



Norton Conservation Commission  
70 East Main Street  
Norton MA 02766

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MAY 20 2009

NORTON TOWN CLERK

Monday, April 13, 2009  
7:00 pm

Attendance

Earl Willcott (Chairman), Julian Kadish (Vice-Chairman), Kathleen Giblin, David Henry, Chris Baker and Jennifer Carlino, Conservation Agent.

Lisa Carrozza and Ron O'Reilly were absent.

Minutes

The meeting started at 7:00 pm.

Review of the draft minutes of **March 23, 2009** were tabled until the next regular meeting.

The members reviewed the Bills Payable Sheet (misc.) Kathleen Giblin made a motion, seconded by Julian Kadish, to pay the bill. Approved.

The members reviewed a Request for a Determination of Applicability – **(DET. 938) – William R. Cuming, Tr., Norton Bird Garden Trust – Parcels 278-17, 278-18 & 298 (assessors map 9) Mansfield Avenue – (cont. from the March 9, 2009 mtg.)** - for proposed plans to fill three (3) wetland depressions within 100 feet of wetlands. Jennifer Carlino stated the applicant had requested a continuance until the next regular meeting. Julian Kadish made a motion, seconded by Kathleen Giblin, to continue the public hearing until the next regular meeting of Monday, April 27, 2009. Approved.

The members reviewed a Notice of Intent – **(#250-839) – Ronald Turowetz/Easecat Limited Partnership – Parcel 297 (assessors map 21) 8 Allen Drive** – for proposed plans to construct a house with associated grading, utilities and driveway within 100 feet of wetlands. Representative for the project, Dan Giosiosa of SITEC Engineering, described the project to the members. He stated this was the last lot in this subdivision and the project involves the proposed construction of a single-family house with associated grading, utilities and driveway of which a portion lies within 50 feet of the wetlands. He stated the wetlands are actually located in the Conservation Restriction area or easement. Mr. Giosiosa stated there were no wetlands on the property and asked why would a visual barrier be required. Jennifer Carlino stated that since the area behind the house is the Conservation Restriction property, it would be easy to go beyond the boundary of the property and encroach onto this property or the wetland. Earl Willcott stated a visual barrier would be required to be located the entire length of the property. Mr. Giosiosa stated he would add the visual barrier to the plan.

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Jennifer Carlino asked if all water runoff is directed toward the Conservation Restriction property and Mr. Giosiosa stated it has always flowed in this direction. Jennifer Carlino stated the grading is causing the flow of water toward the wetland area and might cause an adverse impact. Mr. Giosiosa stated the grading has not been changed from its present state and the water flows in this direction because it is the lowest spot on the property. Jennifer Carlino suggested installing a swale at the end of the newly paved driveway to filter the water before it enters the wetlands since he has changed the grading.

Jennifer Carlino reminded Mr. Giosiosa that for the last twenty houses the Commission has asked that the details for the retaining wall with the filter fabric under the stone, erosion control and visual barrier be shown on the submitted plans. She requested that these items be added to this plan as well.

Kathleen Giblin made a motion, seconded by David Henry, to continue the public hearing until the next regular meeting of Monday, April 27, 2009. Approved.

The members reviewed a Notice of Intent - **(#250-840) – Jeffrey O'Neill – Norton Commerce Center, LLC – Parcel 8-12 (assessors map 25) South Washington Street** – for proposed plans to cut and clear wetland for sign visibility on Route 495. Mark Dibb of CA Architectural Design & Engineering, LLC and Dan Vascancelos of Wetlands Preservation described the project to the members. Mr. Dibb stated that vegetation has grown up in front of the sign including wetland vegetation from a wetland at the highway. He stated that this wetland area had been delineated by Mr. Vascancelos and he presented a Wildlife Habitat Assessment of this area that had also been written by Mr. Vascancelos.

Mr. Dibb stated the applicant proposes to prune most of the vegetation and remove the smaller saplings. He stated the height of pruning and cutting will be adjusted by the slope in front of the sign ranging from 2' to 10'.

Mr. Dibb stated in order to get state approval, a permit will be needed from the Conservation Commission to include with the application to the state. He stated access to the sign will be from the state highway, Route 495 and all work will be done by hand. Julian Kadish asked Mr. Dibb what the distance was between the sign and the wetlands and Mr. Dibb replied approximately 40 feet. Julian asked if a bucket truck would be used and he replied it would be. Earl asked how the workers would go over the fence and he replied he hoped that he could open the fence. Mr. Dibb stated the debris would be dragged out and taken away by truck. He said the only equipment that would be used would be chain saws.

Earl Willcott asked what type of invasive species are present in this area and Mr. Dibb named a few. Earl Willcott suggested that there was a lot of a type of plant called Autumn Olive and buckthorn. He suggested to Mr. Dibb that pruning this plant would not accomplish anything because it will grow back within a year. He suggested that it could be pulled out by the roots. Jennifer Carlino suggested a spot application of a herbicide to kill the plant. She stated either process could be approved by the Commission with conditions.



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Mr. Dibb asked that if the invasive plants grow back within three years, would the applicant have to file for another permit with the Conservation Commission. Jennifer Carlino stated that if he revises the application describing the method of removing the invasive species as a maintenance project, the permit may be issued for five years instead of three years.

Jennifer Carlino asked if anyone would be overseeing the project, and Mr. Dibb explained that a Certified licensed Arborist would be overseeing the project. Jennifer Carlino asked for a copy of the Pesticide License and a quick written description of the herbicide or invasive plant removal procedure. He asked if this information could be submitted in the near future and requested that the public hearing be closed in order to file for a permit with the state as soon as possible. David Henry made a motion, seconded by Chris Baker, to close the public hearing. Approved.

The members reviewed the draft Order of Conditions for a Notice of Intent – **(#250-838) – Scott Pietruszewicz – Lot 16, Parcel 270 (assessors map 21) 12 Ellis Road – (cont. from the February 23, 2009 & March 9, 2009 mtgs.)** - for proposed plans to clear and grade additional lawn within 100 feet of wetlands. David Henry made a motion, seconded by Kathleen Giblin, to sign and issue the Order of Conditions as written. Approved.

Jennifer Carlino noted that DEP will be doing a final inspection for the issuance of a Certificate of Compliance for the Superceding Order of Conditions for File #250-701 at Charlotte Avenue for Richard Fitzgerald on Friday, April 17<sup>th</sup>.

Discussion ensued regarding the South Coast Rail project. Jennifer Carlino stated that even though latest newspaper articles seemed to eliminate Norton as an option, Norton is still an option.

Jennifer Carlino stated Executive Session would not be needed this evening. She stated one of the appeals has been withdrawn (#250-793) and the other one (#250-787) is being “stayed” in order to obtain an actual plan for the project.

Chris Baker asked Jennifer Carlino if she had inspected Revoli’s ongoing projects around town and she stated she has been checking them. Jennifer Carlino stated that the Commission has already sent an Enforcement Order to the Water Department for their previous projects being conducted by Revoli for the staging process and erosion control but no reply has been received from the Water Department.

Kathleen made a motion, seconded by Chris Baker, to adjourn the meeting at 7:50 pm. Approved.

Respectfully Submitted,



Jennifer Carlino  
Conservation Director  
JC/pmb