



## Norton Conservation Commission

70 East Main Street  
Norton, MA 02766

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NORTON TOWN CLERK

Monday, August 27, 2007  
7:00 pm

### Attendance

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

Lisa Carrozza was absent.

### Minutes

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

The members reviewed a Notice of Intent – **(#250-780) – James Kelley – Parcel 515-04 (assessors map 10) 54 North Washington Street – (cont. from the Aug. 13, 2007 mtg.)** - for proposed plans to remove a concrete patio and to construct an addition within 100 feet of wetlands and a certified vernal pool. Jennifer Carlino stated a DEP file number had been received for this project. Ron O'Reilly made a motion, seconded by Earl Willcott, to close the public hearing. Approved. Ron O'Reilly made a motion, seconded by Earl Willcott, to sign the Order of Conditions as written. Approved.

The members reviewed a Request for a Determination of Applicability – **(DET. #908) – Massachusetts Electric (d/b/a National Grid) Joanne Lupa – Hill Street** – for proposed pole installations within 100 feet of wetlands and certified vernal pools. Ingeborg Hegeman Clark of the BSC Group and Emelio Augustine of National Grid were present for the public hearing. Mrs. Hegeman stated the proposed project is to provide electricity to a new house on Hill Street by installing five telephone poles on the upland side of Hill Street. She said the closest pole to the wetlands would be 30 feet. Ms. Hegeman stated that the total disturbed area for each pole is usually 5 to 10 sq. ft. Mr. Augustine explained the Selectmen denied their request but would like the Conservation Commission to act on the Request for a Determination of Applicability. Julian Kadish made a motion, seconded by Ron O'Reilly, to close the public hearing. Approved. Julian Kadish made a motion, seconded by Kathleen Giblin, to issue a negative (#3) Determination of Applicability as long as the work is done according to the approved plans. Approved.

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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 – (cont. from the Aug. 13, 2007 mtg.)** - 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 public hearing. Jennifer Carlino stated that revised plans have not been received, the legal notice bill has not been paid and the bond for Lot 3 still has not been posted. Earl Chartier of RIM Engineering submitted revised plans to the members which removed the “future Conservation Restriction” wording and added details of the siltation control. He said the area of concern with the grading at the front left hand corner of the lot now reflects what is shown on the approved common driveway plan. Jennifer Carlino stated the “visual barrier” was removed and should be put back. Earl Chartier made the revision to the submitted revised plans at the public hearing. Mr. Pasqualino submitted the cash for the payment of the legal notice invoice and he stated he posted the bond for Lot 3 today, which Jennifer Carlino requested proof. Jennifer Carlino stated payment would have to be a check or money order and Mr. Pasqualino said he would bring in a check tomorrow and take back the cash. Kathleen Giblin made a motion, seconded by Julian Kadish, to close the public hearing. Approved.

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 – (cont. from the Aug. 13, 2007 mtg.)** - 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 public hearing. Earl Chartier submitted revised plans showing the removal of the Conservation Restrictions note and made new revisions by adding the visual barrier at the public hearing. Mr. Pasqualino submitted the cash for the legal notice invoice and said he would bring in a check tomorrow and take back the cash. Ron O'Reilly made a motion, seconded by Julian Kadish, to close the public hearing. Approved.

The members reviewed a Notice of Intent – **(#250-784) – Tony & Dawn Dermody – Parcel 109 (assessors map 32) 6 Furnace Pond Way** – for proposed plans to install an in-ground pool with a concrete deck and fence within 100 feet of wetlands. Mr. Dermody noted his name is Timothy and not Tony. Jane Cody of Easton Pool & Spa described the project to the members. She stated the pool will be constructed of concrete with a vinyl liner with a closed filter system. Ms. Cody said most of the stockpile materials will be hauled off the site except for a small amount which will be stockpiled up against the house and away from the wetlands. She stated the pool location had been moved at the request of Jennifer Carlino to have less of an impact to the wetlands maintaining the 25-foot-limit of work and actually allow for a larger lawn area for the homeowner. Jennifer Carlino stated a DEP File number had not been received for this project as yet. Earl Willcott made a motion, seconded by Kathleen Giblin, to continue the public hearing until the next regular meeting of Monday, September 10, 2007 in order to receive a DEP File number. Approved.

The members reviewed a Notice of Intent – **(#250-785) – Joao DosReis – Parcels 23, 24 & 169 (map 22) 199 West Main Street** – for proposed plans to install a tight tank and increase parking spaces within 100 feet of wetlands and within the Riverfront Area to Log Brook. Mr. DosReis and his



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engineer, John F. Vance, Jr. attended the public hearing. Mr. Vance described the project to the members. He stated Mr. DosReis purchased this property with the intention of using the house for a beauty salon. He described the drainage and parking areas to the members. Jennifer Carlino asked Mr. DosReis if the Planning Board was reviewing the storm water management and Mr. DosReis replied he did not know. She asked Mr. DosReis if the Planning Board asked him to hire a consulting engineer and he said he told the Planning Board that she was going to review the storm water management. Jennifer Carlino stated she would talk to the Town Planner to see if the Planning Board intends on hiring a consulting engineer to review the storm water calcs, and if they are not, the Conservation Commission would have to. An abutter, Carolyn Carr, had concerns with the runoff from the blacktop and Mr. Vance stated that the runoff will be going in the opposite direction and that the Planning Board is requiring the applicant to plant a visual barrier consisting of 4-foot trees along her lot line. Ron O'Reilly asked where the snow would go. John Vance stated it would be pushed to the back of the parking lot and melt into the proposed trench. Discussion ensued regarding salt and sand running into the trench. Bob Medeiros stated a landscaping company should be in charge of the snow removal to prevent salt and sand going into the wetlands. Jennifer Carlino stated it was not decided as to whether or not stormwater management has been met as yet. Robert Medeiros stated Jennifer Carlino would speak with the Town Planner to see whether or not they will be having a consultant review the stormwater calculations. Kathleen Giblin made a motion, seconded by Earl Willcott, to continue the public hearing until the next regular meeting of Monday, September 10, 2007. Approved.

The members reviewed a Notice of Intent – **(#250-779) – Joseph Raffaele/Plantation Products, Inc. – Parcel 7 (assessors map 25) South Washington Street – (cont. from the Aug. 13, 2007 mtg.)** - 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. Joseph Raffaele attended the public hearing and his engineer, Marc Tisdelle of Hayward-Boynton & Williams, Inc. submitted revised plans and updated the commission on the project. He stated an Orad had been obtained for this property already and approval from NHESP. He stated the applicant was proposing to build an office/warehouse consisting of 165,000 sq. ft. He proceeded to explain the revised plans to the members. Mr. Tisdelle stated the project had been reviewed by Walter Amory through the Planning Board. He said approximately 4,850 sq. ft. of wetlands were proposed to be filled, but a botanist, Ecosystems, was retained by the applicant to help with the 2-1 replication. He stated the siltation barrier around the perimeter of the property was originally going to consist of haybales, but Natural Heritage requested that silt fence to be used instead of haybales. Bob Medeiros asked Mr. Tisdelle if he had sent Natural Heritage the revised plans and he said they had received it. Bob Medeiros stated to Mr. Tisdelle that it has always been the Commission's policy to allow for 1-1 replication, not 2-1. Julian Kadish stated there would be no point to a 2-1 replication if the replication did not work as sometimes it does not. Jennifer Carlino stated it would be best to leave the replication on the revised plans as is until the exact area of replication is determined.

Jennifer Carlino stated she has to review the revised plans and that the MEPA meeting was planned for this coming Thursday on site. Mr. Tisdelle stated he would like to respond to Jennifer Carlino's letter of comments. The first comment he stated was the restoration and he said he would submit a narrative with a plan to show the location of the proposed plantings including the transplanting of existing wetland plants. He said he



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submitted calculations for the runoff volume toward the wetland species and stated Natural Heritage approved of these calculations. Mr. Tisdelle stated the three isolated areas were noted on the revised plans. Jennifer Carlino asked which of the three ILSF areas would be disturbed and he pointed out only the one in the middle and he said this would be replicated. Jennifer Carlino asked Mr. Tisdelle to specify what the square footage of alteration would be on the ILSF and the square footage on the other areas of the property. She asked Mr. Tisdelle if he would have to submit a 401 Water Quality Certificate and he stated he did not. Mr. Tisdelle stated an Operations & Maintenance Plan would be submitted along with the replication plans. Jennifer Carlino asked about the snow storage areas and Mr. Tisdelle pointed out the proposed areas. He stated the snow removal policies were written on the Erosion Control Plan. Jennifer Carlino asked Mr. Tisdelle if Natural Heritage had mentioned sand and salt and he replied that they had not. He stated the stilling basin was added to the Erosion Control Plan. Mr. Tisdelle stated the 25-ft. easement was always an access road for the masonry company next to this property. He stated that instead of Bradford Pear trees, red pines could be planted. Regarding the construction sequence plan, Mr. Tisdelle stated it was incorporated in the Erosion Control Plan. Kathleen Giblin made a motion, seconded by Julian Kadish, to continue the public hearing until the next 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 she had not heard from Mr. Fontneau. He hasn't removed the junk from the wetland yet and hasn't requested a continuance. Kathleen Giblin made a motion, seconded by Eileen King, to deny the project for lack of information. Approved. Jennifer Carlino stated Mr. Fontneau still has a violation and she will have the members sign an Enforcement Order at the next meeting to be recorded at the Registry of Deeds.

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 stated she was waiting to hear back from Keith Silver (Highway Superintended) on this property. Ron O'Reilly made a motion, seconded by Kathleen Giblin, to postpone review of this project until the next regular meeting. Approved.

The members reviewed a request for a Certificate of Compliance for **File #347 – Rapco Realty Corp./c/o Daniel Rich for Lot 4, Parcel 580 (map 10) 54 Cross Street**. Jennifer Carlino stated the old silt fence at the front of the property was removed and the compost pile at the rear of the property had been removed. Kathleen Giblin made a motion, seconded by Ron O'Reilly, to issue the Certificate of Compliance. Approved.

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Jennifer Carlino stated there was a violation at 135 North Worcester Street. She stated there was all kinds of trash and debris behind the house in the wetlands. She said she sent the homeowner a violation letter and the homeowner states the trash floated onto the property during flood conditions.

Jennifer Carlino stated that Scott Goddard, who has already been issued an Order of Conditions to cross a stream for Lot 37 (assessors map 31) John Scott Boulevard, which verified the wetland resource areas on the lot to include a "perennial" stream, has submitted information suggesting that the already confirmed perennial stream is intermittent, and not perennial. She stated he is trying to avoid having to follow the rules and regulations pertaining to a "Riverfront" area. Jennifer Carlino stated in order to do this, he would have to apply to "amend" the Order of Conditions for File #250-761.

Ron O'Reilly made a motion, seconded by Kathleen Giblin, to adjourn the meeting at 8:35 pm. Approved.

Respectfully Submitted,

A handwritten signature in cursive script, appearing to read "Jennifer Carlino".

Jennifer Carlino  
Conservation Director

JC/pmb