



Norton Conservation Commission  
70 East Main Street  
Norton MA 02766

NORTON TOWN CLERK

OCT 20 2009

RECEIVED

Monday, September 14, 2009  
7:00 pm

Attendance

Ron O'Reilly (Chairman), David Henry (Vice-Chairman), Julian Kadish, Earl Willcott, Kathleen Giblin, Lisa Carrozza, Chris Baker and Jennifer Carlino, Conservation Agent.

Minutes

The meeting started at 7:00 pm.

The members reviewed the draft minutes of **June 29, 2009**. Kathleen Giblin made a motion, seconded by Earl Willcott, to accept the minutes as written. Approved.

The members reviewed the draft minutes of **July 27, 2009**. Kathleen Giblin made a motion, seconded by Julian Kadish, to accept the minutes as written. Approved.

The members reviewed the draft minutes of **August 10, 2009**. David Henry made a motion, seconded by Julian Kadish, to accept the minutes as written. Approved.

The members reviewed a Request for a Determination of Applicability – **DET. #942 – Kirk Cleathero – Parcel 107 (assessors map 24) – 124 Pine Street** – for proposed plans to repair/replace a septic system with related grading within 100 feet of wetlands. The applicant's engineer, Brad Fitzgerald of Senna Fitzgerald Gilbert Associates described the project to the members. He stated the applicant proposes to remove an existing leach field which is presently 83 feet from the wetlands and replace it with a new leach field which will be approximately 95 feet from the wetlands. Jennifer Carlino requested a small pile of grass clippings be removed at flag #2. Julian Kadish made a motion, seconded by Earl Willcott, to close the public hearing. Approved. Julian Kadish made a motion, seconded by Lisa Carrozza, to issue a negative (#3) Determination as long as the work is done according to the approved plans. Approved.

The members reviewed a Request for a Determination of Applicability – **DET. #943 – Guy & Laura Keene – Parcel 52 (assessors map 33) – 14 Eddy Street** – for proposed plans to repair/replace a septic system within 100 feet of wetlands. The applicant's engineer, John F. Vance, Jr. described the project to the members. He stated the existing septic system which is 55 feet from the wetlands has failed and will be replaced with a new septic system which will be 80 feet from the wetlands. Jennifer Carlino stated that when the applicant had requested a Certificate of Compliance a couple of years ago, she had requested the pile of grass clippings be removed from the wetlands. She stated the pile was not removed and new clippings have been added to the pile.



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She stated that the plans used for this application are drawn 12 years ago and she requested updated plans be submitted with all wetlands flagged on the plans. Lisa Carrozza made a motion, seconded by Chris Baker, to continue the public hearing until the next regular meeting in order to have the applicant remove the pile of grass clippings and leaves and to have the wetland boundaries flagged and added to the submitted plans. Approved. Julian Kadish and Earl Willcott voted no.

The members reviewed a Request for a Determination of Applicability – **T-Mobile Northeast, LLC – Parcel 38 – (assessors map 5) 306 East Main Street** – for proposed plans to install nine antennas on an existing tower, install underground utilities and a concrete pad within 100 feet of wetlands. The applicant's engineer Hans VanLingen of Coler & Colerantonio described the project to the members. He stated the wetland boundaries were flagged on August 5<sup>th</sup> and were consistent with a previous delineation of the wetland boundaries. He said there would be disturbance of a 12-foot area around the fence to allow access for the work but most work will be contained within the existing fenced area. Mr. VanLingen stated that he did not expect there to be any stockpiling of materials and felt that dewatering would not be necessary. Lisa Carrozza asked if a note pertaining to the re-establishing of the disturbed access area is written on the plan and Mr. VanLingen said it should be on the plan or on the application. Jennifer Carlino stated it was on the plan. Lisa Carrozza made a motion, seconded by Kathleen Giblin, to close the public hearing. Approved. Lisa Carrozza made a motion, seconded by Julian Kadish, to issue a negative (#3) Determination of Applicability as long as the work is done according to the approved plans but shall not be issued until the invoice for the publication of the Legal Ad is paid. Approved.

The members reviewed an Amendment to Order of Conditions for **#250-830 – Michael Riha – 40 So. Lakeview Road**. The amendment will change the driveway detail from pervious pavement to a 2'x2' stone trenches on each side of the driveway. Michael Riha described the change to the members. He stated he proposes to use ¾-inch single washed crushed stone in the trenches. Lisa Carrozza made a motion, seconded by Julian Kadish, to close the public hearing. Approved. Lisa Carrozza made a motion, seconded by Julian Kadish, to allow the amendment as proposed and issue the Amended Order of Conditions.

The members reviewed an Amendment to Order of Conditions for **#250-826 – Ronald Turowetz, Easecat Limited Partnership – 11 Allen Drive (Lot 42)** – The amendment will change the house plan, include a new inground swimming pool and irrigation well. The buyer's engineer, Dan Giosiosa of SITEC Engineering described the project to the members. He stated the perspective buyer for this house had requested that an inground pool be installed as well as an irrigation well. He said the limit of work has not changed. David Henry asked if the garage had been moved to the other side of the house and Mr. Giosiosa said it had.

Jennifer Carlino presented pictures of adjoining lots to give the members something to compare. She asked Mr. Giosiosa if the grades on the submitted plans are present grades or grades before the subdivision was graded and grubbed. He replied that the road grades are the same as when the subdivision was proposed but the lot grades have not yet been graded to meet the road. Jennifer Carlino asked about the previous plans showing water infiltrating from the driveway to a stone trench.



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Mr. Giosiosa replied that the driveway will be located on the other side and the water will drain into the road. Jennifer Carlino noted that since an in-ground pool is proposed, usually a shed and a deck follow and would require another permit. Mr. Giosiosa agreed. Jennifer Carlino asked Mr. Giosiosa what kind of a well was proposed and he replied he did not know and asked if the Commission requires any certain type of well. He said that the applicant was proposing the well installation at a later date and had no specifications at this time. She stated that detailed information for the well would have to be submitted if it were to be permitted under this amendment. Lisa Carrozza suggested the well be removed from the application and be applied for at a later date. Mr. Giosiosa said he would ask the buyer what he would like to do, leave the well on the application or remove it. Kathleen Giblin made a motion, seconded by Lisa Carrozza, to continue the public hearing until the next regular meeting of Monday, September 28, 2009. Approved.

The members reviewed a request for a Certificate of Compliance for File **#250-822 - Paul Kashap Parcel 61 (map 23) 68 Pine Street**. Lisa Carrozza asked if the area was stabilized at least 70% and Jennifer stated it was. Lisa Carrozza made a motion, seconded by Kathleen Giblin, to issue the Certificate of Compliance. Approved.

The members reviewed a request for a Certificate of Compliance for File **#250-798 - Maurice & Suzanne Mendonca - Parcel 573 (map 10) 34 Johnson Drive (old 59 Cross St.)** Jennifer Carlino stated that a DEP Request form has not been submitted by the engineer and she said that the roof drains were supposed to be attached to a drywell and this is not shown on the submitted As-Built plan. Jennifer Carlino stated she drafted a letter to be sent to the engineer requesting the information discussed tonight. Ron O'Reilly read the letter to the members for their approval. Kathleen Giblin made a motion, seconded by Earl Willcott, to have Ron O'Reilly sign the letter and mail it to the engineer. Approved.

The members reviewed a request for a Certificate of Compliance for File **#250-806 - Donald Potvin - Parcel 173-01 (map 35) 59 West Hodges Street Street**. Jennifer Carlino stated the project has been completed according to the approved plans. Kathleen Giblin made a motion, seconded by Lisa Carrozza, to issue the Certificate of Compliance. Approved.

The members reviewed a request for a Certificate of Compliance for File **#250-834 - Thomas & Maureen Jarbeau - Parcel 117 (map 28) 5 Lisa Drive**. Jennifer Carlino stated the project has been completed according to the approved plans. Kathleen Giblin made a motion, seconded by Chris Baker, to issue the Certificate of Compliance. Approved.

Ron O'Reilly asked if anyone had any comments or changes to make on the draft Town Reports for Conservation Commission and Open Space Committee. David Henry noted a typo and Jennifer stated she would make the correction.

Jennifer Carlino noted that each member had received a copy of the second letter regarding the Norton Bird Garden Appeal which was a response to the on-site meeting that was held.

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Jennifer Carlino noted she had listed on the agenda the various meeting dates that each member would be attending various board meetings in support of the proposed bylaw. She stated she would be scheduling an Informational Meeting for Thursday, September 17<sup>th</sup> from 6:00pm to 7:15pm for questions and answers on the proposed bylaw and would like the members to come in at 7:00 pm. Jennifer Carlino noted there was a minor change to the ACEC section of the proposed bylaw and that Kopelman & Paige had a few changes. She stated they advised to discuss vernal pools, check the Wetland Protection Zone paragraph and their co-ordination with other boards and Enforcement fines. Kopelman and Paige suggested \$100 for the first violation, \$200 for the second violation and \$300 for the third violation or \$300 for the first violation. Jennifer Carlino stated this has to be decided for the final version of the proposed bylaw.

Jennifer Carlino noted that the Fire Department and Keith Silver, Highway Superintendent have been inquiring about fixing the boat ramp on Bay Road at Lake Winnecunnett and what permits might be needed. She stated she advised them that the Town does not own this property and to contact the owner to discuss permission and alternatives.

Jennifer Carlino noted that Ron O'Reilly has informed her that a stone at the Chartley Pond dam is out of place. She said it is one of the huge stones in the stone culvert located under South Worcester Street next to Sinclair Manufacturing Company. She stated this loose stone was listed in the Chartley Pond dam report (Phase II evaluation) from 2009 and probably was knocked loose in 2006, therefore, Ravoli Company is not responsible. Ron O'Reilly stated that the stone might come loose at any time. Jennifer Carlino stated a schedule would have to be created to perform maintenance tasks at the dams per Pare Corp. recommendation.

Jennifer Carlino noted that The Environmental Monitor had the State's Transportation and Improvement Program listed. She noted that Norton and Mansfield had listed projects at Routes 140 and 495.

Jennifer Carlino noted that only one bid was received for the Forestry project at Lincoln Woods. She stated it was from the forester that the Commission has been working with for the past year and a half.

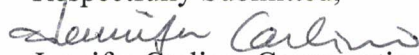
Jennifer Carlino presented a few Press Releases she had prepared:

1. A "Thank You" letter for those who helped remove the Water Chestnuts at Barrowsville Pond.
2. A notice of "vandalism" at Johnson Acres.
3. A short summary of the proposed bylaw.

Ron O'Reilly noted that there was an oil spill in Chartley Pond and the source has never been discovered.

Kathleen Giblin made a motion, seconded by Dave Henry, to adjourn the meeting at 8:40 pm. Approved.

Respectfully Submitted,



Jennifer Carlino, Conservation Director