



CONSERVATION COMMISSION
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NORTON TOWN CLERK

Monday, June 9, 2003
7:00 pm

Attendance

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

Bob Medeiros and Lisa Carozza were absent.

Minutes

The members reviewed the draft minutes of **May 19, 2003**. Ron O'Reilly made a motion, seconded by Earl Willcott, to accept the minutes as written. Approved.

The members reviewed the Bills Payable Sheet (Nextel). Neil Linehan made a motion, seconded by Earl Willcott, to pay the bill. Approved.

The members reviewed the Bills Payable Sheet (Nextel). Neil Linehan made a motion, seconded by Earl Willcott, to pay the bill. Approved.

The members reviewed the Bills Payable Sheet (Misc.). Neil Linehan made a motion, seconded by Earl Willcott, to pay the bills. 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, April 14, 2003 & April 28, 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. Neil Linehan read a letter from the applicant's representative, Coler and Colantonio, requesting a continuance until Monday, July 14, 2003 in order to receive information from the Zoning Board of Appeals. Jennifer Carlino stated she had talked with John Zimmer of Coler and Colantonio and suggested to continue the public hearing for a couple of months since the EIR still hasn't been done. Earl Willcott made a motion, seconded by Ron O'Reilly, to continue the public hearing until the meeting of Monday, July 14, 2003 at 7:05 pm. Approved.

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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 of Tavares Land Design and Joe Flanagan of Flatley Company were present at the public hearing. Mr. Tavares stated that the public hearing had not closed at the last meeting of Monday, May 19, 2003 because a DEP file number had not been assigned to this project at that time, but was received the next day. He stated that the state has required a 401 Water Quality Certificate for this project. He said that would be obtained before the project was started. Mr. Tavares had a question regarding condition #17 which states that a Certificate of Compliance would be requested at the completion of this project and at the same time an as-built plan would be provided to the Conservation Commission. He explained that this was a five-year permit because of the monitoring schedule and asked if a Certificate of Compliance be requested before the end of this time with an as-built. Jennifer Carlino told him to request the Certificate of Compliance at the end of the five-year expiration date and provide an as-built plan at that time. Discussion ensued regarding different types of erosion control and Julian Kadish stated that as long as the erosion control in place did an effective job without creating an environmental problem, and there were no objections by the members or the agent, the type used would be satisfactory. Mr. Tavares referred to condition #34 which states that replication and restoration would have to be completed by April of the following spring. He asked if this could be amended to state the Month of May instead of April. The month was only stipulated to avoid work during Great Blue Heron nesting on the property. The members agreed to the amendment. Earl Willcott asked how close the Blue Heron nests were to the work areas. They are directly adjacent to propoed work. Mr. Tavares said that work would not begin until the eggs had hatched and the young had left the nests, which would probably be late August or early September. He then referred to condition #36 and stated that working with the Army Corp of Engineers, 75% of restoration and replication of vegetation has been established already with success of some plants and trees and failure of others. Mr. Tavares referred to condition #40 and explained that there would not be any stockpiling of fill within the 25-foot limit of work zone. Neil Linehan asked Mr. Tavares if they chose to develop this property within the five-year monitoring plan time zone, would they file for an amendment to this Order or file for a new permit. Jennifer stated a new permit is required. Mr. Tavares agreed. Neil Linehan made a motion, seconded by Earl Willcott, to close the public hearing. Approved. Earl Willcott made a motion, seconded by Neil Linehan, to accept and sign the Order of Conditions as written with minor modifications. Approved.

The members reviewed a request for a Certificate of Compliance for **File #250-462 – Meadowbrook Corp. – Parcel 55 (assessors map 15) 2 Country Club Way**. Robert Rodericks of Meadowbrook Corp. explained that he had met with Jennifer Carlino and she stated that he would have to wait two years from now to apply for a Certificate of Compliance because he did not have 75% re-growth of wetland plants that were disturbed. Jennifer Carlino explained that what she had said to Mr. Rodericks, what was also stated in his Order of Conditions, and the Performance Standards requirements, required that the replication for the wetland would have to consist of at least 75% vegetative growth after two growing seasons from the issuance date of his permit. She further stated that he did not have even 50% re-growth at this time. It was the consensus of the board to have Mr. Rodericks contact the agent after a couple of months at which time she will go and check the replication area to ensure that the vegetation is stable before a Certificate of Compliance is issued.

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The members reviewed a request for a Certificate of Compliance for **File #250-547 – Worldwide Development Corp. – parcels 43-05 & 46 (assessors map 15) 146 Oak Street**. Jennifer Carlino stated that the property has not been loamed or seeded and a partial Certificate of Compliance is recommended with a bond. Earl Willcott made a motion, seconded by Neil Linehan, to issue a partial Certificate of Compliance with the condition that a \$500 bond is posted by the applicant to ensure final vegetated stabilization of exposed soils on this lot. Approved.

The members signed the amendment to the Order of Conditions for **File #250-557 – M.B. Martin Contractor, Inc. – parcels 13 & 57 (assessors map 33) Taunton Avenue**.

Neil Linehan made a motion, seconded by Kathleen Giblin to sign the Order of Conditions for **File #250-566 – Michael & Mary Tonino** which had been reviewed at the last meeting of May 19, 2003, but a DEP file number had not been assigned to the project at that time. Approved.

Earl Willcott made a motion, seconded by Kathleen Giblin, to sign the Order of Conditions for **File #25-563 – Mike Choquette** which had been reviewed at the last meeting of May 19, 2003. Approved.

Jennifer Carlino stated that The Tournament Players Club (TPC) had come before the board previously with a modification to the Order of Conditions requesting to alter an additional 5,000 square feet of wetlands, totalling 10,000 square feet and permission to widen the road across from the maintenance facility. She said they came back a second time to amend the Order of Conditions requesting to use a temporary bridge instead of widening the road. Jennifer Carlino stated that they had not sent a letter requesting to amend the first Order specifically stating they would not be widening the road. They presented project as either using a the temporary bridge or to widen the road, not both. Neil Linehan made a motion, seconded by Kathleen Giblin, requiring TPC to come to the next meeting to explain what they intend to do. Approved.

Jennifer Carlino stated that the Strawberry Fields project does not require an Environmental Impact Statement and a Superceding Order of Conditions should be received soon.

Jennifer Carlino stated that the Conservation Office budget passed at Town Meeting and only \$10,000 was transferred from the Wetland Protection Fund instead of the \$15,000 proposed earlier. The Town Manager, Jim Purcell was responsible for that.

Discussion ensued regarding the Chartley Pond Dam regarding the level of the water and the cleaning up of the debris. Jennifer Carlino stated the level was at the correct height according to the Operations & Maintenance Manual. She said the debris would be cleaned up after the fence was installed.

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Earl Willcott made a motion, seconded by Kathleen Giblin, to adjourn the meeting at 7:55 pm.
Approved.

Respectfully Submitted,

A handwritten signature in cursive script, reading "Jennifer Carlino".

Jennifer Carlino
Conservation Director

JC/pmb