



CONSERVATION COMMISSION
70 EAST MAIN STREET
NORTON, MA 02766-2320
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NORTON TOWN CLERK

Monday, June 13, 2005
7:00 pm

Attendance

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

Julian Kadish & Eileen King were absent.

Minutes

The members reviewed the draft minutes of **May 16, 2205**. Kathleen Giblin made a motion, seconded by Ron O'Reilly, to accept the minutes as written. Approved.

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

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

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

The members reviewed the Bills Payable Sheet (ESS Group, Inc.). Jennifer Carlino stated that she requested a brief summary of what work has been done to date be submitted with each invoice. There was no summary with this invoice. Jennifer mentioned that it was reported in the newspaper that ESS Group, Inc. was going to meet with the Lake Winnecunnet Association to present an update on the Diagnostic/Feasibility Study. She said the presentation should be with the Conservation Commission, not the Lake Winnecunnet Association, because the Commission is the client. Lisa Carozza stated an update should be sent to the Commission before the ESS Group meets with them in order to obtain the information in question. Lisa Carrozza made a motion, seconded by Ron O'Reilly, to hold the invoice until a description of the work performed is submitted. Approved.

The members reviewed the Bills Payable Sheet (Jennifer Carlino/Mileage Reimbursement). Lisa Carrozza made a motion, seconded by Ron O'Reilly, to pay the bill. Approved.

The members reviewed the Bills Payable Sheet (Ben Meadows). Lisa Carrozza made a motion, seconded by Ron O'Reilly, to pay the bill. Approved.

Norton Conservation Commission

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Minutes, page 2.

The members reviewed a Notice of Intent – **(#250-665) – Town of Norton/Water Department – North Washington Street – (cont. from the March 28, 2005, April 11, 2005, April 25, 2005 & May 16, 2005 mtgs.)** - for proposed plans to replace a water main and conduct household connections to the main within 100 feet of wetlands. Jennifer Carlino stated that a DEP File number had been received for this project. Earl Willcott made a motion, seconded by Kathleen Giblin, to close the public hearing. Approved. Earl Willcott made a motion, seconded by Lisa Carrozza, to sign and issue the Order of Conditions as written. Approved.

The members reviewed a Notice of Intent – **(#250-651) – Bill Harris/Robin Norton LLC – Parcels 38, 252 & 253 (assessors map 5) 308 East Main Street – (cont. from the January 10, 2005, January 24, 2005, February 28, 2005, March 28, 2005 & May 16, 2005 mtgs.)** - for proposed plans to expand a parking lot, with associated grading, landscaping and drainage improvements within 100 feet of wetlands. Mike Murry of Holmberg & Howe, represented the applicant at the public hearing. He stated that after meeting with the Planning Board, there were a couple of changes to the site plan. He said they would not be extending the detention pond and would be omitting a second one proposed. He pointed out an area where a stormceptor would be installed. He said the Planning Board engineer requested the discharge pipe be removed from the 25-foot buffer zone, but he thought this might not be possible. Mr. Murry stated the Planning Board engineer questioned the elevations on the site plan and therefore, Mr. Murry said another team of surveyors would be contracted to check the elevations and wetland flags as well. He stated soil tests had been done and the perc tests came back at two minutes per inch. He said the system was designed for five minutes per inch but the Planning Board engineer would like to see seven minutes per inch. The Commission is still waiting for their questions to be addressed. Kathleen Giblin made a motion, seconded by Ron O'Reilly, to continue the public hearing until the next regular meeting of Monday, July 11, 2005 at 7:05 pm in order to receive all changes to the plan in writing. Approved.

The members reviewed an Abbreviated Notice of Intent – **(#250-662) – Wheaton College – parcels 14D & 14E (assessors map 17) – East Main Street (Peacock Pond) –(cont. from the April 11, 2005 & May 16, 2005 mtgs.)** - for proposed plans to install a stormceptor within 100 feet of Peacock Pond. Dave Manoogian, Attorney representing the applicant, Mike Schrader, Consulting Engineer, of Woodard and Curran and Bob Campbell of Wheaton College were present at the public hearing. Mr. Manoogian stated a DEP File number had been received since the last hearing. Mike Schrader stated an Operations & Maintenance Plan was submitted to the Conservation office showing the location of the two catch basins, or scuppers, which are adjacent to the existing pedestrian bridge. He said they were both cleaned as of May 25th. He stated that on sheet C-1 it was noted the contractor shall prevent erosion of exposed soils at all times. He said it was the applicant's intention to install the stormceptor during a dry period. Lisa Carrozza asked if the submitted Operations & Maintenance Plan was a portion of a larger plan already in place. Mr. Schrader stated it was not and that each time the College filed with the Conservation Commission for a permit, a separate plan was submitted. Lisa Carrozza asked how often the parking lots were swept and Mr. Campbell replied the parking lots were swept every spring and the catch basins were cleaned every summer. Earl Willcott made a motion, seconded by Ron O'Reilly, to close the public hearing. Approved. Lisa Carrozza made a motion, seconded by Ron O'Reilly, to sign and issue the Order of Conditions as written. Approved.

Norton Conservation Commission

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Minutes, page 3.

The members reviewed an Abbreviated Notice of Resource Area Delineation – (**#250-**) – **Raymond Passenti – Parcel 76 (assessors map 11) – East Main Street –(cont. from the May 16, 2005 mtg.)** - for verification of the wetland resource areas. Jennifer Carlino stated the applicant requested a continuance in order to receive a DEP File number. Kathleen Giblin made a motion, seconded by Earl Willcott, to continue the public hearing until the next regular meeting of Monday, July 11, 2005 at 7:10 pm. Approved.

The members reviewed a Notice of Intent – (**#250-660**) - **Chuck Cramer/Cramer Levine & Company – Parcel 58B (assessors map 17) – 134 East Main Street – (cont. from the May 16, 2005 mtg.)** - for proposed plans to construct a parking lot and expand an existing sewage disposal system within 100 feet of wetlands. Charles Cramer and Howard Levine, applicants, and David Kelly, engineer, were present at the public hearing to request a continuance until after their meeting with the Planning Board. Mr. Kelly requested to allow work to continue on this project until the next meeting. Earl Willcott made a motion, seconded by Kathleen Giblin, to continue the public hearing until the next regular meeting of Monday, July 11, 2005 at 7:15 pm and to allow the work to continue. Approved.

The members reviewed a Notice of Intent – (**#250-664**) - **Chuck Cramer/Cramer Levine & Company – Parcel 58B (assessors map 17) 134 East Main Street** – for proposed plans to construct a handicap ramp and a drainage swale within 100 feet of wetlands. This filing is Phase I of File #250-660. Present were the applicants Charles Cramer and Howard Levine and their engineer, David Kelly. Mr. Kelly stated this project is for the building under construction at this time. He stated the building was a house and now is being converted into an office building and this is why there was never a handicap ramp. It is proposed that the building be completed as soon as possible and be occupied by the applicants as soon as possible. Lisa Carrozza requested the haybales be located at the 25-foot limit of work. Lisa Carrozza made a motion, seconded by Ron O'Reilly, to close the public hearing. Approved. Ron O'Reilly made a motion, seconded by Lisa Carrozza, to sign and issue the Order of Conditions as written. Approved.

The members reviewed a Notice of Intent – (**#250-661**) - **Kevin & Deirdre Mullins – Parcels 561-564 (assessors map 3) – 48 Island Road** – for proposed plans to construct a 32' x 22' addition to the existing house within 100 feet of wetlands. Chris Charette of Charette Land Surveying represented the applicant at the public hearing and briefly described the project to the members. He pointed out on the submitted plans a pond that was not shown on USGS maps or Assessor maps. He stated that Walter Hewitson had flagged the area of the pond and the highwater mark. He said the proposed structure would be located 36 feet from the resource area (pond). Mr. Charette explained that utilities were already on site because of the existing structure, but there would be a small amount of gasline modifications. He stated any extra soil would be trucked off the site. Kathleen Giblin made a motion, seconded by Ron O'Reilly, to close the public hearing. Approved. Earl Willcott made a motion, seconded by Kathleen Giblin, to sign and issue the Order of Conditions as written. Approved.

The members reviewed a Notice of Intent – **(#250-663) - Kenneth & Ellen Munger – Lot 14, Parcel 173 (assessors map 22) 11 Erin Lane** – for proposed plans to construct a 26' x 16' addition and a 22' x 28' x 14' addition with a porch and a mudroom within 100 feet of wetlands. Patricia Cassady of Cassady Wetland Consulting represented the applicants and described the project to the members. She submitted the requested additional information by the agent. Ms. Cassady stated that because of the added engineering fee for a topography of the property, the applicants would like to hold off until after the public hearing. She stated the engineer thought a topography would not be needed because there were no proposed changes to the grading. She said if one was still requested after the public hearing, one would be provided. Lisa Carrozza stated the reason for a topography of the property was to show whether or not the grading is changed by construction. The applicant stated that any materials would be moved off the site. Jennifer Carlino stated all debris and furniture was to be moved out of the wetlands. Lisa Carrozza requested the erosion control be moved closer to the construction and that if a topographical map was not to be provided, to submit pictures of the existing conditions. The members decided to require the applicant to submit a topographical map. Kathleen Giblin made a motion, seconded by Lisa Carrozza, to continue the public hearing until the next regular meeting of Monday, July 11, 2005 at 7:20 pm to give the applicant time to submit the requested information. Approved.

The members reviewed a Notice of Intent – **William LaValley – Parcel 5 (assessors map 18) 59 Plain Street** – for proposed plans to repair a septic system within 100 feet of wetlands. Bradford Fitzgerald, project engineer for the applicant described the project to the members and submitted the additional information requested by the agent as well as revised plans with the flag changes. Mr. Fitzgerald stated the existing laundry pipe that presently discharges into the wetlands would be capped and a new pipe would be connected to the new septic system. He said there would be minimal grading for the system. Jennifer Carlino asked if a DEP file number was received and it was not. Mr. Fitzgerald requested that the members close the public hearing and he would submit a letter waiving the required 21-day issuance date for the Order of Conditions because the next meeting is more than 21 days away. Approved. Jennifer Carlino stated a condition would be added for an inspection of the capped existing laundry pipe. Kathleen Giblin made a motion, seconded by Earl Willcott, to close the public hearing after a letter is submitted. Approved. Kathleen Giblin made a motion, seconded by Lisa Carrozza, to have three members sign the Order of Conditions now and a fourth to sign after the special condition is added. Approved.

The members reviewed a Request for a Determination of Applicability – **(DET. #847) - Red Mill Realty Trust – Parcels 4 & 22 (assessors map 2) 129 Newland Street (rear)** – for proposed plans to fill a former cranberry bog reservoir within 100 feet of wetlands per 310 CMR 10.04 [pond (c)]. Earl Willcott recused himself from the public hearing. Frank Gallagher of Gallagher Engineering and Fred Clark were present at the public hearing. Mr. Gallagher explained the Request to the members. He stated that the site was basically a gravel pit and that an Order of Conditions was issued for this site at one time permitting a cranberry bog to be created and some excavating work. He said the work had been started but never finished. It was noted that an Enforcement Order had been issued. Mr. Gallagher stated the reason for this request was to permit the filling in of areas that had been excavated. He stated these areas are not jurisdictional wetland areas. Mr. Gallagher presented a Construction Sequence Report prepared by LEC Environmental Consultants, Inc. He said the water would be pumped from the areas to be filled and discharged into a leveled area onto haybales that would filter

the water. Lisa Carrozza asked for a topography map of the area. Mr. Gallagher stated he would supply one. Lisa Carrozza asked Jennifer Carlino if she had walked the property and Jennifer stated she had. Jennifer Carlino said an Order of Resource Area Delineation had been issued on this site a couple of years ago. Mr. Gallagher said that The Natural Heritage & Endangered Species Program had requested a study of the property and for that reason the applicant is requesting a continuance of the public hearing. Lisa Carrozza requested a list of the dedicated stockpile areas and contractors. Kathleen Giblin made a motion, seconded by Ron O'Reilly, to continue the public hearing until the next regular meeting of Monday, July 11, 2005 at 7:25 pm. Approved.

The members reviewed a **violation/Mike Powers/69 Freeman Street**. Mr. Powers was present at the public meeting. Jennifer Carlino stated that Mr. Powers had brought in a Notice of Intent as she requested, but it needs to be completed. Mr. Powers agreed to come in to the Conservation Office at 3:30 pm tomorrow, Tuesday, June 14, 2005 to complete the Notice of Intent filing.

The members reviewed a Request for a Determination of Applicability – **(DET. #847) - Red Mill Realty Trust – Parcels 4 & 22 (assessors map 2) 129 Newland Street (rear)** – for proposed plans to fill a former cranberry bog reservoir within 100 feet of wetlands per 310 CMR 10.04 [pond (c)].

The members reviewed a request for a Certificate of Compliance for **File #250-570 – Robert Rohl – 41 Bay Road** (sewer connection). Earl Willcott made a motion, seconded by Kathleen Giblin, to issue the Certificate of Compliance. Approved.

The members reviewed a request for a Certificate of Compliance for **File #250-570 – Kenneth Brown – 11 Maplewood Avenue** (sewer connection). Earl Willcott made a motion, seconded by Kathleen Giblin, to issue the Certificate of Compliance. Approved.

The members reviewed a request for a Certificate of Compliance for **File #250-570 – Bryan Marshall – 17 Maplewood Avenue**. (sewer connection). Earl Willcott made a motion, seconded by Kathleen Giblin, to issue the Certificate of Compliance. Approved.

The members reviewed a request for a Certificate of Compliance for **#250-639 – Lynn Sicola – Parcel 54 (assessors map 31) 78 Dean Street**. Lisa Carrozza made a motion, seconded by Ron O'Reilly, to have three members sign the Certificate of Compliance and a fourth member to sign pending the results of an inspection. Approved.

The members reviewed a request for an Extension Permit for **File #250-545 –Ribeiro Enterprises – Parcel 2 (assessors map 23) 8 Barrows Street**. Ron O'Reilly made a motion, seconded by Earl Willcott, to issue a one-year Extension Permit. Approved.

The members reviewed a request for a duplicate Order of Conditions for **File #250-454**. The original Order of Conditions was recorded on the wrong parcel of property. Lisa Carrozza made a motion, seconded by Ron O'Reilly, to issue the duplicate Order of Conditions. Approved.

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Jennifer Carlino noted she had new guidelines regarding **stream crossings**. She stated that just putting in a culvert would no longer complete the requirement for the Army Corp. of Engineers because of flooding and wildlife migration concerns.

Jennifer Carlino stated that regarding the **Nancy Hamilton – 123 Freeman Street** violation, Nancy Hamilton did call and stated she was going to hire John DeLano to file a Notice of Intent with the Commission for her property. Jennifer Carlino recommended waiting until the next regular meeting of Monday, July 11, 2005 to see if she files with the Commission. Ron O'Reilly made a motion, seconded by Kathleen Giblin, to give Nancy Hamilton until the next regular meeting of Monday, July 11, 2005 to comply with the agent's request for a Notice of Intent. Approved.

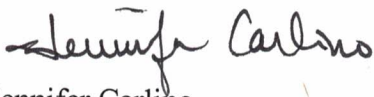
Jennifer Carlino stated that Town Counsel, Kopelman & Paige, is preparing the Norton Reservoir Dredging Project contract.

Jennifer Carlino noted that the Conservation vehicle was out of commission.

Jennifer Carlino noted she had received quotes for two signs that were needed on Conservation properties, but wasn't sure how much money would be left in this years budget and thought it a better idea to order out of next years budget.

Earl Willcott made a motion, seconded by Ronald O'Reilly, to adjourn the public meeting at 8:20 pm. Approved.

Respectfully Submitted,

A handwritten signature in dark ink, appearing to read "Jennifer Carlino", with a stylized flourish at the end.

Jennifer Carlino
Conservation Director

JC/pmb