



Norton Conservation Commission

70 East Main Street
Norton, MA 02766

RECEIVED

2007 FEB 27 PM 2:15
NORTON TOWN CLERK

Monday, September 25, 2006
7:00 pm

Attendance

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

Kathleen Giblin & Lisa Carrozza were absent.

Minutes

The members reviewed the Bills Payable Sheet (Pare Engineering Corp.). Bob Medeiros made a motion, seconded by Julian Kadish, to pay the bill. Approved.

The members reviewed the Bills Payable Sheet (Misc.). Bob Medeiros made a motion, seconded by Julian Kadish, to pay the bills. Approved.

Discussion ensued regarding replacing the tape recorder or microphone for the tape recorder. Bob Medeiros made a motion, seconded by Eileen King, to order the necessary equipment for the recording of the Conservation Commission meetings. Approved.

The members received a Notice of Intent – (#250-736) – **Mark Lincoln – Parcels 97 & 98 (assessors map 19) 5 King Phillip Road – (cont. from the August 14, 2006 & August 28, 2006 mtgs.)** – for proposed plans to construct a single family house within 100 feet of Lake Winnecunnet. Earl Willcott stated a request for a continuance of the public hearing to the second meeting in October has been received. Ron O'Reilly made a motion, seconded by Julian Kadish, to continue the public hearing until the regular meeting of Monday, October 30, 2006 at 7:05 pm. Approved.

The members reviewed a Violation – **Paul Miller – 34 Margaret Drive**. Mr. Miller stated he had constructed a stone bridge over a river behind his house which he has since removed. He said he had constructed a gazebo which now has to be moved forward approximately 8 feet. Mr. Miller stated in order to move the gazebo forward he has to move a Japanese Maple tree he had planted but would like to move it this November in order to try and keep it alive and replant it. Earl Willcott suggested moving the tree in March to give it a better chance of surviving. Jennifer Carlino stated once the gazebo is moved forward, some restoration of the wetlands would have to be done. Mr. Miller stated he would like to wait until next March to move the tree and gazebo. Earl Willcott suggested updating the Commission on the progress and Mr. Miller said he would be in contact with Jennifer Carlino as the work is in progress.

Norton Conservation Commission

Monday, September 25, 2006

Minutes, page 2.

The members reviewed a request for a Certificate of Compliance for File **#250-454 – Linda Maltby-Donofrio – parcels 126, 176 & 177 (assessors map 32) 8 Myra's Way**. Jennifer Carlino stated the only work outstanding is the visual barrier. Bob Medeiros made a motion, seconded by Julian Kadish, to issue a partial Certificate of Compliance with the condition the applicant post a \$500 bond with the Town Treasurer to ensure the installation of a visual barrier at the edge of the wetland line. Approved.

The members reviewed a Notice of Intent – **(#250-725) – Thomas Landry/Massachusetts Golf Association – parcel 139 (assessors map 26) 300 West Main Street – (cont. from the June 12, 2006, June 26, 2006, July 24, 2006, August 14, 2006, August 28, 2006 & September 11, 2006 mtgs.)** – for proposed plans to install an irrigation system withdrawal mechanism with associated piping within 100 feet of wetlands. Jennifer Carlino stated a request for a continuance of the public hearing had been requested. Bob Medeiros made a motion, seconded by Julian Kadish, to continue the public hearing until the next regular meeting of Monday, October 16, 2006 at 7:10 pm. Approved.

The members reviewed a Notice of Intent – **(#250-741) – Jacqueline Gill – Parcel 133 (assessors map 19) 65 King Philip Road – (cont. from the August 28, 2006 & September 11, 2006 mtgs.)** – for proposed plans to replace an existing retaining wall within 100 feet of Lake Winnecunnet. Earl Willcott stated a request to continue the public hearing until October 30, 2006 was received from the applicant. Ron O'Reilly made a motion, seconded Julian Kadish, to continue the public hearing until Monday, October 30, 2006 at 7:10 pm. Approved.

The members reviewed an Abbreviated Notice of Resource Area Delineation – **(#250-734) – Maurice & Elizabeth Roberts – Parcel 16 (assessors map 26) 376 Old Colony Road – (cont. from the August 14, 2006, August 28, 2006 & September 11, 2006 mtgs.)** – for verification of the wetland boundaries. The applicants, Dana Clow of Advanced Concepts Engineering Corp. and Judy Schmitz, Professional Wetland Scientist were at the public hearing. Mr. Clow stated he had submitted the information requested by the agent and asked to be updated on the status of the project. Jennifer Carlino requested the boundary of the vernal pool be the same as the elevation level presented on the the submitted plans. Bob Medeiros made a motion, seconded by Julian Kadish, to close the public hearing. Approved.

The members reviewed a Notice of Intent – **(#250-739) – Angelo Pasqualino, Tr./Teddy Realty Trust – (assessors map 10 & 17) Johnson Road – (cont. from the August 14, 2006, August 28, 2006 & September 11, 2006 mtgs.)** – for proposed plans to complete outstanding road related tasks within 100 feet of wetlands. No one was present at the public hearing for this project. Brian Meyers, 11 Johnson Drive and Tom O'Neil of 13 of Johnson Drive had complaints of debris, machinery, construction materials, ect. just strewn about and asked who the person is to contact to help enforce the cleanup of these things. The board suggested contacting the Town Planner. Julian Kadish suggested sending a letter to the applicant requesting him to appear at the next meeting. Ron O'Reilly made a motion, seconded by Julian Kadish, to have Jennifer Carlino send a letter to Angelo Pasqualino requesting him to appear at the next meeting of Monday October 16, 2006 at 7:15 pm. Approved. Bob Medeiros abstained from voting.

Norton Conservation Commission

Monday, September 25, 2006

Minutes, page 3.

The members reviewed a Notice of Intent – **(#250-742) – Perry DiMascio/Perry & Feck LLC – Parcel 150 (assessors map 4) Essex Street (Autumn Park) – cont. from the August 28, 2006 & September 11, 2006 mtgs.)** – for proposed plans to construct a road with associated utilities for a 4-lot subdivision within 100 feet of wetlands. The applicants were present and his engineer, Ralph Maloon of RIM Engineering Co., Inc. updated the Commission on the project. Mr. Maloon stated that in response to the agent's letter, he had made revisions to the submitted plans to include a split rail fence as a visual barrier. He said he revised the storm water Operations & Maintenance Plan to include stone rip rap and revised the TSS removal worksheets. Mr. Maloon stated the house and garage on lot 3 were reversed in order to keep the driveway away from the wetlands. Bob Medeiros made a motion, seconded by Ron O'Reilly, to close the public hearing. Approved.

The members reviewed a Notice of Intent – **(#250-745) – Robert Lee – Parcels 28, 36 & 297 (assessors map 26) – South Worcester Street/Sturdy Street – (cont. from the September 11, 2006 mtg.)** – for proposed plans to install a well, construct a driveway and a single family house with associated grading and to clear trees for construction within 100 feet of wetlands. The applicant was present at the meeting as well as his engineer, Darren Michaelis of Foresight Engineering who stated, as requested at the last meeting; 1. a post and rail fence as a visual barrier was added to the plan; 2. a DEP number was issued; 3. the driveway for Lot 1 was moved out of the buffer zone; 4. it was noted that any work done on lot 1 would require a permit. Bob Medeiros made a motion, seconded by Julian Kadish, to close the public hearing. Approved.

The members reviewed an Abbreviated Notice of Resource Area Delineation – **(#250-740) – Riley Lamson/LL Investments – parcel 6 (assessors map 36) East Hodges Street – (cont. from the September 11, 2006 mtg.)** – for verification of the wetland resource areas. Earl Willcott stated the applicant has requested a continuance of the public hearing. Julian Kadish made a motion, seconded by Bob Medeiros, to continue the public hearing until the next regular meeting of Monday, October 16, 2006 at 7:20 pm. Approved.

The members reviewed an Abbreviated Notice of Resource Area Delineation – **(#250-743) – Nick Mirrione/Red Mill Realty Trust – parcel 4 (assessors map 2) Newland Street- (cont. from the September 11, 2006 mtg.)** – for verification of the wetland resource areas. Earl Willcott recused himself from the public hearing. Bob Medeiros stated the applicant has requested a continuance of the public hearing until the next regular meeting of Monday, October 16, 2006 at 7:25 pm. Approved.

The members reviewed a Notice of Intent – **(#250-752) – Alison Stapleton – Parcel 163 (assessors map 15) 4 Fletcher Way** – for proposed plans to install an 18' x 36' inground pool and a concrete deck with fencing within 100 feet of wetlands. The owner, Joe Stapleton was present with his representative, Jane Cody from Easton Pool and Spa who described the project to the members. Ms. Cody stated the limit of work is on the existing lawn and is not within the wetlands. She said a cartridge filter will be used which is a closed filter system therefore there will be no backwashing into the wetlands. Ms. Cody stated any material dug will be stockpiled near the house and away from the wetlands. She said access would be through the driveway and the owner offered to remove the back

Norton Conservation Commission

Monday, September 25, 2006

Minutes, page 4.

stairs in order to keep any vehicles as far away from the wetlands as possible. Jennifer Carlino suggested a visual barrier be placed at the edge of the existing lawn which is the edge of the wetlands to prevent further encroachment of the wetlands. Bob Medeiros made a motion, seconded by Julian Kadish, to continue the public hearing until the next regular meeting of Monday, October 16, 2006 at 7:30 pm in order to receive a DEP File number. Approved.

The members reviewed a Request for a Determination of Applicability – **(DET. #881) – Ann Lent – Parcel 63 (assessors map 32) 30 Woodward Street** – for proposed plans to repair a septic system within 100 feet of wetlands. The applicant's representative, Jeff Furtado, P.E. of Collins Engineering Group attended the public hearing and described the project to the members. He pointed out to the members what the different colored lines represented on the submitted plans. He said the leaching field is not within the 100-foot buffer zone and the existing tanks and pump chambers would be used. The only activity will be the installation of a 2-inch force main. Bob Medeiros asked if the old systems will be replaced with new systems and Mr. Furtado stated two pits were being decommissioned. Bob Medeiros made a motion, seconded by Julian Kadish, to close the public hearing. Approved. Bob Medeiros made a motion, seconded by Julian Kadish, to issue a negative Determination of Applicability (#3) as long as the work is done according to the submitted plans. Approved.

Julian Kadish made a motion, seconded by Bob Medeiros, to combine the reading of the next four projects into one reading. Approved.

The members reviewed a Notice of Intent – **(#250-746) – QBI Homes, Inc. – Lot 36, Parcel 290 (assessors map 21) 6 Goff Road** – for proposed plans to construct a single family house with associated driveway, grading and utilities within 100 feet of wetlands. Dan Gioiosa of Sitec, Inc., representative for the applicant described the project to the members. He stated the house would be serviced with municipal water and there would be an on-site individual disposal system. Mr. Gioiosa stated the limit of work would be no closer than 25 feet to the wetlands located at the rear of the house and most of the grading will be at the front of the property as the grading at the rear of the property is natural. Jennifer Carlino suggested a visual barrier be installed at the rear of the property to prevent encroachment into the wetlands. Mr. Gioiosa commented that at the public hearing for the last few houses he thought only one lot was required to install a visual barrier. Jennifer Carlino stated she would like to see visual barriers on all the lots. It was agreed that visual barriers would be installed on each lot. Julian Kadish made a motion, seconded by Ron O'Reilly, to close the public hearing. Approved.

The members reviewed a Notice of Intent – **(#250-747) – QBI Homes, Inc. – Lot 35, Parcel 289 (assessors map 21) 8 Goff Road** – for proposed plans to construct a single family house with associated driveway, grading and utilities within 100 feet of wetlands. Dan Gioiosa of Sitec, Inc., representative for the applicant described the project to the members. He stated the house would be serviced with municipal water and there would be an on-site individual disposal system. Mr. Gioiosa stated the limit of work would be no closer than 25 feet to the wetlands located at the rear of the house

Norton Conservation Commission

Monday, September 25, 2006

Minutes, page 5.

and most of the grading will be at the front of the property as the grading at the rear of the property is natural. Bob Medeiros made a motion, seconded by Julian Kadish, to close the public hearing. Approved.

The members reviewed a Notice of Intent – **(#250-748) – QBI Homes, Inc. – Lot 34, Parcel 288 (assessors map 21) 10 Goff Road** – for proposed plans to construct a single family house with associated driveway, grading and utilities within 100 feet of wetlands. Dan Gioiosa of Sitec, Inc., representative for the applicant described the project to the members. He stated the house would be serviced with municipal water and there would be an on-site individual disposal system. Mr. Gioiosa stated the limit of work would be no closer than 25 feet to the wetlands located at the rear of the house and most of the grading will be at the front of the property as the grading at the rear of the property is natural. Bob Medeiros made a motion, seconded by Julian Kadish, to close the public hearing. Approved.

The members reviewed a Notice of Intent – **(#250-749) – QBI Homes, Inc. – Lot 33, Parcel 287 (assessors map 21) 12 Goff Road** – for proposed plans to construct a single family house with associated driveway, grading and utilities within 100 feet of wetlands. Dan Gioiosa of Sitec, Inc., representative for the applicant described the project to the members. He stated the house would be serviced with municipal water and there would be an on-site individual disposal system. Mr. Gioiosa stated the limit of work would be no closer than 25 feet to the wetlands located at the rear of the house and most of the grading will be at the front of the property as the grading at the rear of the property is natural. Bob Medeiros made a motion, seconded by Julian Kadish, to close the public hearing. Approved.

The members reviewed a request for a Certificate of Compliance for File **#250-422 – Thomas Noun – parcel 186-02 (assessors map 19) 6 River Road**. Jennifer Carlino stated Mr. Noun had explained the changes he had made to the original approved plans and said all other work had been completed according to the approved plans. Bob Medeiros made a motion, seconded by Julian Kadish, to issue a Certificate of Compliance. Approved.

The members reviewed a request for a Certificate of Compliance for File **#250-576 – Dennis Freeman – parcel 37 (assessors map 31) 66 Dean Street**. Jennifer Carlino stated that since the last meeting, the portion of the driveway that was not stabilized is now stabilized. Bob Medeiros 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 File **#250-685 – John Freeman/PAF Realty Trust – parcel 6 (assessors map 31) 55 Harvey Street**. Jennifer Carlino stated the only work to be completed on the project is stabilization of exposed soils. Bob Medeiros made a motion, seconded by Julian Kadish, to issue a partial Certificate of Compliance with the condition the applicant post a \$500 bond with the Town Treasurer to ensure the final vegetated stabilization of exposed soils on this site. Approved.

Norton Conservation Commission

Monday, September 25, 2006

Minutes, page 6.

The members reviewed a request for a minor modification to Order of Conditions **#250-731 – 24 Johnson Drive**. Jennifer Carlino stated the applicant proposes to move the well further back from the wetlands and will still be within the limit of work. Bob Medeiros made a motion, seconded by Julian Kadish, to allow the minor modification without a new application. Approved.

The members reviewed a request for an Extension Permit for File **#250-575 – Paul Irwin/Atty. for Longhouse Trust – parcel 414 (assessors map 10) 227 Reservoir Street**. Bob Medeiros made a motion, seconded by Julian Kadish, to issue a **one-year** Extension Permit. Approved.

The members signed the Order of Conditions for Notice of Intent - **#250-744 – Michael Allen – Parcel 139 (assessors map 20) 21 Eisenhower Drive** which were sent to the members with the agenda for review. Bob Medeiros made a motion, seconded by Julian Kadish, to accept the conditions as written and to sign the Order of Conditions. Approved.

Jennifer Carlino stated that the ESS Group was hesitant to complete some of the work included in their contract. She said the Town Manager spoke with the president of the ESS Group and explained to him exactly was expected of them as outlined in their contract.

Jennifer Carlino noted Conservation Commission has two articles on the Annual Fall Town Meeting; 1. the transfer of town-owned property to the Conservation Commission and 2. request for funds to pay for dam inspections.

The members reviewed an Enforcement Order issued to the owner at 376 Old Colony Road who has filled a large amount of wetlands. Ron O'Reilly made a motion, seconded by Eileen King, to sign and mail the Enforcement Order as written. Approved.

Bob Medeiros made a motion, seconded by Julian Kadish, to adjourn the meeting at 8:40 pm. Approved.

Respectfully Submitted,



Jennifer Carlino
Conservation Director

JC/pmb