



CONSERVATION COMMISSION
70 EAST MAIN STREET
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2003 MAR -4 AM 9:12
NORTON TOWN CLERK

Monday, January 13, 2003
7:30 pm

Attendance

Julian Kadish (Chairman), Bob Medeiros,
Kathleen Giblin, Ron O'Reilly, Earl Willcott,
Jennifer Carlino, Director

Jeff Houde (Vice-Chairman) & Neil Linehan were absent.

Minutes

The members reviewed the draft minutes of **April 22, 2002**. It was the consensus of the board to continue the minutes until the next meeting.

The members reviewed the draft minutes of **May 6, 2002**. Bob Medeiros made a motion, seconded by Kathleen Giblin, to accept the minutes as written. Approved.

The members reviewed the draft minutes of **May 20, 2002**. It was the consensus of the board to continue the minutes until the next meeting.

The members reviewed the draft minutes of **June 24, 2002**. It was the consensus of the board to continue the minutes until the next meeting.

The members reviewed the draft minutes of **July 8, 2002**. It was the consensus of the board to continue the minutes until the next meeting.

The members reviewed the draft minutes of **July 22, 2002**. It was the consensus of the board to continue the minutes until the next meeting.

The members reviewed the draft minutes of **August 12, 2002**. It was the consensus of the board to continue the minutes until the next meeting.

The members reviewed the draft minutes of **August 26, 2002**. It was the consensus of the board to continue the minutes until the next meeting.

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The members reviewed the draft minutes of **September 9, 2002**. Bob Medeiros made a motion, seconded by Earl Willcott, to accept the minutes as written. Approved.

The members reviewed the draft minutes of **September 23, 2002**. Bob Medeiros made a motion, seconded by Earl Willcott, to accept the minutes as written. Approved.

The members reviewed the Bills Payable Sheet (Clean Harbors). Bob Medeiros made a motion, seconded by Earl Willcott, to pay the bills. Approved.

The members reviewed the Bills Payable Sheet (Misc.). Bob Medeiros made a motion, seconded by Earl Willcott, to pay the bill. Approved.

The members reviewed the Bills Payable Sheet (Misc.). Bob Medeiros made a motion, seconded by Earl Willcott, to pay the bill. Approved.

The members reviewed the Bills Payable Sheet (Pare Engineering.). Bob Medeiros made a motion, seconded by Earl Willcott, to pay the bill. Approved.

Mr. Frank Cosgrove appeared before the board in relation to a violation at his residence at 32 South Lakeview Road. Julian Kadish asked Jennifer Carlino to explain the situation to the board. She stated that work had been done at 32 South Lakeview Road within 100 feet of wetlands without a permit, therefore a Cease & Desist was sent to Mr. Cosgrove. She further stated that after a conversation between herself and Mr. Cosgrove, she sent him a Notice of Intent application. He didn't submit it so at the last meeting the Commission agreed to send him a letter. She said that she received the Notice of Intent application, but it was incomplete, and at the last Conservation Commission meeting it was decided by the Commission members to have Mr. Cosgrove appear at tonight's meeting and to file a completed Notice of Intent. Mr. Cosgrove stated he was having problems filling out the application. Jennifer Carlino stated that a plan showing the wetland boundaries would have to be submitted along with the Notice of Intent application, signed and stamped by an engineer. Mr. Cosgrove stated he had obtained a wetland permit four years prior for a project without having to file a Notice of Intent. Jennifer Carlino stated that a Notice of Intent application should have been filed for that project but was not. Since that time, she stated Mr. Cosgrove had requested to do more work on his house by going upwards and not changing the footprint of the house, at which time she allowed a Request for a Determination of Applicability to be filed, but because the footprint of the house had been extended without the proper permit, a Cease & Desist was sent to Mr. Cosgrove. Mr. Cosgrove stated he had been issued a building permit for this project. It was the consensus of the board to have Mr. Cosgrove file a Notice of Intent, and if possible, use an old plan as long as the wetland boundaries are included on the plan. Otherwise, he would need a new plan.

The members reviewed a Notice of Intent – **Fred C. Bottomley & Allen G. Riley – (#250-548) - Parcel 26 (assessors map 30) Maple Street – (con't. from the October 21, 2002 mtg.)** - proposed plans to fill over 11,000 sq.ft. of wetlands to construct two driveways. Fred Bottomley presented the project to the members. Mr. Bottomley stated he had refiled with the Planning Board for reconsideration of the common driveway and was denied reconsideration and submitted a letter of

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denial from the Planning Board. He submitted the balance of the wetlands filing fee along with a revised plan showing the replication area.

Mr. Bottomley stated he had gone before the Town's Housing Partnership Commission to discuss alternative housing. He further stated he would be going before them again on February 4, 2003 to discuss the possibility of a 40B elderly housing project. He said this would be a better solution Conservation wise by minimizing the roadway by four feet, but the traffic situation would be worse. He continued addressing the issues in the letter sent to him by Jennifer Carlino. Mr. Bottomley briefly updated the members on the various past owners and activities on his property for which all wetland files are incomplete. Jennifer Carlino stated that she did not think the issues in her letter were adequately responded to. Bob Medeiros made a motion, seconded by Earl Willcott, to continue the public hearing until the meeting of Monday, January 27, 2003 at 7:40 pm. Approved.

The members reviewed a Abbreviated Notice of Resource Area Delineation – **(#250-551) - Red Mill Realty Trust/Nick Mirrione, Trustee – Parcels 4 & 22 (assessors map 2) Newland Street – (con't. from the December 16, 2002 mtg.)** - for verification of Wetland Resource Areas. Earl Willcott removed himself from the public hearing due to the fact that he is an abutter to this project. Frank Gallagher, Engineer, and Fred Clark, Project Co-ordinator, were present at the public hearing. Mr. Gallagher stated he had spoken with Jennifer Carlino after she did a site inspection and was made aware of several issues. Several wetland flags locations were discussed for proposed changes and that flagged wetlands weren't on the plan. Also, some wetland areas are not flagged and need to be added to the plans. He said more time would be needed to address all of the issues. Bob Medeiros made a motion, seconded by Kathleen Giblin, to continue the public hearing until the meeting of Monday, February 10, 2003 at 7:50 pm. Approved.

The members reviewed a request for a partial Certificate of Compliance for file **#250-519 - Edward Corbeil - parcel 34 (assessors map 17) 37 Reservoir Street**. Jennifer Carlino stated the project was done except for the loaming and seeding. Earl Willcott made a motion, seconded by Kathleen Giblin, to issue the partial Certificate of Compliance with the condition that the applicant post a \$500 bond with the Town Treasurer to ensure final vegetative stabilization of exposed soils on this lot. Approved.

Jennifer Carlino stated that the appeal meeting for the John Hardy Estates project on South Washington Street was this Wednesday, January 15, 2003 at 9:00 am on site and asked the members if they had any problems with her response letter. Earl Willcott made a motion, seconded by Bob Medeiros, to accept the response letter as written and to have the letter sent to the applicant and brought to the appeal meeting. Approved.

Jennifer Carlino asked for a vote on a draft budget letter addressed to Steve Lombard, Interim Town Manager that was sent to the members with the agenda. The letter stated the amount of the wetland filing fees that would be given to the Town. Jennifer Carlino stated that Mr. Lombard wanted to take all of the funds that were available in the Wetland Filing Fee Account. Bob Medeiros stated that the letter should be amended by removing the sentence to allow the interim Town Manager to take any wetland filing fees that are received for the remainder of FY03. Bob Medeiros made a motion, seconded by Earl Willcott, to approve the letter as amended. Approved.

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Jennifer Carlino stated that she had received a letter from a resident at 26 Dean Street requesting to cut and clear a portion of Conservation land to allow her sheep to graze. She said she spoke to the resident approximately three years ago and at that time denied her request explaining to the resident that the Conservation land was for public use and not private use. Bob Medeiros made a motion, seconded by Kathleen Giblin, to respond to the request by letter not allowing the clearing and cutting of Conservation land.

Jennifer Carlino stated she had sent a memo to the Department of Environmental Protection requesting an update on the Strawberry Fields project.

Jennifer Carlino stated she received a Notice of Intent filing for a 40B project on North Washington Street. She sent a letter to MEPA with her comments. She said there were quite a few missing items. She stated she also drafted a letter to the Zoning Board of Appeals with regards to this proposed project.

Jennifer Carlino stated that Sturdy Hospital called to see if the Conservation Commission was interested in purchasing property off of West Hodges Street (a swamp east of North Island, 10 acres, parcel 71, assessors map 35). She stated that the ownership was unclear and there were unpaid taxes on the property. Jennifer stated she drafted a letter to Sturdy Hospital stating that if they get clear title on the property and pay the taxes, to call the Conservation Commission. Jennifer mentioned that Frances Shirley had an interest on this property for some time for the Land Preservation Society. Bob Medeiros made a motion, seconded by Earl Willcott, to send the letter drafted by the agent to Sturdy Hospital. Approved.

Bob Medeiros made a motion, seconded by Earl Willcott, to adjourn the meeting at 8:49 pm. Approved.

Respectfully Submitted,



Jennifer Carlino
Conservation Director

JC/pmb