



CONSERVATION COMMISSION
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NORTON TOWN CLERK

Monday, May 19, 2003
7:00 pm

Attendance

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

Minutes

The members reviewed the draft minutes of **April 14, 2003**. Bob Medeiros made a motion, seconded by Kathleen Giblin, to accept the minutes as written. Approved.

The members reviewed the draft minutes of **April 28, 2003**. Bob Medeiros made a motion, seconded by Neil Linehan, to accept the minutes of written. Approved.

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

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

The members reviewed the two Bills Payable Sheets for Baystate Environmental Consultants, Inc. Jennifer Carlino stated that one of the sheets was from the last meeting at which time the Commission decided to get an update on the project before signing the sheet. Bob Medeiros made a motion, seconded by Neil Linehan, to pay the two bills. Approved.

The members reviewed the Bills Payable Sheet (Northern Construction). Neil Linehan made a motion, seconded by Bob Medeiros, to pay the bill. Approved.

Jennifer Carlino stated that the project for the repairs to the Chartley Pond dam was finished under budget costs and she wanted the members recommendation for using some of the money for repairs to the fence and a guardrail which are a safety issue. Bob Medeiros made a motion, seconded by Earl Willcott, to recommend using the money for these repairs.

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The members reviewed a Notice of Intent – **(#250-567) - Jeff & Kelly Pereira – Parcel 2-4 (assessors map 23) 4 Barrows Street** – for proposed plans to construct a garage within 100 feet of wetlands. John Vance, Jr. explained the project to the members. He stated that a previous permit for this property included a garage but not a breezeway, and was never constructed. Earl Willcott asked how many of the Exotic Invasive Plants listed by the US Army Corp. of Engineers actually grow in this part of the country. Jennifer Carlino stated that all of them grow in New England and if he wants a list of them, one could be copied for him. Neil Linehan made a motion, seconded by Bob Medeiros, to close the public hearing. Approved. Bob made a motion, seconded by Neil Linehan, to sign and issue the Order of Conditions. Approved.

Discussion ensued regarding the payment of the invoices for the publication of the legal notices for each public hearing. It was decided to continue the discussion at a future meeting.

The members reviewed a Notice of Intent – **(#250-560) – William Gagan – Parcel 54-01 (assessors map 26) 355 Old Colony Road – (cont. from the April 14, 2003 mtg.)** - for proposed plans to construct a garage, blacktop, grading and detention pond, etc. within 100 feet of wetlands. John F. Vance, Jr., representative for the applicant, was present at the public hearing and requested a continuance of the public hearing in order to get the drainage calculations until the regular meeting of Monday, July 14, 2003. Bob Medeiros made a motion, seconded by Neil Linehan, to continue the public hearing until July 14, 2003 at 7:10 pm. Approved.

The members reviewed a Request for a Determination of Applicability – **(DET. #795) - George Lattouf – Parcel 111 (assessors map 36) 5 Gilbert's Way** – for proposed plans to reconstruct and pave an existing gravel driveway within the 100-foot buffer zone of a wetland. George Lattouf explained the project to the members. He stated that his driveway was in between two other driveways and the three driveways together is a gravel road 45 feet wide. He said it was his proposal to pave his 15 feet of the road and, if the other two owners would like to pave their respective driveways, they could do so at the same time. He stated that potholes exist on these driveways and when it rains there is a lot of water on the driveways. Bob Medeiros made a motion, seconded by Earl Willcott, to close the public hearing. Approved. Bob Medeiros made a motion, seconded by Earl Willcott, to issue a negative Determination of Applicability (number 3) as long as the work is done according to the submitted plans. Approved.

The members reviewed a Notice of Intent – **(#250-559) - Brian Duffy – Parcel 288 (assessors map 26) 351 Old Colony Road - (cont. from the April 14, 2003 mtg.)** - for proposed plans to construct a building, sanitary system, blacktop and grading within 100 feet of wetlands. John F. Vance, Jr., representative for the applicant, was present at the public hearing and requested a continuance of the public hearing in order to get the drainage calculations until the regular meeting of Monday, July 14, 2003. Bob Medeiros made a motion, seconded by Neil Linehan, to continue the public hearing until July 14, 2003 at 7:15 pm. Approved.

The members reviewed a Notice of Intent – **(#250-563) - Mike Choquette - Parcel 193 (assessors map 27) 167 South Worcester Street** – for proposed plans to construct a 44' x 24' dwelling, 26' x 24' garage, driveway and sewage disposal system within 100 feet of wetlands. Ralph Maloon of RIM

Engineering explained the project to the members. He stated that two culverts are being propose that would lay on top of the ground, (types without bottoms and made of plastic) and would be connected together. He submitted revised plans showing the wetlands were connected, adding erosion control and tightening the proposed contours at the driveway as requested in a letter by Jennifer Carlino. An abutter, Kathleen Savage, requested to look at the plans. She asked where the house would be built. Another abutter, Jay Pickering, asked how far into the buffer zone the house would be. Bob Medeiros made a motion, seconded by Neil Linehan, to close the public hearing.

The members reviewed a Notice of Intent – **T.J. Flatley & Gregory D. Stoyles - Parcels 1, 86, 87 & 88 (assessors map 25) – Commerce Way and South Washington Street (Norton Industrial Park)** for proposed plans for mitigative work to include wetland preservation land, restoration of a wetland, creation of wetlands and monitoring parcels within 100 feet of wetlands. Wayne Tavares and Tim Toomey were present at the public hearing. Wayne Tavares gave each member a package to help clarify the project. He explained that the project involved mitigating filling that was done by the Flatley Company. He stated that The Flatley Company has been cooperating with the US Army Corp of Engineers for three years which resulted in obtaining a permit. He further stated that 4.49 acres of wetlands will be restored and 1.41 acres of wetlands will be created. He also stated there was a large parcel of property that would be put into a Conservation Restriction. All the areas involved with the project were color-coded on the plan according to what was going to be done with the parcels and Wayne Tavares described the proposed work to be done with each area. He said that he would like to have this work finished within one year. He stated that Jennifer Carlino had concerns with Blue Herons that were nesting on this property. Mr. Toomey said he would like to start construction after the Blue Herons have left. He said he called DEP to see if a file number had been assigned to this project and has not heard from them. Kathleen Giblin made a motion, seconded by Ron O'Reilly, to continue the public hearing until the meeting of Monday, June 9, 2003 at 7:20 pm. Approved.

The members reviewed a request for a partial Certificate of Compliance for **File #250-471 - L & M Custom Builders/Brian Mullian - parcel 5 (map 1) Newland Street**. Earl Willcott left the public hearing for this request. Julian Kadish asked Jennifer Carlino if she had inspected the site. She said that she had and the only work left to be done was the top coat. Bob Medeiros made a motion, seconded by Kathleen Giblin, to issue a partial Certificate of Compliance without requiring a bond.

The members reviewed a request for an amendment to the Order of Conditions for **File #250-557 – M.B. Martin Contractor, Inc. – parcels 13 & 57 (assessors map 33) Taunton Avenue**. The members discussed several changes to the conditions requested by Mr. Martin. After a very long discussion, Julian Kadish made several revisions to the draft amended Order of Conditions written by Jennifer Carlino. Bob Medeiros made a motion, seconded by Earl Willcott, to accept the Order of Conditions as amended. Approved. Kathleen Giblin opposed the motion.

The members reviewed the Order of Conditions for **Michael & Mary Tonino**. Since a DEP file number had not been received on this file and the comments from the Natural Heritage & Endangered Species Program have not been received, the signing and issuing of the Order of Conditions were continued until the next regular meeting of Monday, June 9, 2003.

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The members reviewed the Order of Conditions for **File #250-561 – Wheaton College**. Julian Kadish amended the conditions by deleting numbers 33 and 37. Earl Willcott made a motion, seconded by Bob Medeiros, to delete numbers 33 & 37. Approved. Neil Linehan opposed the amendment. Bob Medeiros made a motion to delete number 28 of the conditions. No one seconded the motion. Earl Willcott made a motion, seconded by Bob Medeiros, to sign and issue the Amended Order of Conditions. Approved.

The members reviewed the Order of Conditions for **File #250-562 – Tournament Players Club of Boston**. Neil Linehan made a motion, seconded by Bob Medeiros, to sign and issue the Order of Conditions as written. Approved.

The members signed the authorization form for the signing of all payroll sheets and time sheets to be submitted to the Town Accountant which gives Julian Kadish, Chairman and/or Neil Linehan, Vice Chairman, authorization to sign the sheets at anytime.

Kathleen Giblin made a motion, seconded by Bob Medeiros, to adjourn the meeting at 8:45 pm. Approved.

Respectfully Submitted,



Jennifer Carlino
Conservation Director

JC/pmb