



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

RECEIVED

AUG 19 2004

NORTON TOWN CLERK

Monday, April 26, 2004
7:00 pm

Attendance

Bob Medeiros (Chairman), Kathleen Giblin (Vice-Chairman),
Julian Kadish, Ron O'Reilly, Earl Willcott, Lisa Carrozza, Eileen King,
Jennifer Carlino, Conservation Agent

Minutes

The members reviewed the draft minutes of **December 15, 2003**. Kathleen Giblin made a motion, seconded by Julian Kadish, to accept the minutes as written. Approved.

The members reviewed the draft minutes of **January 12, 2004**. Lisa Carrozza made a motion, seconded by Julian Kadish, to accept the minutes as written. Approved.

The members reviewed the draft minutes of **January 26, 2004**. Kathleen Giblin made a motion, seconded by Julian Kadish, to accept the minutes as written. Approved.

The members reviewed the draft minutes of **February 23, 2004**. Kathleen Giblin made a motion, seconded by Lisa Carrozza, to accept the minutes as written. Approved.

The members reviewed the Bills Payable Sheet (Baystate Env. Cons.). Earl Willcott made a motion, seconded by Julian Kadish, to pay the bill. Approved.

The members reviewed the Bills Payable Sheet (Scott Rabideau). Kathleen Giblin made a motion, seconded by Julian Kadish, to pay the bill. Approved.

The members reviewed the Bills Payable Sheet (Misc.). Julian Kadish made a motion, seconded by Earl Willcott, to pay the bills. Approved.

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

Steve Lecco of Baystate Environmental Consultants addressed the Commission to update them on the Norton Reservoir dredging project. He stated the permitting process had begun which involves at least six permits; two at the local level, three at the state level and one at the Federal level. He said a

RECEIVED

AUG 19 2004

NORTON TOWN CLERK

meeting was held with the Planning Board a couple of months ago and the feeling was one of support by the Planning Board. He stated the Planning Board had technical issues regarding traffic, truck routing and access from the sediment processing area to Route 140 through residential areas. Mr. Lecco stated he and Tom Jenkins, project manager for the project, thought it would be a good idea to contact approximately twenty dredging companies and sand and gravel companies since it had been a few years since this was last done. He stated that the companies were asked if they were interested enough to hear a presentation of the project and to visit the site. He said he wanted to come to a conclusion of whether or not this project was still possible and realistic at this point in time. Mr. Lecco stated there were six companies still interested in the project. He further stated that even after the way each step has been taken to date, each of the contractors had a different way of completing the work. Mr. Lecco stated it was the recommendation of his company to send out Requests for Proposals at this time to avoid the need to obtain further permits in the future. He said Planning Board had issues with trucks leaving the area with sediment and traveling along Route 140 south past Wheaton College. Mr. Lecco stated small trucks could turn around and head south by way of Route 495 but larger trucks would run into a problem turning around. He further stated the cost of the project would be approximately \$14,000,000 at this time. He said the only possible way for the project to work financially for the town would be to exchange the work to be done for the "mining rights" for the gravel, etc. with the contractor or follow a similar plan. To sum up his update to the Commission, Mr. Lecco stated he wanted the Commission's opinion on the approach that is being suggested by Baystate Environmental Consultants at this time. Julian Kadish stated that it was his feeling that certain methods of dredging have been agreed upon such as hydraulic because this method would cause the least impact to birds, fish and other species of wildlife, and the contractor should follow the permitted procedures. Mr. Lecco stated the contractors were aware of this. He said another method, mechanical, might be an alternative even though less desirable than hydraulic. Julian Kadish asked if this involved "clam shell" shaped buckets. Mr. Lecco said it did, but in this case, the buckets are totally sealed and do not have teeth for materials to seep through. Discussion ensued as to who would pay for any permit changes if another method was proposed by the bidders. It was the boards opinion to have the contractor pay for any amendments to the approved permits. Mr. Lecco agreed to this plan. Lisa Carrozza suggested putting the project out to bid and review the various methods and costs in order to make a decision as to who would get the job of dredging the Reservoir. Mr. Lecco requested that Baystate draft a Request for Proposal and present it to the Commission in about one month. It was the consensus of the board to allow the request.

The members reviewed a Request for a Determination of Applicability – (DET. #807) - **John DosReis et ux – parcel 4 (assessors map 10) 75 Elm Street – (cont. from the October 20, 2003, November 3, 2003, November 17, 2003, December 15, 2003, January 12, 2004, February 23, 2004, March 22, 2004 & April 12, 2004 mtgs.)** - for proposed plans to construct a single family house, install a sanitary disposal system and grading and seeding within 100 feet of wetlands. The applicant was present at the public hearing along with his engineer, John F. Vance, Jr., who presented the project to the members and submitted revised plans. Jennifer Carlino asked Mr. Vance if he had re-flagged the site in the field yet and he stated he had not. Mr. Vance stated the house and septic system had been moved further away from the wetlands. Jennifer Carlino stated that since the project no longer meets the buffer zone policy, a Notice of Intent would have to be filed for this project. Lisa Carrozza made a motion, seconded by Julian Kadish, to close the public hearing. Approved. Lisa Carrozza made a motion, seconded by Kathleen Giblin, to issue a positive Determination of Applicability. Approved.

The members reviewed a Notice of Intent – **Town of Norton DPW/Keith Silver, Highway Superintendent – Lincoln Street** – for a limited project to pave Lincoln Street. Keith Silver and his engineer, Christopher D. Yarworth of Yarworth Engineering were present at the public hearing. Mr. Yarworth described the project to the members. He stated the Notice of Intent proposed to smooth out Lincoln Street, pave it and shift the road where it was too close to the property line. He further stated the grading would not change. Keith Silver stated the travel lanes would be approximately 11 feet. An abutter, David Poska of 187 Lincoln Street, asked how the Town determined where the road was located. Mr. Yarworth said a partial survey was done. He stated that deeds and plans for the road had been obtained and he had plans for at least 75% of the road. Mr. Poska, stated that he lived on Lincoln Street for over 40 years and Lincoln Street has been re-located over the years. He asked if the Town intends on paving the road in front of his house and Keith Silver said they do plan on paving the entire road. Mr. Poska had concerns with the water flow off the paved street. Keith Silver stated the paving was not going to raise the road, but the ground would be grinded down before the blacktop would be applied, therefore not changing the existing grade. Another abutter, Frank Beverly, asked to see a plan of the actual road layout. Bob Medeiros stated the road will be left as it is and paved. Jennifer Carlino stated a file number had not been received from DEP and a response has not been received from the Natural Heritage and Endangered Species Program so the project will have to be continued. Julian Kadish made a motion, seconded by Kathleen Giblin to continue the public hearing until the next regular meeting of Monday, May 17, 2004 at 7:05pm. Approved.

The members reviewed a Notice of Intent – **(#250-591) - Stephen LaCivita – Parcel 54-01 (assessors map 21) 76 Oak Street** – for proposed plans for construction of a limited project driveway crossing a bordering vegetated wetland. Stephen LaCivita and his engineer, Christopher D. Yarworth of Yarworth Engineering, were present at the public hearing. Mr. Yarworth updated the Commission on the history of this project and explained that work has been done at this site and a Cease & Desist was issued by the agent. Wetland replication has already been completed as a result of the Cease & Desist. He stated rip rap would be placed on the side slopes to the existing driveway to prevent erosion and silt fence would be placed between the wetlands and the driveway to prevent any runoff into the wetlands. He said fresh course gravel would be placed on the dirt driveway. He further stated replication was completed. Mr. Yarworth stated the house and the septic system were out of the buffer zone. He said visual barrier signs would be in place to prevent working outside of the limit of work. Earl Willcott made a motion, seconded by Julian Kadish, to close the public hearing. Approved. Earl Willcott made a motion, seconded by Julian Kadish, to sign and issue the Order of Conditions as written. Approved.

The members reviewed a Notice of Intent – **Richard Tilley – Parcel 45 (assessors map 19) 14 Maplewood Avenue** – for proposed plans to add a second floor, enforce the foundation, install a stone patio and to repair the existing driveway within 100 feet of Lake Winnecunnet. Richard and Colleen Tilley were present at the public hearing. Mr. Tilley stated he wanted to re-enforce the foundation and rebuild the room on top. Jennifer Carlino stated the footprint of the existing house would not be extended and erosion control was installed. She stated even though the work had been started, since the erosion control was installed, she would allow the work to be done as long as they obtained a permit. Earl Willcott made a motion, seconded by Julian Kadish, to close the public hearing. Approved. Jennifer Carlino stated a file number had not been received for the project from DEP. Ron O'Reilly made a motion, seconded by Julian Kadish, to sign the Order of Conditions and issue it after a file number is received. Approved.

RECEIVED

AUG 19 2004

NORTON TOWN CLERK

The members reviewed a Notice of Intent – **Robert Campbell/Wheaton College – (#250-590) - Parcel 14 (assessors map 17) East Main Street** – for proposed plans for sidewalk reconstruction, lighting and landscaping within 100 feet of Peacock Pond. Robert Campbell and his attorney, David Manoogian, were present at the public hearing. Phil McNulty of Hayward-Boynton and Williams Engineering and Carol Moyles, landscape designer, were also present. Ms.

Moyles addressed the Commission and described the landscape design to the members. Lisa Carrozza asked what the surface treatment would be for the area between the pond and the new walk. Ms. Moyles stated it would be asphalt with a brick edge. Mr. McNulty stated that in addition to the new landscaping, a steam pipe will be replaced because of a leaking existing pipe. Earl Willcott made a motion, seconded by Kathleen Giblin, to close the public hearing. Approved. Earl Willcott made a motion, seconded by Julian Kadish, to sign and issue the Order of Conditions as written. Approved.

The members reviewed a **Request for a Duplicate Certificate of Compliance** for File #250-69 – Mazda Motors of America/c/o Pircher, Nichols & Meeks, Attorneys at Law – Mazda Building, 176 South Washington Street, Norton, MA 02766. Julian Kadish made a motion, seconded by Ron O'Reilly, to issue the duplicate Certificate of Compliance. Approved.

Jennifer Carlino stated she drafted a letter ALJ, Docket Clerk, requesting to be informed of any and all meetings pertaining to Strawberry Fields. Earl Willcott made a motion, seconded by Julian Kadish to send the letter as written. Approved.

Jennifer Carlino stated that Senator Jo Ann Sprague and Joel Lerner were both retiring and asked the Commission if they would like to have a letter sent thanking them for their assistance for the past several years. Bob Medeiros asked Jennifer Carlino to draft a letter.

Jennifer Carlino noted there would be only one meeting in May, Monday, May 17, 2004 because of the Annual Town Meeting on Monday, May 10th.

Earl Willcott made a motion, seconded by Kathleen Giblin, to adjourn the meeting at 8:30 pm. Approved.

Respectfully Submitted,



Jennifer Carlino
Conservation Director

JC/pmb