



Norton Conservation Commission

70 East Main Street
Norton, MA 02766

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NORTON TOWN CLERK

Monday, April 24, 2006
7:00 pm

Attendance

Julian Kadish (Chairman) Robert Medeiros, Ron O'Reilly,
Eileen King, Kathleen Giblin, Lisa Carrozza
Jennifer Carlino, Conservation Agent

Earl Willcott (Vice-Chairman) was absent.

Minutes

The members reviewed the draft minutes of **March 13, 2006**. Ron O'Reilly made a motion, seconded by Kathleen Giblin, to accept the minutes as written. Approved.

The members reviewed the draft minutes of **March 27, 2006**. Bob Medeiros made a motion, seconded by Ron O'Reilly, to accept the minutes as written. Approved.

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

The members reviewed the Bills Payable Sheet (Pare Engineering). Ron O'Reilly made a motion, seconded by Bob Medeiros, to pay the bill. 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 a Notice of Intent – (#250-710) – **Joseph Raffaele/Plantation Products, Inc. – Parcels 6 & 7 (assessors map 25) South Washington Street – (cont. from the March 27, 2006 & April 10, 2006 mtgs.)** - for proposed plans to construct an addition to an existing warehouse, parking areas and stormwater drainage system and for site grading and landscaping within 100 feet of wetlands. Julian Kadish read a letter requesting a continuance of the public hearing to the next regular meeting. Bob Medeiros made a motion, seconded by Ron O'Reilly, to continue the public hearing until the next regular meeting of Monday, May 15, 2006 at 7:10 pm. Approved.

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The members reviewed a Notice of Intent – (#250- 713) – **J.E. Case, Inc. – Parcel 101 (assessors map 19) 13 King Phillip Road – (cont. from the March 27, 2006 & April 10, 2006 mtgs.)** - for proposed plans for gravel removal. Julian Kadish read a letter requesting a continuance of the public hearing in order to allow time for a response from Natural Heritage. Bob Medeiros made a motion, seconded by Ron O'Reilly, to continue the public hearing until the next regular meeting of Monday, May 15, 2006 at 7:20 pm. Approved.

The members reviewed a Request for a Determination of Applicability – (**DET. #863**) - **Jack LaCombe – Parcel 53 (assessors map 29) – 276R Taunton Avenue** – for installation of a sanitary disposal system within 100 feet of wetlands. The applicant was present with his engineer, John F. Vance, Jr. who described the project to the members. He stated the applicant was selling his house and the septic system did not pass inspection and a new system was required. Mr. Vance said he re-flagged the wetland boundary because the plans submitted were old plans. He stated the proposed septic system was approximately 85 feet from the wetlands. Jennifer Carlino stated there were several large piles of leaves that were dumped into the wetlands. Mr. Vance stated they had been removed. Bob Medeiros made a motion, seconded by Ron O'Reilly, to close the public hearing. Approved. Bob Medeiros made a motion, seconded by Ron O'Reilly, 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 Determination of Applicability – (**DET. #864**) – **Jessica Christie – Parcel 99 (assessors map 18) – 2 Perry Street** – for proposed plans to construct an addition and sanitary disposal system within 100 feet of wetlands. The applicant's engineer, John F. Vance, Jr. described the project to the members. He stated that rather than enlarge the existing septic system to accommodate an addition, it was decided to install another system. He said the system will be at least 10 feet from all property lines and silt fence will be installed around the system. Mr. Vance stated the work is at least 50 feet from any wetlands. He said an abutter, Philip Tracy of 8 Perry Street, was concerned with water runoff at the side slope of the system and therefore a swale would be added with a trench lined with crushed stone to prevent any runoff onto his property. Jennifer Carlino stated a plastic liner should also be used in the trench. Maureen Lincoln asked if the addition would have a full basement and Mr. Vance stated it would have a four-foot foundation. Ron O'Reilly made a motion, seconded by Lisa Carrozza, to close the public hearing. Bob Medeiros abstained from voting. 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. Bob Medeiros abstained from voting. Approved.

The members reviewed a Notice of Intent – (#250-) – **Nicholas Moelders – Parcel 117 (assessors map 32) – 21 Woodward Street** – for proposed plans to construct a garage with a bedroom and sanitary disposal system within 100 feet of wetlands. The applicant and his engineer, John F. Vance, Jr. were present and Mr. Vance described the project to the members. Mr. Vance stated the proposed garage is 24' x 30' and the proposed mud room is 8' x 14'. He stated that because a bedroom is proposed, the sanitary disposal system would have to be enlarged approximately 5 feet. He said the sanitary system had already been repaired three years prior. Jennifer Carlino had concerns with the slopes actually being steeper than shown on the submitted plans. She also stated that if there is to be

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any fill around the foundation, this would have to be shown on the plans. Mr. Vance stated the fabric fence would be in place before any work was started. He said the foundation will be either four or six feet and if it is close to the slopes, the foundation will be six feet. There was discussion as to whether or not it would be possible to drive in and out of the garage without having to move the existing railroad ties. Jennifer Carlino suggested thinking about adding this to this project now rather than having to come back for an amendment since a DEP file number has not been received yet. She said the applicant has a little time to think about this before the public hearing is closed. Jack Vance advised submitting revised plans at this time and the applicant said he would consider this. Bob Medeiros made a motion, seconded by Kathleen Giblin, to continue the public hearing until the next regular meeting of Monday, May 15, 2006 at 7:25 pm. Approved.

The members reviewed a request for a Certificate of Compliance for **File #250-644 – Michelle Russo – Parcel 283 (map 27) 10 Margaret Drive**. Jennifer Carlino stated the project was completed as proposed. Ron O'Reilly 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 DET. #407 – Creative Homes, Inc. – Lot 9, 13 Stanley Road**. Jennifer Carlino stated the project was completed as proposed. 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 #250-708 – Thomas Dill & Ann Dill/Lord – Parcel 59 (map 17) 120 East Main Street**. Jennifer Carlino stated the lawn has been hydroseeded but not growing yet. She suggested issuing a partial Certificate of Compliance without requiring a bond to be posted. Bob Medeiros made a motion, seconded by Ron O'Reilly, to issue a full Certificate of Compliance. Approved.

The members reviewed a request for an Extension Permit for **File #250-520 – John Peck/c/o MGA Links Golf Association – 300 West Main Street – Parcel 139 (map 26)**. Bob Medeiros made a motion, seconded by Lisa Carrozza, to issue a 1-year Extension Permit. Approved.

The members reviewed the Order of Conditions for File **(#250-673) – Angelo Pasqualino/Teddy Realty Trust – Lot 9-A, Parcels 230 & 231 (assessors map 17) 14 Johnson Drive** which was sent for review with the agenda for this meeting. Lisa Carrozza made a motion, seconded by Kathleen Giblin, to sign the Order of Conditions as written. Bob Medeiros abstained from voting. Approved.

The members reviewed the Order of Conditions for File **(#250-677) – Angelo Pasqualino/Teddy Realty Trust – Lot B-1, Parcels 225 & 230 & a portion of 224 (assessors map 17) 16 Johnson Drive** which was sent for review with the agenda for this meeting. Ron O'Reilly made a motion, seconded by Kathleen Giblin, to sign the Order of Conditions as written. Bob Medeiros abstained from voting. Approved.

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The members signed the Order of Resource Area Delineation for File (#250-712) – **Nicholas Adams/Bay Road Heights LLC – Parcels 29 & 30 (assessors map 12) Bay Road and Lincoln Street** which was sent for review with the agenda for this meeting. Ron O'Reilly made a motion, seconded by Lisa Carrozza, to sign the Order of Resource Area Delineation as written. Approved.

Jennifer Carlino stated that, according to the Town Accountant, any donations made to the Conservation Commission in honor of Leo Yelle would have to be designated for a specific project. She suggested the money be used for materials to expand the boardwalk at the Leo Yelle Conservation area on Freeman Street. Ron O'Reilly made a motion, seconded by Lisa Carrozza, to use the donations for materials to expand the boardwalk at the Leo Yelle Conservation area on Freeman Street. Approved.

Jennifer Carlino noted that a Special Town Meeting would be held on Monday, May 1st and the Annual Town Meeting would be held on Monday, May 8th.

Jennifer Carlino stated the RFP for the wetland delineation of the Boudreau property on Freeman Street had gone out today and the deadline for bids was Monday, May 8th.

Jennifer Carlino stated there was an on-going violation at the Dorrence pits. She said the property was owned by a bank who sold it to another bank. She stated the present owner hired Vanasse-Hangen Brustlin to create a stormwater plan for the sedimentation problem on the Slattery property which is owned by the town. Jennifer Carlino stated she sent an update request to the new owner, or bank, and was notified the property had been given back to the original owner. She stated Cease & Desist letters and violation letters had been sent with no response. She said the owner was asked to put up haybales to control stormwater and there was no intent on hauling any business or project. Lisa Carrozza suggested contacting the EPA and gave Jennifer Carlino a contact name.

Discussion ensued regarding The ESS Group and the Lake Winnecunnet Study Report. Jennifer Carlino stated the report has not been submitted and the Town Manager recommended the members take a vote to have the Town Manager declare The ESS Group in default of their contract. Bob Medeiros made a motion, seconded by Ron O'Reilly, to have the Town Manager declare The ESS Group in default of their contract. Approved.

Discussion ensued regarding a gift for Mr. Leo Yelle, a life time member of the Conservation Commission, who was going to be 100 years old on May 10, 2006. The members signed a Certificate of Appreciation for Mr. Yelle. It was noted a celebration for Mr. Yelle would be held on Saturday, May 13, 2006 at the Henri Yelle School. Bob Medeiros suggested having a plaque made up and putting it at the Town Hall. Kathleen Giblin suggested having two plaques made up, one for the Town Hall and one for Leo Yelle.

Jennifer Carlino stated the Denial Order of Conditions for File #250-701 – **Richard Fitzgerald – 46 Charlotte Avenue** has been appealed.

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Bob Medeiros made a motion, seconded by Kathleen Giblin, to adjourn the meeting at 8:00 pm.
Approved.

Respectfully Submitted,



Jennifer Carlino
Conservation Director

JC/pmb