



Norton Conservation Commission
70 East Main Street
Norton MA 02766

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Monday, August 16, 2010

Attendance

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

David Henry (Chairman) and Chris Baker were absent.

Minutes

The meeting started at 7:00 pm.

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

The members reviewed the Bills Payable Sheet (Chartley Landscaping). Julian Kadish made a motion, seconded by Ron O'Reilly, to pay the bills. Approved.

The members reviewed the draft minutes of **June 28, 2010**. Earl Willcott made a motion, seconded by Ron O'Reilly, to accept the minutes as written. Approved.

The members reviewed the draft minutes of **July 12, 2010 (Executive Session)**. Lisa Carrozza made a motion, seconded by Julian Kadish, to accept the minutes as written. Approved.

The members reviewed the draft minutes of **July 26, 2010**. Lisa Carrozza made a motion, seconded by Julian Kadish, to accept the minutes as written. Approved.

Jeffrey Gildersleeve addressed the Commission to discuss leasing the Conservation property at Rose Farm on North Worcester Street. He stated he was the manager of Galloway Farm and he would like to mow the hay at Rose Farm on North Worcester Street. Jennifer Carlino stated there were three fields on this property and two of them were already being cut. Mr. Gildersleeve said that only one was being cut at present and he would like to cut fields one and two. He stated that Mr. Haskel cuts the third field. Jennifer Carlino asked if he intended to change the field in any way or size and he replied he would not change the fields in any way. He said he would cut any brush along the edges to keep the fields from shrinking.

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Bob Medas of the Highway Department stated he would cut a couple of locust trees in the middle of the field to prevent Mr. Gildersleeve from wrecking his mower. He said he had widened the path into the field and cleaned out the poison ivy as well as cleaning out the cross culvert.

The members reviewed a Request for a Determination of Applicability – **(DET. #955) – Mass Dept. of Transportation-Highway Division-District 5 – Route I-495 – Mansfield line to Taunton line – (cont. from the July 12, 2010 mtg.)** - for proposed plans for pavement milling, resurfacing and related items for roadway rehabilitation within 100 feet of wetlands and 200 feet of a river.

DOCUMENTATION LIST:

Title and Date (or Revised Date if applicable) of Final Plans and Other Documents:

Norton, Route I-495 – U.S.G.S. Locus Map		June 9, 2010
Title		Date
495 Resurfacing Contract Raynham,-Bridgewater-Taunton-Norton		
Title		Date
Wetland & Siltation Barrier Locations Project Development Group		August 12, 2010
Title	Mass Dept of Transportation Highway/Projects Development Section	Date

Mike Clements of Mass Highway and Bill Traverse, Assistant Project Manager for the project were present at the public hearing. Mr. Clements stated he had sent the requested information to the Conservation office previous to this meeting with a letter stating the map may change. He said the first item on the requested information was the location of the siltation control areas. He stated the maps were revised and submitted them to the board. Mr. Travers stated the previous map showed wetland areas as mapped by DEP. He said after a site walk, he revised the maps and locations of the siltation control. He said in some areas the siltation fence was eliminated and in some areas it was added. Mr. Clements noted that the Canoe River will be well protected during construction.

Mr. Clements stated that issue #2. on the list was concerns where trucks would be parked and materials would be stored and stockpiled. He said he included a clause which is included with all their work projects which states that contractors will never park their trucks and materials will not be placed within 100 feet of any wetlands and within 200 feet of a riverfront area.

Mr. Clements stated that issue #3 was concerns with bridge work. He said that any bridge work performed by Mass Highway is exempt from local authority, but assured the commission that all work will be shielded by nets or boards to prevent debris from falling into any rivers or wetlands. Mr. Travers stated that the bridge work would consist of joint repairs or deck repairs and not any outside repairs.

Julian Kadish stated only silt fence should be used for erosion control and not hay bales. Mr. Travers explained that there are two phases to this project. The first phase, which will be advertised at the end of this year will start in Bridgewater and will end at Bay Street in Taunton at Route 495 and maybe slightly onto Bay Road in Norton. The second phase will begin at the end of next year and go from Route 495 at Bay Road in Norton all the way to Route 495 in Foxboro.

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Lisa Carrozza asked if the contractors would have the approved plans on each job and Mr. Travers stated the contractors would have detail sheets showing where the silt fences and wetlands are located. Mr. Travers said it was decided to include both phases of the project into one filing rather than filing twice. He stated that normally the siltation fence is placed at the bottom of the slope. Lisa Carrozza said she would like the siltation fence placed closer to the limit of work. Mr. Travers said that the Conservation agent will be notified to inspect the siltation fence as it is installed.

Ron O'Reilly made a motion, seconded by Lisa Carrozza, to close the public hearing. Approved. Julian Kadish made a motion, seconded by Earl Willcott, to issue a negative (#3) Determination of Applicability as long as the work is done according to the approved plans. Approved.

The members reviewed a request for a partial Certificate of Compliance for File #250-826 - **Ronald Turowetz, Easecat Limited Partnership for lot 42, parcel 296 (map 21) 11 Allen Drive.** Dan Gioiosa of SITEC, and engineer for the applicant updated the commission on the project. He stated that the applicant had previously requested a partial Certificate of Compliance at the last meeting, but there were significant changes from the Order of Conditions which would have to be stated in the request letter. He said that since the last meeting he had met with Jennifer Carlino and has filed a revised Request form listing the changes. He stated that during construction at the rear of the house work had extended beyond the siltation control.

Mr. Gioiosa out the changes on the submitted plan as follows; 1. the complete stone wall was added which Mr. Gioiosa stated was used to stabilize the new slope, 2. the stone wall was extended around to the side of the house from the back of the house to provide better stabilization and at the pool area the slope was changed from 3:1 for extra stabilization, 3. crushed gravel was placed outside of the fence on the slope for re-enforcement. He said that one of the issues was disturbance of the soil beyond the siltation control and he said that none of the original soil was disrupted, only the brush/trees. He submitted pictures of the area which showed vegetation coming back in the disturbed areas. Mr. Gioiosa stated that additional plantings will be done also. Lisa asked if the plantings were started and Mr. Gioiosa stated they were not and would be after the approval of the Conservation Commission. Lisa Carrozza asked who approved the changes to the original plans and Mark Carroll, applicant, homeowner and contractor, stated he did. Jennifer Carlino asked why the tree plantings are proposed at 20 feet on center and not at the recommended 10 feet on center and Mr. Gioiosa stated he got the information for the plantings from a coworker.

Lisa Carrozza requested a visual barrier be installed at the rear of the property which as already been encroached upon beyond the limit of work. Mr. Gioiosa stated the applicant needs to obtain a partial Certificate of Compliance in order to obtain an Occupancy Permit to move in the house. Lisa Carrozza stated a partial Certificate of Compliance cannot be issued until the violation has been corrected. Jennifer Carlino asked if the applicant proposes to submit a request for an Amendment and Mr. Gioiosa replied he would not and any future work would require the applicant to file a Notice of Intent. It was agreed that 6'-7' trees would be planted. The applicant agreed to submit pictures of the restoration area and plantings within the next two weeks and then the request for a partial Certificate of Compliance will go on the agenda for the next regular meeting of Monday, August 30, 2010.

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The members ratified the signatures for the Order of Conditions for **(#250-859) - Christopher Baker/Baker's Landscaping, Inc. – Parcel 302 (assessors map 9) 133 Mansfield Avenue** – for cutting, clearing and grading within 100 feet of wetlands and Norton Reservoir. Kathleen Giblin authorized the signing of the Order of Conditions. Approved.

The members reviewed a request for a Certificate of Compliance for **File #250-780 - James Kelley - Parcel 515-04 (map 10) 54 No. Washington Street**. Jennifer Carlino stated the project was completed according to the approved plans. Lisa Carrozza made a motion, seconded by Earl Willcott, to issue the Certificate of Compliance. Approved.

The members reviewed a request for a Certificate of Compliance for **File #250-832 –Thomas Palanza Palanza Design, Inc., St. Mary's Parish Center - Parcel 2 (map 22) 1 Power Street**. Jennifer Carlino stated that the plans submitted were entitled "Record Plan" rather than "As-Built Plan". She asked the members if they wanted Walter Amory to review the As-Built plans or have her compare the two plans. Lisa Carrozza suggested Jennifer Carlino compare the two plans. She asked Jennifer Carlino to check the volume of the pond and the inverts. Earl Willcott made a motion, seconded by Julian Kadish to table the Certificate of Compliance until the next regular meeting of Monday, August 30, 2010. Approved.

The members reviewed a request for a Certificate of Compliance for **File #250-705 – Robert and Julia Camp – Parcel 174 (map 35) 102 Dean Street**. Jennifer Carlino stated the applicants have made several changes to the approved plans as follows:

1. the configuration of the driveway has been changed, but less pavement
2. there is no turn around
3. there is no stone trench to pick up storm water
4. the addition has changed and the square footage has increased
5. the deck is smaller
6. thin wire fence was used for the visual barrier instead of the approved plantings
7. the side slope next to the house is not stabilized
8. the slope that leads to the wetlands from the driveway is not stabilized and is re-growing weeds

Lisa Carrozza made a motion, seconded by Earl Willcott to require that the applicant put mulch in exposed areas on the slopes and to install a proper visual barrier and to deny the request for a Certificate of Compliance at this time.

The members reviewed a request for a Certificate of Compliance for a violation at 60 Plain Street. Jennifer Carlino stated the original enforcement was for dredging a stream, altering wetlands and placing fill within the wetlands. She stated the fill has been removed. She said Anthony Virga had hired a consultant to help with the restoration plan. She stated a Certificate of Compliance was requested in 2008 but was not issued because he had not raked up the piles of soils left from the cleanup work on the sides of the stream.

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She said a letter was sent to Mr. Virga asking him to remove the soil piles and call the Conservation Office when they were gone but he never called. She said she and Chris Baker had inspected the property recently and found it to be stabilized enough to issue a Certificate of Compliance. She stated the applicant has agreed not to alter any wetland, stream or buffer without a permit. Julian Kadish suggested issuing the Certificate of Compliance as long as the applicant agrees not to alter any more wetlands.

Lisa Carrozza made a motion, seconded by Julian Kadish, to issue the Certificate of Compliance for the Enforcement Order. Approved.

Jennifer Carlino asked the members if they had reviewed the revised flood plain pamphlet and had any comments or revisions to make. Lisa Carrozza asked who receives the flyer and Jennifer Carlino stated it is sent to almost 500 residents who live in, or have property in, a flood plain. Jennifer Carlino said the pamphlet is posted on the website and the residents receive a post card referring them to the website to read the pamphlet.

Jennifer Carlino stated she had sent a notice to Pare Corporation regarding their invoice for \$760.00 advising them that there is only \$14.79 left on their contract. She said she did not receive a response to the letter but did receive another invoice for \$760.00.

Jennifer Carlino mentioned that the Town Clerk has sent out Open Meeting Law change forms to be read and signed by each member.

Jennifer Carlino stated the Annual Town Report is due and that she has emailed everyone a draft.

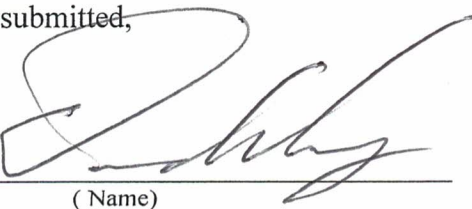
Ron O'Reilly made a motion, seconded by Earl Willcott, to adjourn the meeting at 8:01 pm. Approved.

Minutes Approved by Committee on:

9/27/10
(Date)

Respectfully submitted,

Signatures:


(Name)

Chairman, Conservation Commission
(committee)