



Norton Conservation Commission

70 East Main Street
Norton, MA 02766

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NORTON TOWN CLERK

Monday, February 26, 2007
7:00 pm

Attendance

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

Eileen King & Lisa Carrozza were absent.

Minutes

The members reviewed the draft minutes of **September 25, 2006**. Ron O'Reilly made a motion, seconded by Julian Kadish, to accept the minutes as written. Approved.

The members reviewed the draft minutes of **October 16, 2006**. Ron O'Reilly made a motion, seconded by Julian Kadish, to accept the minutes as written. Approved.

The members reviewed the draft minutes of **October 30, 2006**. Bob Medeiros made a motion, seconded by Kathleen Giblin, to accept the minutes as written. Approved.

The members reviewed the draft minutes of **November 13, 2006**. Kathleen Giblin made a motion, seconded by Julian Kadish, to accept the minutes as written. Approved.

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

The members reviewed the draft minutes of **December 8, 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 (Nextel). Bob Medeiros made a motion, seconded by Kathleen Giblin, to pay the bill. Approved.

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

Norton Conservation Commission

Monday, February 26, 2007

Minutes, page 2.

The members reviewed the Bills Payable Sheet (Reimbursements to Jennifer Carlino). Bob Medeiros made a motion, seconded by Kathleen Giblin, to pay the bills. Approved.

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

The members reviewed the Bills Payable Sheets for the last meeting of Monday, February 12, 2007 at which time three members signed the Sheets and one member signed them the following week. The bills were as follows: Osha, misc., Nextel, Pare Corp. & Reservoir dam repair design. Bob Medeiros made a motion, seconded by Julian Kadish, to ratify the signatures and pay all the bills.

The members reviewed a Notice of Intent – **(#250-766) – Robert Boyle, Jr. – Parcels 14 & 12-1 (assessors map 31) – 11 Harvey Street – (cont. from the January 22, 2007 & February 12, 2007 mtgs.)** - for proposed plans to install a septic system within 100 feet of wetlands. Bob Medeiros made a motion, seconded by Ron O'Reilly, to ratify the signatures from the last meeting. Approved.

The members reviewed a Notice of Intent – **(#250-764) – Brian Lesperance/Executor of Estate of Lloyd Lesperance – Parcel 66 (assessors map 21) 41 Oak Street – (cont. from the January 22, 2007 & February 12, 2007 mtgs.)** - for proposed plans to repair/replace septic system with associated grading within 100 feet of wetlands. Bob Medeiros made a motion, seconded by Ron O'Reilly, to ratify the signatures from the last meeting. Approved.

The members reviewed a Notice of Intent – **(#250-768) – Michael Riha – Parcels 686 & 687 (assessors map 3) 40 South Lakeview Road – (cont. from the January 22, 2007 & February 12, 2007 mtgs.)** - for proposed plans to demolish a building and construct a 45"x48" house, patio, utilities and garage with associated grading within 100 feet of wetlands. Earl Willcott stated the applicant has requested a continuance of the public hearing until the next regular meeting. Bob Medeiros made a motion, seconded by Kathleen Giblin, to continue the public hearing until the next regular meeting of Monday, March 12, 2007 at 7:05 pm. Approved.

The members reviewed a Request for a Determination of Applicability – **(DET. #894) – Josh Champney – Parcel 227 (assessors map 27) 14 Barrows Court** – for proposed plans to construct an addition to an existing house within 100 feet of wetlands. John F. Vance, Jr., engineer for the applicant, described the project to the members. He stated Mr. Champney's mother-in-law purchased the house which recently had a new septic system installed. Mr. Vance stated the addition will be built at the rear left portion of the house which is high and dry. He stated there was a stream at the rear of the property and a siltation fence would be installed at the limit of work. Jennifer Carlino asked if the addition would include a slab or full foundation and Mr. Vance said it would be a four-foot foundation. Jennifer Carlino asked if there would be enough room to work between the foundation and the siltation fence and he said there would be as there is five feet between the two. Mr. Vance stated there would be little or no further clearing of trees or brush. Mr. Champney stated one tree at the left side of the house would be removed. Bill Haggerty of 16 Barrows Court asked to see the submitted

Norton Conservation Commission
Monday, February 26, 2007
Minutes, page 3.

plans. 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 approved plans. Approved.

The members reviewed a Notice of Intent – **(#250-767) – Edward Fontneau – Parcel 9 (assessors map 26) 380 Old Colony Road – (cont. from the January 22, 2007 & February 12, 2007 mtg.)** - for proposed plans to construct a building and driveway extension with utilities and related grading within 100 feet of wetlands. Ed Fontneau was present at the public hearing. He stated his engineer was not able to attend tonight's meeting. He said that Carr Research Laboratory was working on his violation on the adjoining lot. Jennifer Carlino stated she had received a new plan regarding the violation and would need time to review it. She asked Mr. Fontneau if he needed to go before the Planning Board for review on this project and he stated not for the size of this building and if he did have to go before Planning Board, he would construct a larger building. Mr. Fontneau suggested continuing the public hearing. Bob Medeiros made a motion, seconded by Kathleen Giblin, to continue the public hearing until the next regular meeting of Monday, March 12, 2007 at 7:10 pm. Approved.

The members reviewed Notice of Intent – **(#250-765) – Raymond Passenti – Parcels 61 & 76 (assessors map 11) 274 East Main Street (The Village at White Farm) – (cont. from the January 22, 2007 & February 12, 2007 mtg.)** - for proposed drainage work to include alteration of the bank of an intermittent stream, replacement of a pipe, construction of a drainage basin and construction of a lawn within 100 feet of wetlands and a vernal pool. Earl Willcott stated the applicant has requested a continuance for the public hearing. Bob Medeiros made a motion, seconded by Kathleen Giblin, to continue the public hearing until the next regular meeting of Monday, March 12, 2007 at 7:11 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, September 25, 2006, October 30, 2006, November 27, 2006, December 18, 2006 & January 22, 2007 mtgs.)** - for proposed plans to replace an existing retaining wall within 100 feet of Lake Winnecunnet. Earl Willcott stated the applicant has requested a continuance for the public hearing. Ron O'Reilly made a motion, seconded by Kathleen Giblin, to continue the public hearing until the next regular meeting of Monday, March 12, 2007 at 7:12 pm. Approved.

The members reviewed a request for a Certificate of Compliance for File **#250-679 – Angelo Pasqualino – Parcel 9 (assessors map 13) 134 Lincoln Street**. Jennifer Carlino stated the only issue was to remove the junk from the property and the owner, Mr. Tom Noun removed the junk. Kathleen Giblin made a motion, seconded by Julian Kadish, to issue the Certificate of Compliance. Bob Medeiros abstained from voting. Approved.

Norton Conservation Commission

Monday, February 26, 2007

Minutes, page 4.

The members reviewed a Modification to Order of Conditions for File **#250-756 – David LeMieux/Sinclair Mfg. Co. – 12 South Worcester Street**. Jennifer Carlino stated the change would be using a crane to go over the stream rather than putting up I beams that would sit on the bank. Bob Medeiros made a motion, seconded by Ron O'Reilly, to ratify the vote from the previous meeting permitting the minor modification. Approved.

The members reviewed a request for a modification to File **#250-754 – Ryan Sheehan- c/o Philip Ibrahim- Parcel 98 (assessors map 32) 14 John Scott Boulevard**. Mr. Ryan stated the modification to the Order of Conditions was the construction of a duplex rather than a single family house. He stated his attorney told him this property was "Grandfathered" for either a single family or two family house. Jennifer Carlino stated he has to speak with the Building Inspector first in order to find out if he needs a variance or special permit for this. She said this would be the first step in obtaining a permit for the duplex and would like a letter from the Building Inspector, after which, then the Commission will review the application under the Wetland Protection Act.

Bob Medeiros made a motion, seconded by Ron O'Reilly, to ratified the signatures for the Orders of Conditions signed at the previous meeting and the signature added later by one more member for the following Orders:

Notice of Intent – (**#250-761**) – **Scott Goddard – Parcel 37-01 (assessors map 31) John Scott Boulevard**.

Notice of Intent – (**#250-760**) – **Fred Bottomley – Parcel 29 (assessors map 25) 21 Samoset Street**.

Abbreviated Notice of Resource Area Delineation – (**#250-759**) - **David Azanow/Bennett Mortgage & Investment Co., Inc. - Parcels 182, 185, 191 & 311 (assessors map 27) South Worcester Street**.

Notice of Intent (**#250-763**) **Robert Downey – Parcel 282 (assessors map 9) 154 Mansfield Avenue**.

Approved.

The members reviewed the land donation by **Norma Nelson/Union Road**. Jennifer Carlino stated each member was notified of the 21E testing on the property which deemed the property cleaned. Bob Medeiros made a motion, seconded by Julian Kadish, to accept the property. Approved.

Jennifer Carlino stated she sent a letter to the Town Manager requesting to put an Article on the warrant for the next Town Meeting requesting to change the day on which Town Meetings would take place so they will not take place on the same day as Conservation Commission meetings.

Jennifer Carlino asked the members to decide what they would like to do in regards to the Norton Reservoir Dredging project. Bob Medeiros made a motion, seconded by Ron O'Reilly, to hire a consultant to draw up a Design-Build for the Reservoir. Approved.

Norton Conservation Commission
Monday, February 26, 2007
Minutes, page 5.

Jennifer Carlino stated the Diagnostic and Feasibility Study that was done for Lake Winnecunnet suggested chemical treatment to remove the invasive plants. She stated an RFP will have to be sent out to hire someone to do the permitting. Bob Medeiros made a motion, seconded by Ron O'Reilly, to draw up an RFP for the permitting. Approved.

Jennifer Carlino stated there was going to be 20th Anniversary of the Canoe River Aquifer Advisory Committee celebration at the TPC Clubhouse on Friday, March 23rd from 6-9 pm. She stated the cost would be \$25.00 per person and asked if anyone would like to go they would have to reply before March 1st.

Bob Medeiros made a motion, seconded by Ron O'Reilly, to adjourn the meeting at 7:45 pm. Approved.

Respectfully Submitted,

A handwritten signature in cursive script that reads "Jennifer Carlino".

Jennifer Carlino
Conservation Director

JC/pmb