Approved.

The members reviewed a request for a Certificate of Compliance for File **#250-202 – Steven R. & Sharon E. Roy – parcels 19-1 and 19-2 (assessors map 35) 3 Hampshire Court.** Jennifer Carlino stated that this project was for the roadwork and drainage at Hampshire Court only and that John DeLano, Engineer, submitted an As-Built plan with a letter stating all work was completed according to the submitted plans. Neil Linehan made a motion, seconded by Dana Rappaneau, to issue the Certificate of Compliance. Approved.

The members reviewed a request for a Certificate of Compliance for File **#250-320 – Steven R. & Sharon E. Roy – parcel 19 (assessors map 35) 3 Hampshire Court.** Jennifer Carlino stated that this project was for the roadwork and drainage at Hampshire Court only and that John DeLano, Engineer, submitted an As-Built plan with a letter stating all work was completed according to the submitted plans. Neil Linehan made a motion, seconded by Dana Rappaneau, to issue the Certificate of Compliance. Approved.

The members reviewed a request for a Certificate of Compliance for File **#250-321 – Steven R. & Sharon E. Roy – parcel 19-2 (assessors map 35) 3 Hampshire Court.** Jennifer Carlino stated that the project was for lots 1 and 2, Hampshire Court for the driveways next to each other between the two properties. Jennifer stated that she received an As-Built plan for lot 2 and that all work has been completed. Neil Linehan made a motion, seconded by Dana Rappaneau, to issue the Certificate of Compliance. Approved.

Other Business

Land Donation – Anna Way – (assessors map 21) parcel 218. Jennifer Carlino stated that there is a wetland filing for the road and drainage for this property which does not have a Certificate of Compliance. The parcel also includes a detention basin. She noted the letter that was received from the owner's attorney.

Discussion - 30 East Hodges Street - Jennifer Carlino stated that this issue has been before the Commission for over a year. It was agreed that the recent filing would be accepted and the applicant would be required to submit a Notice of Intent with corrected plans.

Jennifer Carlino stated that she wanted to include in Capital Improvements Budget the cost of the final designing and permitting to repair the Norton Reservoir Dam, which according to their Phase II Report, would be approximately \$125,000, but she would get the exact amount.

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Jennifer Carlino stated that Chris Yarworth of Yarworth Engineering brought in plans for Plain and Maple Streets explaining to her that the Planning Board had denied the use of common driveways on Maple Street and that wetlands would be disturbed if other accesses were to be used. He stated that he was planning to ask the Planning Board to reconsider common driveways on both Plain and Maple streets to avoid going through wetlands. Jennifer Carlino stated she would send a letter to the Planning Board Chairman in support of his request. Bob Medeiros suggested using the term "Country Way".

Jennifer Carlino stated that there were plans for construction at the old Barnside Grille site on Route 123 and they do not meet stormwater management regulations. She stated that a wetland permit would be needed.

Jennifer Carlino stated to the members that she had recently learned that the balance of the Wetland Filing Fee Account is to be transferred back into said account at the end of each fiscal year by means of the Annual Town Meeting vote.

Jennifer Carlino noted that DEP issued a drought warning. She also stated that Talbot Drive stream is still running.

Kathleen Giblin made a motion, seconded by Neil Linehan, to adjourn the meeting at 9:00 pm.
Approved.

Respectfully Submitted,



Jennifer Carlino
Conservation Director

JC/pmb