



Norton Conservation Commission

70 East Main Street
Norton, MA 02766

RECEIVED
2006 JAN -1 PM 12:00
NORTON TOWN CLERK

Monday, January 9, 2006
7:00 pm

Attendance

Earl Willcott (Vice-Chairman), Ron O'Reilly,
Lisa Carrozza, Eileen King,
Jennifer Carlino, Conservation Agent

Julian Kadish (Chairman), Kathleen Giblin & Robert Medeiros were absent.

Minutes

The members reviewed the draft minutes of **November 14, 2005**. Ron O'Reilly made a motion, seconded by Eileen King, to accept the minutes as written. Approved.

The members reviewed the draft minutes of **November 28, 2005**. Ron O'Reilly made a motion, seconded by Eileen King, to continue the minutes until the next regular meeting. Approved.

The members reviewed the draft minutes of **December 12, 2005**. Ron O'Reilly made a motion, seconded by Eileen King, to accept the minutes as written. Approved.

The members reviewed the Bills Payable Sheet (Dam Registration.). Ron O'Reilly made a motion, seconded by Eileen King, to pay the registration fees for the two dams. Approved.

The members reviewed the Bills Payable Sheet (MACC Registration for the agent and 3 members). Ron O'Reilly made a motion, seconded by Lisa Carrozza, to pay for the registrations. Approved.

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

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

The members reviewed a Notice of Intent – (#250-696) – **John Dubuc/320 Main Street Realty Trust – Parcel 125 (assessors map 26) – 320 West Main Street – (cont. from the November 28, 2005 mtg.)** - for proposed plans to fill parking area with gravel and fill old tailrace channel with gravel within 100 feet of wetlands. Jennifer Carlino stated Walter Alaska, engineer for the applicant, called to say the applicant did not hire him to collect additional information requested by the agent, and

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therefore would not be her this evening. Jennifer Carlino stated no additional information has been received. Ron O'Reilly made a motion, seconded by Eileen King, to close the public hearing.

Approved. Ron O'Reilly made a motion, seconded by Eileen King, to deny the project for lack of information and no request to continue the public hearing. Approved.

The members reviewed a Notice of Intent – **(#250-692) - Keith Silver/Town of Norton – North Boundary Road & Bay Street/Taunton** – (cont. from the November 28, 2005 & December 12, 2005mtgs.) - for proposed plans to improve transportation to include widening of the roadway and adding a sidewalk and to improve the intersection of Bay Street and Industrial Park Drive within 100 feet of wetlands. Jennifer Carlino stated a revised plan had been submitted. She passed around a photo of the sloped area that was going to get a little steeper. Ron O'Reilly made a motion, seconded by Lisa Carrozza, to close the public hearing. Approved.

The members reviewed an Abbreviated Notice of Resource Area Delineation – **(#250-694) –Joseph Raffaele/ Plantation Products, Inc. – Parcels 6 & 7 (assessors map 25) – South Washington Street** – (cont. from the November 28, 2005 & December 12, 2005 mtgs.) - for delineation of the wetland resource areas. Joseph Raffaele was present at the public hearing. Jennifer Carlino stated all information has been received. Ron O'Reilly made a motion, seconded by Eileen King, to close the public hearing. Approved.

The members reviewed a Notice of Intent – **(#250-693) - Cafco Construction Management – Parcel 52-01 (assessors map 19) 48 Bay Road** – (cont. from the December 12, 2005 mtg.) - for proposed plans to install temporary staging within Winnecunnet Lake for building repairs. Jennifer Carlino stated no one was present to represent the applicant. She did state that she had been contacted by a consultant that was handling the rare species and fresh water mussels. Ron O'Reilly made a motion, seconded by Lisa Carrozza, to continue the public hearing until the next regular meeting of Monday, January 23, 2006 at 7:05 pm. Approved.

The members reviewed a Notice of Intent – **(#250-698) – Keith Arnold/New England Truck Caps, LLC – Parcel 50 (assessors map 22) 137 West Main Street** – (cont. from the December 12, 2005 mtg.) - for proposed plans to install a subsurface drainage facility and pave a driveway within 100 feet of wetlands. Earl Willcott stated the applicant will appear before the Planning Board and has requested a continuance of the public hearing. Ron O'Reilly made a motion, seconded by Lisa Carrozza, to continue the public hearing until the next regular meeting of Monday, January 23, 2006 at 7:10 pm. Approved.

The members reviewed a Request for a Determination of Applicability – **(DET. #857) – Daniel & Kathleen Woodworth – Parcel 125 (assessors map 12) – 30 Lincoln Street** – for proposed plans to install a sanitary disposal system within 100 feet of wetlands. Jennifer Carlino stated that at the last meeting, the Commission ratified the Emergency Certificate for this project. Kathleen Woodworth was present at the public hearing and submitted an As-Built plan for the project and stated she would send a copy to the Commission. Ron O'Reilly made a motion, seconded by Lisa Carrozza, to close the public hearing. Approved. Ron O'Reilly made a motion, seconded by Lisa Carrozza, to issue a negative Determination of Applicability (#3). Approved.

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The members reviewed a Request for a Determination of Applicability – **(DET. #858) – W. R. Logan Excavating - Parcel 65 (assessors map 21) 45 Oak Street** – for proposed plans to install a sanitary disposal system within 100 feet of wetlands. Darren McKales of Azor Land Sciences represented the applicant at the public hearing and described the project to the members. He explained the septic system was 71 feet from the wetlands at the closest point. Ron O'Reilly made a motion, seconded by Eileen King, to close the public hearing. Approved. Ron O'Reilly made a motion, seconded by Lisa Carrozza, 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 Notice of Intent – **(#250-697) – Robert Kimball, Chairman, Board of Selectmen – Parcel 1 (assessors map 31) John Scott Boulevard** – for proposed plans to pump water from a man-made pond (#1) to flood old cranberry bog (#1) for ice skating. Duane Knapp, Water/Sewer Superintendent, was at the public hearing to represent the applicant. Jennifer Carlino passed out a couple pictures of the old cranberry bog and asked Mr. Knapp what kind of pump was being used and he explained it was an ordinary pump used by the water department. He stated that someone is always present when the pump is being used. Jennifer Carlino asked Mr. Knapp if he was using a screen when pumping and he explained that he was. Discussion ensued on sand getting into the existing pond from the cranberry bog. Duane Knapp stated he was blocking the culvert pipe using plywood and sand. The agent suggested using sand bags, but Mr. Knapp said the bags would deteriorate anyhow. Jennifer Carlino then suggested using silt fence in the future with sand on top of it. Duane Knapp requested a five-year permit and Jennifer Carlino stated this would be permitted. Ron O'Reilly made a motion, seconded by Eileen King, to close the public hearing. Approved.

The members reviewed a Notice of Intent – **(#250-699) – Jack O'Hearn – Parcel 91 (assessors map 36) 114 East Hodges Street** – for proposed plans to install a sanitary disposal system within 100 feet of wetlands and 200 feet of Meadow Brook. John F. Vance, Jr., engineer for the applicant, described the project to the members. He stated that the existing cesspool was failing. Mr. Vance said that this was a long narrow lot and pointed out on the plan the only area the system could be located being 50 feet from the edge of the wetlands. Lisa Carrozza suggested moving the silt fence to the east side of the driveway and he agreed to do this. Ron O'Reilly made a motion, seconded by Lisa Carrozza, to close the public hearing. Approved.

The members reviewed a Notice of Intent – **(#250-700) – Larry Rubin - Parcel 35 (assessors map 36) – 122 East Hodges Street** - for proposed plans to install a sanitary disposal system within 100 feet of wetlands and 200 feet of Meadow Brook. John F. Vance, Jr., engineer for the applicant, described the project to the members. Mr. Vance stated the two existing cesspools are failing. He said the entire property is within 200 feet of Meadow Brook and the proposed location for the system is the best place for it. Jennifer Carlino asked Mr. Vance what the two discharge pipes were between flags 6 and 7. Mr. Rubin replied that these were connected to pipes around the foundation for overflow of water to prevent water from getting into the basement. Ron O'Reilly made a motion, seconded by Lisa Carrozza, to close the public hearing. Approved.

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The members reviewed a Notice of Intent – (#250-) – **Robert Camp, Julia Brennan & Linda Smith – Parcel 174 (assessors map 35) - 102 Dean Street** – for proposed plans to construct an addition with related grading within 100 feet of wetlands. Julia Brennan explained that her engineer is requesting a continuance of the project pending information from Natural Heritage. Ron O'Reilly made a motion, seconded by Lisa Carrozza, to continue the public hearing until the next regular meeting of Monday, January 23, 2006 at 7:15 pm. Approved.

The members reviewed a Notice of Intent – (#250-695) – **Michael Clements/Mass Highway Department – Parcel 17 (assessors map 11) 240 East Main Street** – for proposed plans to construct a waste disposal system with related grading within 100 feet of wetlands. Michael Clements and Lindsey Szafran of SEA Consultants were at the public hearing. Ms. Szafran stated that this is a project previous conditioned, but the permit has expired. She stated the only modifications are that the septic system is upgraded and one of the wetlands has moved approximately five feet. Jennifer Carlino suggested re-locating the septic system to be parallel with the slopes and therefore tighten up the grades a bit more. Ms. Szafran explained the system was proposed at the same location as the previous filing and if the septic system was re-located, the closest point would actually be closer to the wetlands. She said she would have to do further studying before making this decision. Jennifer Carlino stated she noticed quite a bit of salt along the parking lot on zone II of the water supply. Mr. Clements stated he would check into this. Lisa Carrozza asked if any thought had been given to a stockpile area and Ms. Szafran stated there was a designated area outside of the 100-foot buffer zone. Lisa Carrozza suggested noting the location on the plan so the contractors could see this. Ms. Szafran stated the Highway Department would try to keep the existing system active during construction if possible. Ron O'Reilly made a motion, seconded by Lisa Carrozza, to continue the public hearing until the next regular meeting of Monday, January 23, 2006 at 7:25 pm. Approved.

The members reviewed Notice of Intent – (#250-) – **Richard Fitzgerald – Parcel 29 (assessors map 19) – 46 Charlotte Avenue** – for proposed plans to remodel an existing house within 100 feet of Lake Winnecunnet. Richard Fitzgerald was at the public hearing with his contractor, Robert Fitzgerald, who described the project to the members. He stated the building was an existing cottage and it was proposed to build upwards installing pilasters and a steel beam. Jennifer Carlino asked if he was aware of missing information on the application and he said his engineer was in the process of submitting the information. Ron O'Reilly made a motion, seconded by Lisa Carrozza, to continue the public hearing until the next regular meeting of Monday, January 23, 2006 at 7:30 pm. Approved.

The members reviewed a request for a Certificate of Compliance for file #250-533 – **Sothy S. Hay – Parcels 684 & 685 (map 3) 36 South Lakeview Road**. Jennifer Carlino stated the swale was not installed as per the conditions, there is additional impervious surface within the floodplain area and additional cutting has taken place. She recommended denying the request for a Certificate of Compliance. Ron O'Reilly made a motion, seconded by Lisa Carrozza, to deny the request for a Certificate of Compliance. Approved.

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The members had reviewed the conditions for file (#250-691) – **Angelo Pasqualino/Teddy Realty Trust – Parcel 606 (assessors map 10) 26 Johnson Drive – (cont. from the November 14, 2005 & November 28, 2005 mtgs.)** with this agenda. Ron O'Reilly made a motion, seconded by Lisa Carrozza, to sign and issue the Order of Conditions. Approved.

The members reviewed an Enforcement Order for **31 Arrow Road**. Jennifer Carlino stated there was quite a bit of filling of bordering vegetated wetland on this parcel. She said that a Cease & Desist had been sent and a meeting had already taken place between the owner, herself and the consultant. Jennifer Carlino stated a restoration plan was started. Ron O'Reilly made a motion, seconded by Lisa Carrozza, to ratify the Enforcement Order. Approved.

The members reviewed an Emergency Certificate for **14 Young Avenue/septic repair**. Jennifer Carlino stated the property was on the Norton Reservoir and the owner was pumping the system at least twice a week. She said she gave the go-ahead for the project already. Ron O'Reilly made a motion, seconded by Eileen King, to ratify the Emergency Certificate. Approved.

The members reviewed a minor modification for file **#250-678 – 18 Johnson Drive**. Jennifer Carlino stated there were three houses off of one driveway. She said the modification was the size and shape of one of the houses, no further closer to the limit of work. Ron O'Reilly made a motion, seconded by Eileen King, to allow the modification without a new filing. Approved.

Jennifer Carlino stated she had written a letter regarding the **Shpack** site. She stated it had to be clear as to what the Commission expected to be replicated before The Army Corps finishes work so that the EPA knows what is expected by the Commission while they negotiate with the PRPs. She noted a site inspection had taken place on January 5, 2006.

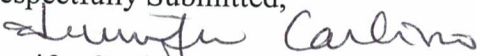
Jennifer Carlino stated she has not heard back from Carl Neilsen of the ESS Group who has promised to submit a report on the Lake Winnecunnet Study by the end of December.

Jennifer Carlino stated Eileen King had called to report two cars getting stuck in the mud at Lincoln Woods and after checking the site, Jennifer suggested purchasing a gate to block this area off to prevent vehicles from entering onto the vernal pool and rare species habitat. Earl Willcott suggested boulders be placed at the entrance. Eileen King stated the gate would be better than the boulders.

Jennifer Carlino stated that the lock on the gate at Red Mill Road had been broken making it possible for vehicles to enter this site illegally. Earl Willcott suggested that the Highway Department purchase a lock for the gate.

Ron O'Reilly made a motion, seconded by Eileen King, to adjourn the meeting at 8:40 pm. Approved.

Respectfully Submitted,


Jennifer Carlino
Conservation Director

JC/pmb