



CONSERVATION COMMISSION
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RECEIVED
2003 MAY 20 PM 12:24
NORTON TOWN CLERK

Monday, April 14, 2003
7:30 pm

Attendance

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

Minutes

The members reviewed the draft minutes of **May 20, 2002**. Bob Medeiros made a motion, seconded by Kathleen Giblin, to accept the minutes as written. Approved.

The members reviewed the draft minutes of **July 8, 2002**. Kathleen Giblin made a motion, seconded by Neil Linehan, to accept the minutes as written. Approved.

The members reviewed the draft minutes of **August 12, 2002**. Bob Medeiros made a motion, seconded by Neil Linehan, to accept the minutes as written. Approved.

The members reviewed the draft minutes of **March 10, 2003**. Bob Medeiros made a motion, seconded by Earl Willcott, to accept the minutes as written. Approved.

The members reviewed the draft minutes of the **March 24, 2003**. Bob Medeiros made a motion, seconded by Earl Willcott, to accept the minutes as written. Approved.

Neil Linehan read a letter of resignation from Jeff Houde. Earl Willcott made a motion, seconded by Bob Medeiros, to appoint Neil Linehan as Vice Chairman of the Conservation Commission. Approved.

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

The members reviewed the Bills Payable Sheet (Nextel.). Bob Medeiros made a motion, seconded by Kathleen Giblin, to pay the bill. Approved.

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The members reviewed the Bills Payable Sheet (MACC). Bob Medeiros made a motion, seconded by Kathleen Giblin, 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.

Discussion ensued regarding the starting time of Conservation Commission meetings. Bob Medeiros made a motion, seconded by Neil Linehan, to change the starting time of the Conservation Commission meetings to 7:00 pm starting with the May 19, 2003 meeting. Approved.

The members reviewed a Notice of Intent – **(#250-548) - Fred C. Bottomley & Allen G. Riley – Parcel 26 (assessors map 30) Maple Street – (con't. from the October 21, 2002, January 13, 2003, January 27, 2003 & February 24, 2003 mtgs.)** - proposed plans to fill over 11,000 sq.ft. of wetlands to construct two driveways. There were no representatives for this project at the public hearing. Bob Medeiros made a motion, seconded by Neil Linehan, to close the public hearing. Approved. Neil Linehan made a motion, seconded by Bob Medeiros, to deny the project for lack of information. Approved. The denial will be ready for the next meeting.

The members reviewed a Notice of Intent – **(#250-558) - Ronald & Kathleen Conway – lot 7, parcel 230 (assessors map 16) 3 Maggi Lane** – for proposed plans to construct a 20' x 18' addition within 100 feet of wetlands. Ronald & Kathleen Conway described the project to the members. Mr. & Mrs. Conway were instructed to stop putting their compost in the wetlands. There will not be a foundation to the enclosed deck. Bob Medeiros made a motion, seconded by Earl Willcott, to close the public hearing. Approved. Neil Linehan made a motion, seconded by Kathleen Giblin, to sign and issue the Order of Conditions as written. Approved.

The members reviewed a Notice of Intent – **Champion Builders (#250-552) – Parcel 507 & 510 (assessors map 10) North Washington Street – (cont. from the January 27, 2003, February 24, 2003 & March 24, 2003 mtgs.)** - for proposed plans to construct a 32-lot comprehensive permit residential subdivision, stormwater and wastewater management facilities within 100 feet of wetlands and the Canoe River ACEC. Julian Kadish read letter sent by the applicant's representative requesting a continuance of the public hearing until the next regular meeting of Monday, April 14, 2003. Neil Linehan made a motion, seconded by Bob Medeiros, to continue the public hearing until April 14, 2003 at 8:00 pm. Approved.

The members reviewed a Request for a Determination of Applicability – **(DET. #793) – Old Colony Habitat for Humanity – lot 1, parcel 40 (assessors map 33) 474 So. Worcester St.** – for proposed construction of a portion of a driveway and septic system and the installation of utilities and associated grading within 100 feet of wetlands. Chris Yarworth of Yarworth Engineering explained the project to the members. Bob Medeiros made a motion, seconded by Earl Willcott, to close the public hearing. Approved. Bob Medeiros made a motion, seconded by Neil Linehan, to issue a negative Determination of Applicability (# 3) as long as the work is done according to the submitted plans. Approved.

The members reviewed a Notice of Intent – **(#250-557) – M.B. Martin Contractor, Inc. – Parcels 13 & 57 (assessors map 33) Taunton Avenue** – for proposed construction of portions of a common driveway & utilities, driveways, wells and associated grading within the 100-foot buffer zone of a bordering vegetated wetland. Chris Yarworth of Yarworth Engineering and Marshall Martin were present at the public hearing. Chris Yarworth explained the project to the members. Kathleen Giblin asked if there was a Conservation Restriction on this property. Jennifer Carlino replied that this project and Files #250-301, #250-317 & #250-337 were all connected. Marshall Martin would like to place a Conservation Restriction allowing continued agriculture at the bogs and that they wouldn't ever be filled. The Restriction is granted in place of over 3,000 sq. ft. of replication since bogs area wetland resource. She stated that the Conservation Easement would have to be recorded on the deeds for all the parcels of property in each of these files. Chris Yarworth stated that separate deeds would have to be done for each parcel that is sold in the future. Jennifer Carlino stated that each deed would have to reference the Conservation Easement recorded on the original deed. Ron O'Reilly made a motion, seconded by Neil Linehan, to close the public hearing. Approved. Jennifer Carlino stated that she would have to add a condition that would make reference to the Conservation Easements being put on the deeds and a condition referencing the paving of the common driveway. Bob Medeiros made a motion, seconded by Kathleen Giblin, to accept the conditions with the amendments suggested by Jennifer Carlino and sign and issue the Order of Conditions. Approved.

The members reviewed Request for a Determination of Applicability – **(DET. #792) – Carl Schneider – Parcel 170 (assessors map 32) 28 John Scott Boulevard** – for proposed plans to construct a garage/barn including a driveway, grading and seeding within 100 feet of wetlands. Carl Schneider and John F. Vance, Jr., his engineer, were present at the public hearing. John Vance explained the project to the members. A revised plan was done showing the current contour lines. Neil Linehan made a motion, seconded by Earl Willcott, to close the public hearing. Approved. Bob Medeiros made a motion, seconded by Ron O'Reilly, to issue a negative Determination of Applicability (#3) as long as the work is done according to the submitted plans. Approved.

The members reviewed a Notice of Intent – **(#250-560) – William Gagan – Parcel 54-01 (assessors map 26) 355 Old Colony Road** – for proposed plans to construct a garage, blacktop, grading and detention pond, etc. within 100 feet of wetlands. John F. Vance, Jr. requested to have the public hearing continued until the regular meeting of Monday, May 19, 2003 so he could do all of the stormwater and drainage calculations. Kathleen Giblin made a motion, seconded by Earl Willcott, to continue the public hearing until May 19, 2003 at 7:15 pm. Approved.

The members reviewed a Notice of Intent – Notice of Intent – **(#250-559) - Brian Duffy – Parcel 288 (assessors map 26) 351 Old Colony Road** for proposed plans to construct a building, sanitary system, blacktop and grading within 100 feet of wetlands. John F. Vance, Jr. requested to have the public hearing continued until the regular meeting of Monday, May 19, 2003 so he could do all of the stormwater and drainage calculations. Neil Linehan made a motion, seconded by Ron O'Reilly to continue the public hearing until May 19, 2003 at 7:25 pm.

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The members reviewed a request for a partial Certificate of Compliance for file #250-480 - **TeddyRealty Trust - Irene Estates II - Parcel 527 (map 10) & Parcel 57 (map 17) Talbot Drive (Mill Lane)**. Jennifer Carlino stated that at the last meeting it was decided that she would inspect the site after the snow had melted and that a revised As-Built plan would be submitted. She stated that she had inspected the site and presented a couple of pictures to the members. She said she had received a corrected revised As-Built plan. Earl Willcott made a motion, seconded by Neil Linehan, to issue a partial Certificate of Compliance with the condition that the applicant posts a \$3,500 bond with the Town Treasurer to ensure final vegetative stabilization of sideslopes along Mill Lane, loam and seed and any other stabilization, to be finished by May 1, 2003. Bob Medeiros abstained from voting. Approved.

The members reviewed a request for a partial Certificate of Compliance for files #250-301 - **Marshall B. Martin, III - Parcel 1 (map 29) & Parcel 13 (map 33) & Parcel 34 (map 32) Taunton Avenue, #250-317 - Marshall B. Martin, III - Lot 34 (assessors map 32) New Taunton Avenue and #250-337- Marshall B. Martin, III , Parcel 1 (map 29), Parcel 13 (map 33) & Parcel 34 (map 32) Taunton Avenue**. Jennifer Carlino stated that these files were originally for construction of cranberry bogs. She said that instead of replicating the wetland areas, since the bogs can be considered wetlands, Conservation easements would be placed on the deeds for these parcels. She also stated that she already sent two Conservation easements to Town Counsel for review. She stated that the members could either issue partial Certificates of Compliance with bonds for this project and the next two or postpone them until the Conservation easements from Town Counsel, with the correct wording, are received and recorded at the Registry of Deeds. Neil Linehan made a motion, seconded by Bob Medeiros, to table the request until the applicant is present. Marshall Martin arrived with Chris Yarworth and explained the easement and previous files (wetland alteration). Approved. Ron O'Reilly made a motion, seconded by Kathleen Giblin, to postpone any action until the deeds have been revised to contain the Conservation easements and full Certificates of Compliance are requested. Approved.

Jennifer Carlino stated that two land donations were proposed for King Phillip Road. Bob Medeiros asked if the Commission would want the land. Jennifer Carlino stated that the two areas were wetlands and floodplain areas. They didn't need to vote on it until the deeds were sent to the Commission.

Jennifer Carlino stated that Taunton is proposing to nominate the Three-Mile River as an ACEC and would like Norton to participate. She thought that this would be a good idea.

Jennifer Carlino stated that a third on-site meeting and walk had been done for the Strawberry Fields project. She said the wetland boundaries were confirmed correct by the representative for the party who filed the appeal for this project. DEP stated they were not going to take any action until the ENF was filled out and a Certificate is given by the Secretary.

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Discussion ensued regarding the appeal for the Order of Conditions for File #250-544 – **Mary Joe Road**. The members reviewed the draft response letter written by Jennifer Carlino to Gary Makuch of DEP. Bob Medeiros made a motion, seconded by Kathleen Giblin, to send the letter as written. Approved. Jennifer Carlino stated the appeal meeting date was Thursday, May 1, 2003 at 10:45 am on site.

Discussion ensued regarding the Norton Reservoir dredging project. Jennifer Carlino stated that she had requested an update on the final design but has not received one. Bob Medeiros suggested that she demand an update and that the bill would not be paid until the Commission received one.

It was noted that the Shpack Habitat Study would begin next week.

Neil Linehan made a motion, seconded by Kathleen Giblin, to adjourn the meeting at 8:46 pm.

Respectfully Submitted,

A handwritten signature in dark ink, appearing to read "Jennifer Carlino". The signature is fluid and cursive, with the first name and last name clearly distinguishable.

Jennifer Carlino
Conservation Director

JC/pmb