



CONSERVATION COMMISSION
70 EAST MAIN STREET
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RECEIVED
AUG 14 2004
NORTON TOWN CLERK

Monday, August 23, 2004
7:00 pm

Attendance

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

Lisa Carrozza was absent.

Minutes

The members reviewed the Bills Payable Sheet (Staples). Kathleen Giblin made a motion, seconded by Ron O'Reilly, to pay the bill. Approved.

The members reviewed a Notice of Intent – (#250-611) - **Thomas Calhoun – Parcel 180 (assessors map 4) 159 North Washington Street – (cont. from the June 14, 2004, June 28, 2004 & August 2, 2004 mtgs.)** for proposed plans to construct a farm/fire protection pond within 100 feet of a bordering vegetated wetland in the ACEC. Bob Medeiros stated the applicant requested to continue the public hearing. Jennifer Carlino stated the applicant was going to hire a botanist to reflag the site. Eileen King made a motion, seconded by Julian Kadish, to continue the public hearing until the regular meeting of Monday, October 4, 2004 at 7:05 pm. Approved.

The members reviewed a Notice of Intent – (#250-629) - **Bruce Nieuwkoop – Parcels 716 & 717 (assessors map 3) 16 South Highland Road – (cont. from the August 9, 2004 mtg.)** - for proposed plans to construct a 26' x 30' addition and 8'x 26' entry way within 100 feet of wetlands. Jennifer Carlino stated the calculations for the elevation level for the Norton Reservoir was incorrectly stated on the Notice of Intent application and Ralph Maloon of RIM Engineering stated the correct information was on the submitted revised plans. Earl Willcott made a motion, seconded by Kathleen Giblin, to close the public hearing. Approved. Ron O'Reilly 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 – (#250-624) – **Laurence Schneider/The North Cottage Program – Parcel 106 (assessors map 17) 69 East Main Street – (cont. from the August 9, 2004 mtg.)** - for proposed plans to construct a sewer force main within 100 feet of wetlands and 200 feet of Rumford River. Laurence Schneider was present at the public hearing along with Ben Smith, P.E. of Allen and Majors Associates who updated the members on the progress of the project. He stated that there were five outstanding issues according to his associate, David Harrington who was present at the last public hearing. The first issue of concern is working under the bridge over the Rumford River and

Norton Conservation Commission
Monday, August 23, 2004
Minutes, Page 2.

disturbing the rare species habitat. Mr. Smith stated scaffolding would be used to hang aluminum brackets from under the bridge to construct the sewer main. He passed out pictures to the members showing the method and end result to this process. He said the second request was to put the additional erosion control on the plans and that was done and a copy given to the agent previously along with a construction sequence. Mr. Smith stated the Natural Heritage and Endangered Species Program was notified, but he has not received a response yet. He stated another concern of the Commission was the dewatering process if necessary. Mr. Smith stated sediment filter bags would be used and haybales would be placed at all water resource areas. He stated the road would be swept at the end of each day. Mr. Smith stated the last concern was the extension of the sewer line at least three thousand feet along East Main Street. He stated Mr. Schneider had asked to be connected to the Norton/Mansfield sewer system, and the only way to obtain connection was to purchase sewer credits which were being held by Fleet Bank. Mr. Schneider stated he literally begged for the sewer credits and that Fleet Bank was reluctant to sell them. Mr. Smith said that this was a time-sensitive project and would appreciate it if the Commission would give the permit for this project as soon as possible. Mr. Smith asked if the project could be started before a response was received from Natural Heritage as long as no work was done near the Rumford River. It was the consensus of the board to not start the project until a response was received from the Natural Heritage and Endangered Species Program in accordance with the regulations. Earl Willcott made a motion, seconded by Julian Kadish, to continue the public hearing until the next regular meeting of Monday, September 13, 2004 at 7:15 pm at which time a response from the Natural Heritage Program and a file number from the Department of Environmental Protection would have been received. Approved.

The members reviewed a Notice of Intent – **(#250-631) – Duane German – Parcel 292 (assessors map 26) West Main Street** – for proposed plans to construct a field, trails, boardwalks and a 2,400 sq. ft. building within 100 feet of bordering vegetated wetlands. The applicant was present and his engineer, Gene Bolinger described the project for the members and displayed a drawing of the project for the members. Mr. Bolinger stated the project was sixty or seventy feet from the wetlands. He said approximately 2800 feet of wetlands would be disturbed to construct the boardwalks. He stated the original driveway that was created in the first phase of project would be used to access the field, trails and boardwalks for this project. Mr. Bolinger stated he was aware of the fact that the Commission was waiting for an as-built plan and letter from an engineer in order to obtain a Certificate of Compliance for the last project and these would be submitted soon. Jennifer Carlino stated there were a few wetland flags that did not match between the plan and in the field and a small area looked incorrectly flagged. She stated she found two or three potential vernal pools in the wetlands, but she stated they would not present a problem for this project. She stated details for the storm techs should be submitted and that the limit of work and haybales and silt fence areas were spotty and not consistent on the plans. Jennifer Carlino stated the areas between the boardwalks and haybales were quite wide and would like more details on the measurements. Julian Kadish asked if the posts were going to be dug by hand or with a machine. Mr. Bolinger stated the posts would be dug either by a hand auger or with a post hole digger. Jennifer Carlino stated replication should be done for any disturbance of the wetlands unless they were claiming a limited project status. Then the Notice of Intent should be revised. Earl Willcott asked what materials would be used for the paths and walkways and Mr. Bolinger replied mulch and stonedust would be used. Earl Willcott asked how the materials would be transported the project area and Mr. Bolinger replied by a small vehicle would be used. Kathleen Giblin made a motion, seconded by Ron O'Reilly, to continue the public hearing until the regular meeting of Monday, September 13,

Norton Conservation Commission
Monday, August 23, 2004
Minutes, Page 3.

2004 at 7:20 pm in order to allow time for the applicant to submit the requested information to the agent. Approved.

The members reviewed a request for a Certificate of Compliance for **File #250-407 - Allen O. Riley c/o Fred Bottomley - Parcels 55 & 154 (map 18) Plain Street (Bartley Drive)**. Jennifer Carlino stated the project was completed according to the approved plans. Kathleen Giblin made a motion, seconded by Ron O'Reilly, to issue the Certificate of Compliance. Approved.

The members reviewed a request for a Certificate of Compliance for **File #250-426 - Briarwood Cons. Corp./Ray Ferrone - Parcels 57, 67 & 177 (map 31) East Hodges Street (Dion's Way) Fieldcrest Estates**. Jennifer Carlino stated the project was completed according to the approved plans. Kathleen Giblin made a motion, seconded by Julian Kadish, to issue the Certificate of Compliance. Approved.

The members reviewed a request for a Certificate of Compliance and bond release letter for **File #250-447 - Briarwood Cons. Corp./Ray Ferrone - Lot 4, Parcel 57 (map 31) 6 Dion's Way**. Jennifer Carlino stated the project was completed according to the approved plans. Ron O'Reilly made a motion, seconded by Kathleen Giblin, to issue the Certificate of Compliance and a bond release letter. Approved.

The members reviewed a request for a Certificate of Compliance and bond release letter for **File #250-569 - Briarwood Cons. Corp./Ray Ferrone - Lot 5, Parcel 57 (map 31) 7 Dion's Way**. Jennifer Carlino stated the project was completed according to the approved plans. Ron O'Reilly made a motion, seconded by Julian Kadish, to issue the Certificate of Compliance and a bond release letter. Approved.

The members reviewed a request for a Certificate of Compliance for **File #250-432 - Gregory Mills - Parcels 168, 170 & 175-0 (map 4) Newcomb Street (Wetherell Way) Rolling Pines**. Jennifer Carlino stated the project was completed according to the approved plans. Kathleen Giblin made a motion, seconded by Ron O'Reilly, to issue the Certificate of Compliance. Approved.

The members reviewed a request for a Certificate of Compliance for **File #250-433 - Marilynn Realty Trust/Kevin Medeiros - Parcels 218, 304-306 & 307 (assessors map 4) Newcomb Street/Horton Drive (previously Potter's Circle)**. Jennifer Carlino stated the project was completed according to the approved plans. She said she that on the final inspection, she noticed that the two neighbors on either side of the drainage easement had put fences across the drainage easement. She said she spoke to Kevin Medeiros and he said he would see to it that the fences were removed. Ron O'Reilly made a motion, seconded by Kathleen Giblin, to wait until the fences are removed before issuing the Certificate of Compliance. Approved.

The members reviewed a request for a Certificate of Compliance for **File #250-619 - Owen Heleen - Parcels 49 & 50 (assessors map 14) 161 North Worcester Street**. Jennifer Carlino stated the project was completed according to the approved plans. Ron O'Reilly made a motion, seconded by Julian Kadish, to issue the Certificate of Compliance. Approved.

Norton Conservation Commission
Monday, August 23, 2004
Minutes, Page 4.

The members reviewed a request for a Certificate of Compliance for a Lake Winnecunnet Sewer Project for **File #250-570 - Eileen Campbell - 43 Charlotte Avenue**. Earl Willcott made a motion, seconded by Julian Kadish, to issue the Certificate of Compliance. Approved.

The members reviewed a request for a Certificate of Compliance for a Lake Winnecunnet Sewer Project for **File #250-570 - Diane McElligott - 33 King Phillip Road**. Earl Willcott made a motion, seconded by Julian Kadish, to issue the Certificate of Compliance. Approved.

The members reviewed a request for a Certificate of Compliance for a Lake Winnecunnet Sewer Project for **File #250-570 - Brian Blagden - 131 King Phillip Road**. Earl Willcott made a motion, seconded by Julian Kadish, to issue the Certificate of Compliance. Approved.

The members reviewed a request for a Certificate of Compliance for a Lake Winnecunnet Sewer Project for **File #250-570 - Nancy & Dave Worthley - 127 King Phillip Road**. Earl Willcott made a motion, seconded by Julian Kadish, to issue the Certificate of Compliance. Approved.

The members reviewed a request for a Certificate of Compliance for a Lake Winnecunnet Sewer Project for **File #250-570 - Robert Boreri - 129 King Phillip Road**. Earl Willcott made a motion, seconded by Julian Kadish, to issue the Certificate of Compliance. Approved.

The members reviewed the draft Order of Conditions for **File #250-585 - Honey Dew Donuts**. Julian Kadish made a motion, seconded by Ron O'Reilly, to sign the Order of Conditions as written. Approved.

Discussion ensued regarding the RFPs for the Lake Winnecunnet project. Jennifer Carlino stated the RFPs went out on August 30, 2004 and said a decision would have to be made by Town Meeting on September 27, 2004. It was the consensus of the board to schedule a meeting for Monday, September 20, 2004 at which time each bidder would give a fifteen-minute presentation. Jennifer Carlino stated two representatives of the Lake Winnecunnet Association should also be present. She stated one person or company would be chosen to do the study.

Kathleen Giblin made a motion, seconded Ron O'Reilly, to enter into **Executive Session** to discuss the strategy for Collective Bargaining. Approved.

Eileen King made a motion, seconded by Julian Kadish, to adjourn the public meeting at 8:30 pm. Approved.

Respectfully Submitted,



Jennifer Carlino
Conservation Director

JC/pmb