



CONSERVATION COMMISSION
70 EAST MAIN STREET
NORTON, MASSACHUSETTS 02766
(508) 285-0275

Norton Conservation Commission

Monday, February 14 1994
7:30 pm

MINUTES

ATTENDANCE

Jeff Houde
Mark Gaboury
Leo Yelle
Dana Rappaneau
Brian Langevin
Julian Kadish (Associate Member)
Edd Breault

RECEIVED

MAR 15 1994

NORTON TOWN CLERK

MINUTES

Members reviewed the draft minutes of January 10, 1994. Mark Gaboury made a motion, seconded by Brian Langevin, to accept the minutes. Approved.

Members reviewed the Bills Payable Sheet. Dana Rappaneau made a motion, seconded by Leo Yelle, to approve payment of the bills. Approved.

Members continued the review of Creative Home's proposed subdivision off So. Washington St. Mark Gaboury made a motion, seconded by Leo Yelle, to close the Public Hearing. Approved.

Members were requested to continue the Public Hearing for M. Peterson's proposed house and wetlands restoration at lot 10-01, E. Hodges St. because the wetland has not been reflagged due to weather conditions. Mark Gaboury made a motion, seconded by Edd Breault, to continue the Public Hearing to Monday, February 28, 1994 at 8:10 pm. Approved.

Members were requested to continue the Public Hearing for S. Cairns' proposed wetland and floodplain restoration at 227 E. Main St. due to the lack of a DEP file number. The Conservation Director reported that she has sent a letter to Mr. Cairns, advising him that he should have sent two copies of his Notice of Intent application and plans to DEP at the same time he submitted those materials to the Commission. Edd Breault made a motion, seconded by Brian Langevin, to continue the Public Hearing to Monday, February 28, 1994 at 8:15 pm. Approved.

Members continued the review of P. Reilly's after-the fact permit application for improvements to a driveway at 13R Samoset St. The public review was completed. Dana Rappaneau made a motion, seconded by Edd Breault, to issue a negative Determination with standard conditions and the stipulation that the applicant remove the pile of fill, that is within the 100-year floodplain, from the site. Approved.

Members summarized the joint meeting that was held with the Mansfield Conservation Commission on Jan. 31. The Conservation Director distributed copies of a letter that had been sent to the Chairman of the Industrial Development Commission prior to that Commission's last meeting about the Great Woods site.

Members reviewed the draft Order of Conditions for #250-335, Angelo Pasqualino's proposed houses within the Buffer Zone and 100-year floodplain, and compensation areas, on lots 26, 28, 29, 30 and 32, Danielle & Angelina Streets. The Conservation Director recommended that the floodplain compensation areas be constructed prior to the start of construction of the houses within the 100-year floodplain in order to avoid an increase in negative impacts to properties in that area of the Wading River. The Conservation Director also noted that the Public Hearing should have been continued at the last meeting since the applicant was advised to submit information regarding 10-year floodplain at the lots. The Director recommended that the Order of Conditions be issued after this information is submitted. Mark Gaboury made a motion, seconded by Leo Yelle, to approve the Order of Conditions with the amendment that condition #14 require that the compensation areas be completed by May 15, 1994, but that the document should not be issued until the 10-year floodplain information is submitted to the office. Approved.

Members reviewed the draft Order of Conditions for #250-336, Angelo Pasqualino's proposed house within the 100-year floodplain on lot 25 and the construction of a compensatory area on lot 24, Danielle St. The Conservation Director recommended that the floodplain compensation area be constructed prior to the start of construction of the house within the 100-year floodplain on lot 25 in order to avoid an increase in negative impacts to properties in that area of the Wading River. The Conservation Director also noted that the Public Hearing should have been continued at the last meeting since the applicant was advised to submit information regarding 10-year floodplain at the lots. The Director recommended that the Order of Conditions be issued after this information is submitted. Mark Gaboury made a motion, seconded by Dana Rappaneau, to approve the Order of Conditions with the amendment that condition #14 require that the compensation area be completed by May 15, 1994, but that the document should not be issued until the 10-year floodplain information is submitted to the office. Approved.

Members reviewed a revised plan for #250-333, Northeast Golf Properties, Inc.'s proposed septic system repair at the Norton Country Club facility. Edd Breault made a motion, seconded by Brian Langevin, to acknowledge acceptance of the revised plan. Approved.

Members reviewed requests for partial/full Certificates of Compliance.

Det. #291	P & A Construction	lot 92, Eileen Rd.
Det. #261	P & A Construction	lot 79, Lisa Dr.
#250-308	P & A Construction	lot 86, Eileen Rd.

The Conservation Director noted that there is an outstanding enforcement order for lot 92, Eileen Road and recommended that the request be tabled until the wetland alteration violation is resolved by the applicant. Mr. Pasqualino stated that he had submitted a plan three months ago to our office that cleared up the issue. The Conservation Director stated that that was not correct, that the members of the Commission had issued letters of violation and an Enforcement Order to Mr. Pasqualino

(dated February 1, 1994) which clearly outlined the violation at the site and the deadline to submit a Notice of Intent proposing to resolve the violation. Mr. Pasqualino again stated that he had submitted a plan three months ago and that he would come see the Conservation Director to clear up this issue and issues regarding lots 79 and 86. (NOTE: There are no outstanding issues at lots 79 and 86.) Edd Breault made a motion, seconded by Dana Rappaneau, to table the requests for full releases on these lots. Approved.

Det. #281 S. LaPalme lot 3 Clapp St.

The Conservation Director reported that the condition of the soils could not be determined due to the heavy snow cover but that the applicants were requesting a partial release so that they can close on the property. Leo Yelle made a motion, seconded by Mark Gaboury, to issue a partial Certificate of Compliance for lot 3. Approved.

Det. #289 L. Lefebvre lots C & D Richardson Ave.

The Conservation Director reported that the condition of the soils could not be determined due to the heavy snow cover but that the applicant was requesting a partial release so that she could close on the property. Edd Breault made a motion, seconded by Mark Gaboury, to issue a partial Certificate of Compliance for lots C & D. Approved.

Det. #272 A. Masala lot 1 John Scott Blvd.

The Conservation Director reported that the condition of the soils could not be determined due to the heavy snow cover but that the applicant was requesting a partial release so that he could close on the property. Dana Rappaneau made a motion, seconded by Mark Gaboury, to issue a partial Certificate of Compliance for lot 1. Approved.

Members reviewed a request for an Extension Permit for #250-226, Wheaton College's athletic facility. There are remaining parking areas, approved under this Order of Conditions, that may be constructed in the future. Leo Yelle made a motion, seconded by Mark Gaboury, to issue a one-year Extension Permit. Approved.

Members reviewed the draft job advertisement for a Lake Restoration Facilitator to work solely on the Norton Reservoir project. Edd Breault made a motion, seconded by Brian Langevin, to approve the draft. Approved. The job position will be advertised in the BOSTON GLOBE and the PROVIDENCE JOURNAL.

Members reviewed a draft contract with Baystate Environmental Consultants, Inc. to provide services related to the submittal of the Environmental Notification Form (ENF) to the Mass. Executive Office of Environmental Affairs for the MEPA permit process for dredging at Norton Reservoir. Brian Langevin made a motion, seconded by Edd Breault, to approve the contract after it has been reviewed by Town Counsel with regard to form. Approved.

The Conservation Director reported that Angelo Pasqualino has not responded in any way to the deadline in his Enforcement Order to submit a Notice of Intent to the

Commission, proposing to resolve the wetland alteration violation at lot 92, Eileen Rd. The Conservation Director recommended that a letter be sent to Mr. Pasqualino, advising him that the next enforcement step would be to turn this matter over to Town Counsel for enforcement and that this option will be considered at the Commission's next meeting. Leo Yelle made a motion, seconded by Edd Breault, to send said letter. Approved.

The Conservation Director reported that Angelo Pasqualino has not responded in any way to the deadline in his Enforcement Order to submit a Notice of Intent to the Commission, proposing to resolve the wetland/stream alteration violation at lot 62, Margaret Drive. The Conservation Director recommended that a letter be sent to Mr. Pasqualino, advising him that the next enforcement step would be to turn this matter over to Town Counsel for enforcement and that this option will be considered at the Commission's next meeting. Mark Gaboury made a motion, seconded by Edd Breault, to send said letter. Approved.

The Conservation Director reported that RIM Engineering has submitted a plan showing that the grate structure at the stream crossing at Fordham and Margaret Drives is lower than the stream banks. This information resolves an Enforcement Order which had been issued to W & G Development.

The Conservation Director recommended that town-owned property off Samoset Street be surveyed and bounded because of neighborhood encroachment (including wetland and floodplain alterations) on the land. Brian Langevin made a motion, seconded by Edd Breault, to obtain prices for surveying and bounding work at that location. Approved.

The Conservation Director reported that Alan Brown has submitted an as-built plan, stamped by RIM Engineering, which confirms that the emergency swale at the retention basin at Natalie Estates has been excavated to the correct, approved elevations. This information resolves an Enforcement Order which had been issued to Mr. Brown.

The Conservation Director reported that a letter of violation was sent to L. Masse for dumping piles of horse manure within wetland and 100-year floodplain on town-owned conservation land off Samoset St. Ms. Masse confirmed to the Conservation Director during a telephone conversation that the material will be stored in buckets and removed from the site or composted on her property. The Conservation Director referred Ms. Masse to the Health Agent in order to obtain advice on composting manure in her yard.

The Conservation Director reported that a letter of violation was sent to Beverly Banfield, 23 Cobb Street, because the Conservation Director observed a resident at that address removing wetland vegetation with a chainsaw. This is not the first time that a Cease & Desist has been issued to Ms. Banfield for this type of violation.

The Conservation Director reported that she had submitted the standard Conservation Commission article, for inclusion on the Spring Town Meeting warrant, to transfer Notice of Intent filing fee funds to the Commission's salary account. The notice regarding the deadline for the submittal of articles was received between Conservation Commission meetings.

Meeting adjourned at 9:38 pm.