



## Norton Conservation Commission

70 East Main Street  
Norton, MA 02766

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NORTON TOWN CLERK

Monday, August 13, 2007  
7:00 pm

### Attendance

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

Kathleen Giblin & Eileen King were absent.

### Minutes

Discussion ensued the **reorganization** of the Conservation Commission: The members voted to make Robert B. Medeiros Chairman and Earl C. Willcott Vice-Chairman.

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

The members reviewed the Bills Payable Sheet (Trisha Cassady-14 N. Worcester St.). Ron O'Reilly made a motion, seconded by Lisa Carrozza, to pay the bill. Approved.

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

The members reviewed a Notice of Intent – (#250-778) – **Michael Riha/RIHA Construction – parcels 686 & 687 (assessors map 3) – 40 South Lakeview Road – (cont. from the July 23, 2007 mtg.)** - for proposed plans to demolish and existing building and to construct a house, patio, enclosed porch, deck and driveway with utilities and related grading within 100 feet of wetlands. Jennifer Carlino stated the DEP File number has been received. Ron O'Reilly made a motion, seconded by Julian Kadish, to close the public hearing. Approved.

The members reviewed a Request for a Determination of Applicability – (DET. #906) – **David Maloney – Parcel 102 (assessors map 8) 28 Straw Stone Lane** – for proposed plans to construct a porch with attached deck and to install an above-ground pool with an attached deck within 100 feet of wetlands. David Maloney described the project to the members. He stated that the screened porch and pool were already built without a wetland permit. He said when he applied to build a deck between the

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porch and the pool, he was notified that he would need a wetland permit for this work. Jennifer Carlino stated this permit would clear up the violation of the work done without a permit and allow for the new deck. She said erosion control is not necessary for this project. Ron O'Reilly made a motion, seconded by Julian Kadish, to close the public hearing. Approved. Julian Kadish 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 approved plan. Approved.

The members reviewed a Request for a Determination of Applicability – **(DET. #907) – Lawrence W. Nordbeck – Parcel 130 (assessors map 36) 10 Richmond Drive** – for proposed plans to cut and clear vegetation within 100 feet of wetlands. Jennifer Carlino stated that cutting and clearing of vegetation for a lawn within 100 feet of wetlands had been done without a permit. She said this Determination should take care of the violation and no other work is proposed. Ron O'Reilly made a motion, seconded by Julian Kadish, to close the public hearing. Approved. Julian Kadish made a motion, seconded by Ron O'Reilly, to issue a negative Determination of Applicability (#3) as long as no other work is performed. Approved.

The members reviewed a Notice of Intent – **(#250-780) – James Kelley – Parcel 515-04 (assessors map 10) 54 North Washington Street** – for proposed plans to remove a concrete patio and to construct an addition within 100 feet of wetlands and a certified vernal pool. James Kelley described the project to the members. He explained that the existing patio has to be demolished and a new concrete pad is proposed to replace it extending 2 feet further. Jennifer Carlino stated a DEP file number has not yet been received for this project. Julian Kadish made a motion, seconded by Ron O'Reilly, to continue the public hearing until the next regular meeting of Monday, August 27, 2007. Approved.

The members reviewed a Notice of Intent – **(#250-779) – Joseph Raffaele/Plantation Products, Inc. – Parcel 7 (assessors map 25) South Washington Street** – for proposed plans to construct an office/warehouse, parking spaces and drive aisles, to landscape and to install a stormwater management system with associated utilities and grading within 100 feet of wetlands. Bob Medeiros read a letter received from the applicant's representative requesting a continuance of the public hearing until the next meeting in order to allow time to address Jennifer Carlino's comments and the Planning Board's consultant's comments. Ron O'Reilly made a motion, seconded by Julian Kadish, to continue the public hearing until the next regular meeting of Monday, August 27, 2007. Approved.

The members reviewed a Notice of Intent – **(#250-781) – Angelo Pasqualino/Teddy Realty Trust – Parcel 225 (assessors map 17) Lot 9-A, 14 Johnson Drive** - for proposed plans to construct a house with attached garage, driveway and utilities and to install a sewage disposal system with related grading within 100 feet of wetlands. Bob Medeiros recused himself from the meeting. Angelo Pasqualino, his attorney, Dick Bland, and his engineer, Earl Chartier of RIM Engineering Co., Inc. were present at the public hearing. Earl Chartier presented revised plans reflecting a modification to the siltation control which is also the limit of work line. He said the reason for the modification is to allow for a larger lawn area. He stated the closest point from this line to the wetlands is 30 feet. Lisa



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Carrozza stated that she would like to see more detail of the siltation control on any future plans. Dick Bland stated concrete bounds will be placed at each corner of the conservation restriction area. The owner of this property, Justin Silvia, stated there have been major improvements with the road lately. Jennifer Carlino stated that a DEP file number has not yet been received for this project. Lisa Carrozza made a motion, seconded by Ron O'Reilly, to continue the public hearing until the next regular meeting of Monday, August 27, 2007. Approved. Jennifer Carlino asked Mr. Pasqualino when he intended on posting the bond for Lot 3 and submitting a check for the legal notice ad and he said he would do both this Wednesday morning, August 15<sup>th</sup>.

The members reviewed a Notice of Intent – **(#250-782) – Angelo Pasqualino/Teddy realty Trust – Parcel 230 (assessors map 17) Lot B-1, 16 Johnson Drive** – for proposed plans to construct a house with attached garage, driveway and utilities and to install a sewage disposal system with related grading within 100 feet of wetlands. Angelo Pasqualino, his attorney, Dick Bland, and his engineer, Earl Chartier of RIM Engineering Co., Inc. were present at the public hearing. Earl Chartier presented revised plans reflecting a modification to the siltation control which is also the limit of work line. He said the reason for the modification is to allow for a larger lawn area. He stated the closest point from this line to the wetlands is 30 feet. Lisa Carrozza stated that she would like to see more detail of the siltation control on any future plans. Mr. Russell Birchvine, the owner of this lot, addressed the Commission and stated he would like to work with the Commission always on any conservation issues on this lot. Jennifer Carlino stated that a DEP file number has not yet been received for this project. Ron O'Reilly made a motion, seconded by Julian Kadish, to continue the public hearing until the next regular meeting of Monday, August 27, 2007. Approved.

The members reviewed a Notice of Intent – **(#250-758) – Perry DiMascio/Shamrock Realty Trust – Parcel 33 (assessors map 21) – Walker Street – (cont. from the December 18, 2006, January 22, 2007, March 26, 2007, April 23, 2007 & May 21, 2007 mtgs.)** - for proposed plans to construct a dwelling, garage, deck, room and driveway with related grading within 100 feet of wetlands and within the floodplain. Jennifer Carlino stated the applicant has submitted a letter requesting a continuance of the public hearing for two months. Ron O'Reilly made a motion, seconded by Julian Kadish, to continue the public hearing until the regular meeting of Monday, October 15, 2007. Approved.

The members reviewed a Notice of Intent – **(#250- 775) – Riley Lamson, LL Investments – Parcel 6 (assessors map 36) East Hodges Street – (cont. from the May 21, 2007 & June 25, 2007 mtgs.)** - for proposed plans to construct 2 houses within 100 feet of wetlands and to cross an intermittent stream. Jennifer Carlino stated the representative for this project has requested a continuance of the public hearing until the regular meeting of Monday, September 10, 2007 in order to upgrade the culvert under East Hodges Street as part of this project. Ron O'Reilly made a motion, seconded by Julian Kadish, to continue the public hearing until the regular meeting of Monday, September 10, 2007. 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, February 26, 2007, March 12, 2007, March 26, 2007, April 9, 2007 & April 23, 2007, May 21, 2007, July 9, 2007 & July 23, 2007 mtgs.)** – for proposed plans to construct a building and driveway extension with utilities and related grading within 100 feet of wetlands. Jennifer Carlino stated the applicant has requested a continuance of the public hearing until the next regular meeting. Lisa Carrozza made a motion, seconded by Julian Kadish, to continue the public hearing until the next regular meeting of Monday, August 27, 2007. Approved.

The members reviewed a request for a Certificate of Compliance for File **DET. #876 - J & R Enterprises Inc./ James Chabot - parcel 110 (map 29) 25 Meadowbrook Lane (formerly 35 Meadowbrook Lane)**. Jennifer Carlino stated the project was completed as proposed. Ron O'Reilly 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 **#250-663 – Kenneth & Ellen Munger - parcel 173, lot 14 (map 22) 11 Erin Lane**. Jennifer Carlino stated the project was completed as proposed. Ron O'Reilly 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 **#250-738 – Warren Cummins – parcel 28 (map 25) 32 Samoset Street**. Jennifer Carlino stated the project was completed as proposed. Ron O'Reilly 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 **#250-710 – Joseph Raffaele/Plantation Products, Inc. – parcels 6 & 7 (map 25) 202 So. Washington Street**. Jennifer Carlino stated that a letter should be sent to Mr. Raffaele explaining to him that monthly reports were expected to be received for this project as stated in his Order of Conditions for this project. She said only one report was received. Ron O'Reilly 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 **#250-720 – QBI Homes, Inc. – Lot 25, parcels 111-117 & 207 (now parcel 279) assessors map 21 – 1 Goff Road** requested by Mark Carroll/Carroll Construction Corp. Jennifer Carlino stated the area was not fully stabilized. Earl Willcott made a motion, seconded by Ron O'Reilly, to issue a partial Certificate of Compliance with the condition a \$500 bond is posted with the Town Treasurer to ensure final vegetated stabilization of soils on this lot. Approved.

The members reviewed a request for a Certificate of Compliance for File **#250-722 – QBI Homes, Inc. – Lot 28, parcels 111-117 & 207 (now parcel 282) assessors map 21 – 7 Goff Road** requested by Mark Carroll/Carroll Construction Corp. Jennifer Carlino stated the area was not fully stabilized. Earl Willcott made a motion, seconded by Ron O'Reilly, to issue a partial Certificate of Compliance with the condition a \$500 bond is posted with the Town Treasurer to ensure final vegetated stabilization of soils on this lot. Approved.

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The members reviewed a request for a Certificate of Compliance for File #250-301 – **Marshall B. Martin, III – parcel 1 (map 29), parcel 13 (map 33) & parcel 34 (map 32) New Taunton Avenue.** Ron O'Reilly 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 #250-337 – **Marshall B. Martin, III – parcel 1, (map 29), parcel 13 (map 33) & parcel 34 (map 32) Taunton Avenue.** Ron O'Reilly 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 #250-424 – **Polillio Norton Trust & George Davey – parcels 23 & 23-01 (map 12) Fuller Drive.** Jennifer Carlino said that the street should be swept and the basins should be cleaned out. She said she notified Keith Silver, Highway Superintendent, but has not heard from him as yet. The members agreed to continue the review for the Certificate of Compliance until the next regular meeting.

The members reviewed a thank-you letter to Mrs. Frances Teixeira for her donation of land on Harvey Street. Ron O'Reilly made a motion, seconded by Julian Kadish, to sign the letter. Approved.

Jennifer Carlino stated Fred Bottomley would like to address the Commission regarding a 375-acre agricultural project. Ron O'Reilly made a motion, seconded by Julian Kadish, to send a letter to Mr. Bottomley notifying him that he may address the Commission on the regular meeting of Monday, September 10, 2007. Approved.

Jennifer Carlino presented an Enforcement Order for the owners of 139 North Worcester Street for a violation of cutting and dumping into the wetlands. Ron O'Reilly made a motion, seconded by Earl Willcott, to have the members sign the Enforcement Order. Approved.

Jennifer Carlino presented an Enforcement Order for the owners of 135 Norton Worcester Street for not removing the trash that has been dumped into the wetlands as previously requested. Ron O'Reilly made a motion, seconded by Earl Willcott, to have the members sign the Enforcement Order. Approved.

Ron O'Reilly made a motion, seconded by Julian Kadish, to adjourn the meeting at 8:00 pm. Approved.

Respectfully Submitted,



Jennifer Carlino  
Conservation Director

JC/pmb