



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

RECEIVED

SEP 14 2004

NORTON TOWN CLERK

Monday, September 13, 2004
7:00 pm

Attendance

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

Minutes

The members reviewed the Bills Payable Sheet (Staples). Earl Willcott made a motion, seconded By Julian Kadish, to pay the bill. Approved.

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

The members reviewed a Notice of Intent – (#250-632) - **Gatehouse Realty Trust – Parcels 87 & 88 (assessors map 30) 41 & 43 Maple Street – (cont. from the August 9, 2004 mtg.)** - for proposed plans to fill 6,000 sq. ft. of bordering vegetated wetland for the construction of two driveways, grading and utilities within 100 feet of wetlands. Ron O'Reilly recused himself from the meeting. David Halliwell, Glen Alcarsic, Project Manager, and Larry Tilton of Tilton and Associates were present at the public hearing and passed out documents pertaining information requested at the previous public hearing. Mr. Alcarsic proceeded to address issues of concern at the previous meeting. He started by describing the location of the property to the members and explained why this project would qualify as a limited project. He explained the various alternatives to access the property and why these areas were not feasible to utilize. He mentioned that the previous owner of the property had tried to create a common driveway twice and was denied by the Planning Board. He summarized by stating it was his opinion this was a limited project. Jennifer Carlino stated the Commission would have to established whether or not this project is a limited project. Mr. Alcarsic pointed out that the applicant does not have any other surrounding property to this parcel and does not have any alternative access to the property, therefore this should be a limited project. Jennifer Carlino stated the two lots already have upland access via the common driveway easement recorded by deed. Mr. Alcarsic stated the Planning Board denied the common driveway twice. Jennifer Carlino asked if the Planning Board's decision was appealed. Mr. Alcarsic stated they had not appealed the decision. It was the consensus of the board to have the applicant go through the easement that was recorded on the property even if it meant going before the Planning Board again. Larry Tilton of Tilton and Associates stated that in order to proceed the Commission has to make a decision to either issue the permit or deny the project. He stated that there was absolutely no other way to access these parcels. Earl Willcott made a motion, seconded by Julian Kadish, to close the public hearing. Approved. Earl Willcott made a motion,

Norton Conservation Commission
Monday, September 13, 2004
Minutes, Page 2.

seconded by Lisa Carrozza, that this project is not a limited project. Approved. Earl Willcott made a motion, seconded by Lisa Carrozza, to approve the project only if access is obtained through the recorded common driveway easement within upland area on lot 7. 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 & August 23, 2004 mtgs.)** - for proposed plans to construct a sewer force main within 100 feet of wetlands and 200 feet of Rumford River. Jennifer Carlino stated a response was received from Natural Heritage and as long as no one walks in the Rumford River and scaffolding is used, they do not have a problem with the project. Julian Kadish made motion, seconded by Kathleen Giblin, to close the public hearing. Approved. Julian Kadish made a motion, seconded by Ron O'Reilly, to sign and issue the Order of Conditions as written. Approved.

The members reviewed Notice of Intent – **(#250-631) – Duane German – Parcel 292 (assessors map 26) West Main Street – (cont. from the August 23, 2004 mtg.)** - for proposed plans to construct a field, trails, boardwalks and a 2,400 sq. ft. building within 100 feet of bordering vegetated wetlands. Duane German and Gene Bolinger were present at the public hearing. Mr. Bolinger stated he had submitted revised plans today with the changes requested by the agent. He listed the several changes as follows: wetland flags were added for an area that was omitted originally; the potential vernal pools were added to the plans; haybale limits were revised and the boardwalk was listed as a limited project. Jennifer Carlino stated the only information that was required before issuing the Order of Conditions was the actual amount of wetlands that were going to be disturbed as a result of constructing the boardwalks. Julian Kadish made a motion, seconded by Ron O'Reilly, to close the public hearing. Approved. Julian Kadish made a motion, seconded by Earl Willcott, to sign and issue the Order of Conditions to be sent after an inspection is done by the agent. Approved.

The members reviewed a Request for a Determination of Applicability – **(DET. #841) – George Weston – Parcel 37 (assessors map 16) 13 Pond Street** – for proposed plans to repair a sanitary disposal system within 100 feet of wetlands. There was no representative at the public hearing for this project. Jennifer Carlino stated there was no problem with the project. Julian Kadish made a motion, seconded by Earl Willcott, to close the hearing. Approved. Julian Kadish made a motion, seconded by Earl Willcott, to issue a negative Determination of Applicability (#3) as long as the work is done according to the approved plans. Approved.

The members reviewed a Request for a Determination of Applicability – **(DET. #842) – Nordblum Real Estate – Parcels 30 & 30-04 (assessors map 24) 176 South Washington Street** – for proposed plans to repair a sanitary disposal system within 100 feet of wetlands. There was no representative at the public hearing for this project. Jennifer Carlino stated there was no problem with the project. An abutter, Mr. Barry Eck, asked to review the submitted plans. Earl Willcott made a motion, seconded by Julian Kadish, to close the public hearing. Approved. Julian Kadish made a motion, seconded by Earl Willcott, to issue a negative Determination of Applicability (#3) as long as the work is done according to the approved plans. Approved.

Norton Conservation Commission
Monday, September 13, 2004
Minutes, Page 3.

The members reviewed a Notice of Intent – (#250-633) - Wheaton College-Randi Carine, Athletics Facility Manger – Parcel 93 (assessors map 17) Mirrione Stadium, Pine Street, Wheaton College – for proposed plans to install a drainage system within 100 feet of wetlands. Bob Mainones of Toomey-Munson and Associates and a couple of staff members of the athletic department for Wheaton College were present at the public hearing. Mr. Mainones stated the reason for this project is because of seasonal water problems in this area. He said all materials dug out of this site would be taken away and placed in a stockpile with other materials that belonged to Wheaton College. Earl Willcott made a motion, seconded by Julian Kadish, 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 – (#250-634) - **Wayne Morse – Parcel 28 (assessors map 20) 18 Noyes Street** – for proposed plans to install a sanitary disposal sytem and construct an addition within 100 feet of wetlands. Wayne and Cindy Morse were present at the public hearing along with his representative, Steve Wry of Land Planning. Mr. Wry explained that the proposed location of the septic system was the only place it could be installed because of the size of the lot. Jennifer Carlino asked if a variance was received from the Board of Health to allow the septic to be closer than 50 feet to the house and he replied that a variance was obtained. She asked the applicant to remove the fence and shed from the wetlands and they agreed to do that. Lisa Carrozza made a motion, seconded by Julian Kadish, to close the public hearing. Approved. Julian Kadish made a motion, seconded by Kathleen Giblin, to sign and issue the Order of Conditions as written. Approved.

The members reviewed a Request for a Determination of Applicability – (DET. #843) - **K.G.M. Custom Homes, Inc. – Lot 2, Parcel 372 (assessors map 4) 8 Wetherell Way** – for proposed plans for a vegetation management plan within 100 feet of wetlands. Tom Lovett, Wetland Specialist with LEC Environmental Consultants represented the applicant at the public hearing. He stated there was a large amount of Japanese Knotweed in the area of the detention basin that should be removed. He proposed that one application of the chemical Roundup was proposed to be applied in May or June and submitted the safety data on the product to the commission as well as to abutters. He said the application would be administered in the middle of the week when the children in the neighborhood would most likely be in school. Mr. Lovett explained that after the weed was killed, grass would be planted. An abutter had concerns with the chemical getting into the drinking water wells. Earl Willcott explained the chemical was safe to use. It was the consensus of the board to allow one application in the Spring after the abutters are notified in writing as to the date and time the application would be applied. Julian Kadish made a motion, seconded by Earl Willcott, to close the public hearing. Approved. Julian Kadish made a motion, seconded by Earl Willcott, 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 request for a Certificate of Compliance and bond release letter for **File #250-433 – Marilynn Realty Trust – Parcels 307, 218, 304-306 (assessors map 4) Newcomb Street**. Bob Medeiros stated this was a request for a Certificate of Compliance from the last meeting which was not issued because of fences that were installed in the easement. He stated Kevin Medeiros spoke with the Highway Superintendent, Keith Silver, and Keith Silver stated the fences could remain there. He said Keith Silver stated if the fences were ever in his way, he would remove them. Kathleen Giblin made a motion, seconded by Julian Kadish, to issue the Certificate of Compliance and bond release letter. Approved.

Norton Conservation Commission
Monday, September 13, 2004
Minutes, Page 4.

The members reviewed a request for a Certificate of Compliance for a Lake Winnecunnet sewer project for **File #250-570 – Roger Gefis – 103 King Phillip Road**. Ron O'Reilly made a motion, seconded by Julian Kadish, to issue the Certificate of Compliance. Approved.

Jennifer Carlino stated that a parcel of land on Jackson Street was offered as a donation to the Conservation Commission and she suggested that the Commission accept the parcel. Lisa Carrozza made a motion, seconded by Kathleen Giblin, to accept the parcel. Approved.

Ron O'Reilly stated the Loosestrife was getting worse at the Chartley Pond dam. He stated the walls along the dam were pitted and had cracks with vegetation extending from them. He said he had heard from the abutters to the dam and they were waiting for information from their consultants.

Jennifer Carlino stated she was waiting for the Estoppel Certificate for the Flatley project to be returned from Town Counsel. Julian Kadish made a motion, seconded by Kathleen Giblin, to allow Jennifer Carlino to sign the Certificate when it was received as long as it looked ok. Approved.

Jennifer Carlino gave each member the bid proposals for the project at Lake Winnecunnet to review before the brief presentations on September 20, 2004.

Earl Willcott made a motion, seconded by Kathleen Giblin, to adjourn the public meeting at 8:20 pm. Approved.

Respectfully Submitted,



Jennifer Carlino
Conservation Director

JC/pmb