



CONSERVATION COMMISSION
70 EAST MAIN STREET
NORTON, MASSACHUSETTS 02766-2320
(508) 285-0275
Fax (508) 285-3300

Monday, September 11, 2000
7:30 pm

RECEIVED
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NORTON TOWN CLERK

Attendance

Bob Medeiros (Vice-Chairman), Ed Breault,
Patrick Corcoran, Leonard Silvia and Jennifer Carlino, Director

Jeffrey Houde (Chairman), Dana Rappaneau and Julian Kadish were absent.

Minutes

The members reviewed the draft minutes of **March 27, 2000**. Patrick Corcoran made a motion, seconded by Leonard Silvia, to table the minutes until the next meeting of Tuesday, September 26, 2000. Approved.

The members reviewed the draft minutes of **April 25, 2000**. Patrick Corcoran made a motion, seconded by Leonard Silvia, to table the minutes until the next meeting of Tuesday, September 26, 2000. Approved.

The members reviewed the Bills Payable Sheet. Patrick Corcoran made a motion, seconded by Ed Breault, to pay the bills. Approved.

The members reviewed a Notice of Intent – **John Scott Boulevard, LLC – File #250-454 - parcel A, parcel (portion of) 196 (assessors map 31) and Lot 1, parcel 126 (assessors map 32) – Myra's Way– (continued from the May 9, 2000, May 22, 2000, June 27, 2000, July 24, 2000 & August 14, 2000 mtgs.)** for proposed plans to construct a driveway, single family house and septic system within the 100 foot buffer zone of a bordering vegetated wetland. Approximately 4,320 sq. ft. will be filled and 5,014 sq. ft. will be replicated. Bob Medeiros read a letter from Fred Bottomley requesting that the public hearing be postponed until a date of no later than 45 days from tonight's meeting. The Director stated that the spotted-turtle survey for this project had not been received from the Natural Heritage and Endangered Species Program to date. Ed Breault made a motion, seconded by Patrick Corcoran, to continue the public hearing for 30 days to be held on October 10, 2000 at 7:40 pm. Approved.

The members reviewed a Notice of Intent – **Chris & Lori Baker – Parcel 679 (assessors map 3) 26 So. Lakeview Road – (con't. from the August 28, 2000 mtg.)** - for proposed plans to construct a single family house within the 100 foot buffer zone of a wetland. Lori Baker and Christopher Yarworth, the Engineer, were present at the public hearing. Chris Yarworth presented a new plan showing the floodplain and also stated that there was no septic system because this lot was connected to the sewer line. The Director asked how much fill would be brought in. Mr. Yarworth stated it

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would be loamed and seeded to the existing grade. The house would be built out of the floodplain. The Director had concerns with the elevation and Mr. Yarworth stated that the elevation would remain the same as the existing grade. Leonard Silvia made a motion, seconded by Patrick Corcoran, to close the public hearing. Approved. Bob Medeiros recommended that three members would sign the Order of Conditions now and as soon as a file number was received from DEP, a fourth member would sign them.

The members reviewed a Notice of Intent – **Wheaton College – (#250-459) - Parcels 93 & 100 (assessors map 17) East Main Street – (con't. from the August 28, 2000 mtg.)** - for proposed plans to construct a 203 space parking lot, 895' pedestrian walk and a 10' wide bridge within wetlands. Present at the hearing were David Manoogian, Attorney, Bob Campbell of Wheaton College, and Bob Mainones, Engineer for the project. Mr. Manoogian stated that he had the information requested by the members at the previous meeting and also noted that there was another change that was not mentioned previously. He said that the bridge crossing a wetland had been deleted and he submitted revised plans showing the deletion. He stated that the existing bridge would be used to cross the ditch and instead of a 10-foot wide bridge a 4-foot wide walkway would be built. No wetlands would be cleared, therefore no replication would be necessary. He further stated that there would be no changes in the parking lot area, but he would be taking with Mr. McPhee, an abutter, in regards to eliminating a few parking spaces and leaving them green areas. It was agreed that these parking spaces under discussion would not fall into the jurisdiction of the Conservation Commission. Ed Breault made a motion, seconded by Patrick Corcoran, to close the public hearing. Approved. Patrick Corcoran made a motion, seconded by Ed Breault, to sign and issue the Order of Conditions as amended. Approved.

The members reviewed a Notice of Intent – **K.G.M. Custom Homes, Inc. – (#250-460) - lot 3, parcel 170 (assessors map 4) 7 Wetherell Way – (con't. from the August 28, 2000 mtg.)** - for proposed plans to construct a single family dwelling with associated Title V septic system, driveway, private well, site grading and appurtenances within the buffer zone of a wetland. Amy Ball could not attend the public hearing. Jennifer Carlino stated that the Natural Heritage and Endangered Species Program had sent a letter stating that there was no need for them to have been notified of this project because the Certified vernal pool does not contain rare species. Patrick Corcoran made a motion, seconded by Ed Breault, to close the public hearing. Approved. Patrick Corcoran made a motion, seconded by Leonard Silvia, to sign and issue the Order of Conditions as written. Approved.

The members reviewed a Notice of Intent – **Lorbridge Construction/Dennis Pasqualino – (#250-461) - bldrs. lot 2, parcel 13 (assessors map 6) 193 Bay Road – (con't. from the August 28, 2000 mtg.)** - for proposed plans to construct a single family dwelling, garage, driveway, and related grading partially within the 100 ft. discretionary zone. The engineer, Ralph Maloon of RIM Engineering, could not be present at the public hearing. Bob Medeiros stated that a letter had been received from the Natural Heritage and Endangered Species Program stating that they could see no problems with the project. The Director stated that the applicant had listed the wrong parcel number for lot 2 for this project. She said that she would call the applicant or the Engineer to get the correct parcel number. Ed Breault made a motion, seconded by Patrick Corcoran, to close the public hearing. Approved. Patrick Corcoran made a motion, seconded by Ed Breault, to sign and issue the Order of Conditions as written. Approved.

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The members reviewed a Notice of Intent – **Meadowbrook Corporation – parcel 55 (assessors map 15) 2 Country Club Way** – for proposed plans to construct a single-family house, driveway, well, sewage disposal system and associated grading within the 100 ft. buffer zone of a bordering vegetated wetland. Chris Yarworth of Yarworth Engineering represented the applicant at the public hearing. Patrick Corcoran asked the Director why this project was a Notice of Intent rather than a Request for a Determination of Applicability. She replied that the project was closer than 50 feet to the wetland boundary and according to the buffer zone policy this was the correct procedure. She also stated wetland would be filled and replicated so a Notice of Intent is required. Mr. Yarworth explained that this house was going to be for Mr. Rodericks who is also a builder and he is keeping the project as far away from the wetlands as possible. Jennifer Carlino stated that an Order of Conditions was not done because there were no flags on-site. Mr. Yarworth claimed that the wetland boundaries were from the previous filing #250-356. The Director stated that the Order of Conditions for this filing had expired in 1997 and that she would not accept the boundaries for the project as stated on that filing especially. It was the consensus of the Commission to have the project re-flagged. Jennifer Carlino mentioned that a file number for this project had not been received from DEP as yet. Patrick Corcoran made a motion, seconded by Ed Breault, to continue the public hearing until the meeting of Tuesday, September 26, 2000 at 7:40 pm. Approved.

The members reviewed a Notice of Intent – **Town of Norton – parcel 98 (assessors map 29) Hill Street** – for proposed plans to construct a municipal animal shelter with associated grading, utilities, parking and leaching system within the 100 ft. buffer of a bordering vegetated wetland. Christopher Yarworth of Yarworth Engineering and Betty Fogerty, the Animal Inspector were present at the public hearing. Mr. Yarworth explained that there would be eight parking spaces for the shelter. He also stated that there would be a leaching system and no well because town water would be going by the site. He stated that the Southeastern Regional School would be constructing the shelter. Bob Medeiros asked where the stormwater management was. Mr. Yarworth claimed that the driveway was not going to be paved so they would not provide stormwater management except for a swale. John McDowell, an abutter, had concerns with the possibility of an animal crematory being built on this site. Bob Medeiros asked Betty Fogerty if there might be a crematory built on this property. She stated that it had been discussed at one point, but it was decided that this would not be a good idea. Jennifer Carlino stated that no file number had been received from DEP as yet for this project. Ed Breault made a motion, seconded by Patrick Corcoran, to continue the public hearing until the next meeting of Tuesday, September 26, 2000 at 7:45 pm. Approved.

Jennifer Carlino stated that a consultant for the Hydrologic & Hydraulic Studies for the Norton Reservoir dam and Chartley Pond dam would have to be selected and asked if the members would like to review the proposals. She stated that she had received five proposals. Discussion ensued on what the studies would involve and what applicants addressed the various topics. Julian Kadish made a motion, seconded by Patrick Corcoran to recommend the least expensive of the two applicants that the Director had chosen, which was Pare Engineering. Approved.

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The Director presented a draft RFP for the Norton Reservoir dredging project for review.

The Director stated that she had received a letter from Legal Counsel in response to the request asking who else had water rights to the Chartley Pond dam. According to them, no one else had any rights, the Conservation Commission under the Board of Selectmen owned it all and is solely responsible for the dam.

The Director stated that the Conservation Commission would only have to pay 25% of the pay towards the salary for a work-study assistant from Wheaton College. Discussion ensued regarding the yearly salary for an assistant. Ed Breault made a motion, seconded by Patrick Corcoran, to pay \$8.00 per hour. Approved.

The Director stated that there were several meetings taking place during the month of September as follows: **Finance Committee**, September 13th at 7:30 pm, **All Boards and Committee**, September 14th at 7:00 pm, **Johnson Acres presentation**, September 16th at 10:00 am, **Capital Budget meeting**, September 18th, **Shpack meeting**, September 18th at 7:00 pm & the **Fall Annual Town Meeting**, September 25th at 7:00 pm. She also stated that the next Conservation meeting would be held on Tuesday, September 26th because of the Town Meeting on Monday, September 25th.

The Director stated that there was a "Review Fee" by-law that allowed the Commission to create a fee schedule. She was going to check with the Town Accountant to see where this money would go. It was the consensus of the Commission that if the fees were to go the Conservaton Budget, this would be a good idea. The Commission requested that Jennifer create a schedule for their review.

Patrick Corcoran made a motion, seconded by Leonard Silvia, to adjourn the meeting at 9:50 pm. Approved.

Respectfully Submitted,



Jennifer Carlino
Conservation Director

JC/pmb