



Norton Conservation Commission
70 East Main Street
Norton MA 02766

NORTON TOWN CLERK

FEB 23 2010

RECEIVED

Monday, February 8, 2010

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 **January 11, 2010**. Ron O'Reilly made a change to page 3., paragraph 3., sentence 1. He suggested changing the word "more" to "from". David Henry made a motion, seconded by Lisa Carrozza, to accept the minutes as amended. Approved. Earl Willcott abstained from voting.

The members reviewed the Bills Payable Sheet (Nextel). Kathleen Giblin made a motion, seconded by David Henry, to pay the bill. Approved.

The members reviewed the Bills Payable Sheet (Misc.). David Henry made a motion, seconded by Lisa Carrozza, to pay the bills. Approved.

Ron O'Reilly read a letter received from the Town Manager, James Purcell, requesting that \$8,000 be transferred from the Wetland Protection Fund to the Town of Norton's operating budget. Earl Willcott made a motion, seconded by Lisa Carrozza, to transfer the funds. Approved.

Ron O'Reilly noted that a letter has been received from Colonial Acres Condominium Trust requesting that the Conservation Commission reconsider their decision to deny their request for a timber harvest project. He said a copy of the letter will be included with the agenda for the February 22, 2010 meeting and will be added to that agenda for review. Jennifer Carlino stated that she has sent correspondence regarding this issue to Town Counsel and is awaiting a response.

The members reviewed a request for an Extension Permit for **File #250-760 – Fred Bottomley – Parcel 29 (assessors map 25) 21 Samoset Street**. The applicant has stated that National Grid has not removed wires at this point. Jennifer Carlino stated the request for an extension was received after the thirty days from the expiration date and she has not been able to confirm that National Grid has been asked to remove the wires. She stated that the only work done so far was that the lot has been partially cleared. Earl Willcott made a motion, seconded by Julian Kadish, to extend the Order of Conditions for three years. Approved.

Norton Conservation Commission

Monday, February 8, 2010

Minutes, page 2.

Discussion ensued regarding the Proposed Bylaw.

Jennifer Carlino stated there were a few minor revisions in Section 3: Application Procedures as follows:

under A. Application Forms, 2. A Request for Determination of Applicability (RDA),
b. meets the following criteria, should be changed to read:

erosion control is installed and maintained until all areas achieve final stabilization (if loam and seed are used, the area shall be mown a minimum of twice).

under A. Application Forms, 3. A Notice of Intent (NOI) the number 1., 2. and 3. should be changed to a., b. and c.

under A. Application Forms, 5. the word "and" should be removed from the sentence The Town of Norton Wetland Permit Application Form -----.

under A. Application Forms, 6.,underline the words "Extensions and Emergency Certificates.

under Section 3: Application Procedures, within the last paragraph, the words "first and last" shall be inserted before the word "name".

under Section 3: Application Procedures, within the second paragraph, add the word "the" after the word "or".

under D., under One complete application package shall, at a minimum, include the following:, after number 3., change Five (5) to seven (7).

under D. under One complete application package shall, at a minimum, include the following:, after number 12., a., added, in parentheses, at the end, "if requested". She moved this to be g. and added, in parentheses, at the end of h. "if requested".

under D. under One complete application package shall, at a minimum, include the following:, in the last paragraph, omit
"concurrently"

and MA DEP, Southeast Regional Office
20 Riverside Drive
Lakeville, MA 02347

Norton Conservation Commission

Monday, February 8, 2010

Minutes, page 3.

under E. Notice to Abutters, remove the words "or hand delivery".

under F. Field Work and Site Inspections, second paragraph, sixth line down, change "Conservation Agent" to "Conservation Commission".

under G. Issuance of Permits, third sentence down, the wording after the word "and" will be changed to "the work can be conditioned"

under H. Return of Conservation Commission Correspondence, in the first sentence, after the word applicant, change "may" to "shall", and, at the end of the paragraph add "or continuation of discussion".

under I. Recording In Registry of Deeds or Land Court, on the first line, change the word "are" to "shall be". The words "Extension Permits" shall be added to Section I.

under L. Certificates of Compliance (COC), under 2., add the word "been" after the word "has".

under L. Certificates of Compliance (COC), under 3., add the word "been" after the word "has".

under L. Certificates of Compliance (COC), under 3., after the word (PCOC) change "has been previously issued" to "is requested".

under M. Partial Certificate of Compliance (PCOC), under number 3., third line down, change the word "will" to "shall be".

under O. Use of Bond Funds, change the sentence "The Commission-----etc." to "The Commission shall notify the applicant by certified mail specifying the time frame for completion of remaining work."

under O. Use of Bond Funds, within the last sentence, change the word "will" to "may".

Jennifer Carlino stated there were a few minor revisions in Section 4: Fees as follows:

under A. Filing Fee Schedule, Section 4: Fees should be changed to Section 4.B-D: Fees.

Discussion ensued regarding D. Re-inspections (regarding fees)

Jennifer Carlino stated that if the Resource Area boundaries are wrong, but flags are up and she disagrees with the flags because they do not meet WPA regulations, this would warrant a discussion in the field and not a re-inspection fee. She said the re-inspection fee would apply if submitted plans had numbered wetland flags shown but there were none in the field, this would warrant a re-inspection and fee.

Norton Conservation Commission

Monday, February 8, 2010

Minutes, page 4.

David Henry asked Jennifer Carlino that even if the wetland flags are incorrect, and a discussion in the field takes place, would there be a re-inspection fee and she replied it isn't proposed that there would be. Julian Kadish suggested that she would do a re-inspection, but will not charge a re-inspection fee. Lisa Carrozza gave an example by stating that sometimes the wetland flags are placed too far apart to see or give an accurate wetland boundary.

After this discussion Jennifer Carlino stated that :

under D. Re-inspections, the third sentence shall read: The re- inspection fee shall apply if, due to the absence of flags, the wetland resource area boundaries cannot be accurately verified or if the site has not been flagged in the field but the flags are shown on the plan.

She stated the following sentence would follow:

Failure to identify the bank of a stream in the field or on the plan shall also trigger the re-inspection fee. The applicant shall be required to re-hang the wetland resource area flags in the field and submit a letter requesting a re-inspection with the appropriate fee.

Earl Willcott made a motion, seconded by David Henry, to accept Sections 3 and 4 as revised. Approved.

Discussion ensued regarding Appendix A: Plan Submittal Requirements.

Lisa Carrozza suggested to remove, under Natural and Existing Features, 1., the words "a registered engineer or land surveyor." and substitute with the wording "an on-the-ground field survey." She suggested changing number 4. to read "Existing and proposed contour elevations at not greater than 2-foot intervals (If an individual lot has been altered since the time of the original subdivision plan review, an accurate and current on-the-ground field survey of the lot shall be required)."

Jennifer Carlino suggested removing number 4. under Details.

Discussion ensued regarding Plan Notes.

Jennifer Carlino stated she would revise the Plan Notes section. She said that Horsley –Whitten Group would probably have comments to add on the Appendix A: Plan Submittal Requirements.

It was decided that Jennifer Carlino would email Section 5, as revised, to be reviewed at the next regular meeting of Monday, February 22, 2010.

Jennifer Carlino stated that one or two of the members should update the Board of Selectmen on the latest revisions to the proposed bylaw. It was decided to attend this Thursday evening's meeting (February 11th).

Norton Conservation Commission

Monday, February 8, 2010

Minutes, page 5.

Jennifer Carlino noted she has drafted two new press releases on the proposed bylaw discussion meetings.

David Henry made a motion, seconded by Kathleen Goblin, to adjourn the meeting at 8:30 pm. Approved.

Respectfully Submitted,

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

Jennifer Carlino
Conservation Director
JC/pmb