



CONSERVATION COMMISSION
70 EAST MAIN STREET
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RECEIVED
JAN 11 2005
NORTON TOWN CLERK

Monday, November 15, 2004
7:00 pm

Attendance

Bob Medeiros (Chairman), Kathleen Giblin (Vice-Chairman)
Julian Kadish, Earl Willcott, Lisa Carrozza, Eileen King
Jennifer Carlino, Conservation Agent

Ron O'Reilly was absent.

Minutes

The members reviewed the draft minutes of **June 14, 2004**. Earl Willcott made a motion, seconded by Kathleen Giblin, to accept the minutes as written. Approved.

The members reviewed the draft minutes of **June 21, 2004**. Eileen King made a motion, seconded by Julian Kadish, to accept the minutes as written. Approved.

The members reviewed the draft minutes of **June 28, 2004**. Earl Willcott made a motion, seconded by Kathleen Giblin, to accept the minutes as written. Approved.

The members reviewed the draft minutes of **August 2, 2004**. Earl Willcott made a motion, seconded by Kathleen Giblin, to accept the minutes as written. Approved.

The members reviewed the draft minutes of **August 9, 2004**. Eileen King made a motion, seconded by Julian Kadish, to accept the minutes as written. Approved.

The members reviewed the Bills Payable Sheet (refund for Consultant fees). Kathleen Giblin made a motion, seconded by Earl Willcott, to pay the bill. Approved.

The members reviewed the Bills Payable Sheet (Misc./Staples). Kathleen Giblin made a motion, seconded by Earl Willcott, to pay the bill. Approved.

The members reviewed the Bills Payable Sheet (Misc./Norton Copy Center). Kathleen Giblin made a motion, seconded by Earl Willcott, to pay the bill. Approved.

The members reviewed the Bills Payable Sheet (Whipp, Inc.). Kathleen Giblin made a motion, seconded by Julian Kadish, to pay the bill. Approved.

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The members reviewed a Notice of Intent – **(#250-637) – Brian Mulligan/L & M Custom Builders – Parcel 5 (assessors map 1) Newland Street (Westaway Estates/#250-471) – (cont. from the October 4, 2004 mtg.)** for completion of roads, installation of trees, gravel curbing loam and seeding and paving within 100 feet of wetlands. Earl Willcott recused himself from the public hearing. Brian Mulligan was present at the public hearing and explained to the Commission that his permit for File #250-471 had expired and this is why he has filed another Notice of Intent. He stated the remaining work on this project is the curbing, sidewalks, landscaping and asphalt paving. Julian Kadish asked if there were any changes with the project from the original filing and Mr. Mulligan replied that there were no changes. Julian Kadish made a motion, seconded by Lisa Carrozza, to close the public hearing. Approved. Kathleen Giblin made a motion, seconded by Julian Kadish, to sign and issue the Order of Conditions as written. Approved.

The members reviewed a Notice of Intent – **(#250-642) - Ted Nippert/Taylor Court Condo Association – Parcel 46-13 A-D (assessors map 15) 21, 23, 25 & 27 Taylor Court** – for proposed plans to upgrade a sewage disposal system within 100 feet of wetlands. Ted Nippert and his engineer, Earl Chartier of RIM Engineering was present at the public hearing. Mr. Chartier explained the project to the members. He stated this project involved the upgrading of a sewage disposal system by installing a leach trench behind the house. He said two septic tanks would be installed in the front of the house connecting to a distribution box that will flow to a 2000 gallon septic tank that will flow through a zabel filter and into a pump chamber which uses a pack one pump system. This is a pump system that will be connected to an alarm system in the house. Lisa Carrozza asked what siltation control is being used and Mr. Chartier explained it would consist of hay bales and black silt fence. Lisa Carrozza stated this should be shown on the submitted plans. Earl Willcott made a motion, seconded by Julian Kadish, to close the public hearing. Approved. Lisa Carrozza made a motion, seconded by Julian Kadish, to sign and issue the Order of Conditions as written. Approved.

The members reviewed a Notice of Intent – **Michelle Russo – Parcel 283 (assessors map 27) 10 Margaret Drive** – for proposed plans to repair a septic system with associated grading and related utilities including removing trees within 100 feet of wetlands. The applicant was present along with her engineer, Todd M. Pilling of Pilling Engineering Group, Inc. who described the project to the members. He stated the septic system would be installed in the front yard and a couple of trees would be removed in order to save the driveway. He said the silt fence would be installed along the existing tree line. Jennifer Carlino stated one of the conditions was that the owners would stop dumping the compost pile which is currently within the wetlands. She said a vernal pool existed at the rear of the property and all work is at least 100 feet from this vernal pool. Kathleen Giblin made a motion, seconded by Julian Kadish, to close the public hearing. Approved. Lisa Carrozza made a motion, seconded by Julian Kadish, to sign and issue the Order of Conditions as written. Approved.

The members reviewed a Notice of Intent – **(#250-643) - Scott Frietas – Parcel 112 (assessors map 32) 35 John B. Scott Boulevard** – for proposed plans to construct an addition, driveway and garage and for replication of wetlands within 100 feet of wetlands. Scott Frietas was present at the public hearing. He stated he had cleared a large amount of brush on the side of the house when he moved in, in order to allow more light to shine on the house to help eliminate mold on the house. Bob Medeiros

asked Mr. Frietas if he received the letter from the Conservation Commission in November. Mr. Frietas stated his wife received the letter. He said he was requested to move his driveway but did not want to because he needed the space in order to manipulate his large camper. Jennifer Carlino stated he had room to move the driveway where she suggested and could still manipulate his truck and camper. She reminded the board that this project received a Cease & Desist in the spring for the violation and proposed revisions to this proposal. Bob Medeiros suggested to Mr. Frietas a way to allow him to drive in with, and park, his truck and camper and avoid the wetlands. Mr. Frietas agreed to this plan. The Commission asked Mr. Frietas to return with a revised plan and a restoration plan for the disturbed wetlands. Kathleen Giblin made a motion, seconded by Julian Kadish, to continue the public hearing until the next regular meeting of Monday, December 13, 2004. Approved.

The members reviewed a request for a minor modification to the approved plans for **File #250-624 – Laurence Schneider/The Norton Cottage Program – 69 East Main Street**. Laurence Schneider was present as well as Michelle Grenier from Allen and Majors Associates presented the modification to the members. She stated originally the sewer main was going to be installed down the middle of the road but the applicant would like to install the sewer main along the side of the road which, she stated, would save the town time and money. Ms. Grenier said she delineated the wetlands on October 28, 2004 and hay bales and silt fences were installed in these areas. Jennifer Carlino stated she was waiting for pictures from the contractor of the shoulders of the road near the bridge and information as to how he intended to go from road to under the bridge. Julian Kadish made a motion, seconded by Earl Willcott, to allow the minor modification without a new filing. Approved.

The members reviewed a request for a Certificate of Compliance for a Lake Winnecunnet sewer project for **File #250-570 – Edward Breault – 16 Samoset Street**. Earl Willcott 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 #250-620 – Ronald Coolidge – Parcel 1 (assessors map 8) 7 Richardson Avenue**. Jennifer Carlino stated the work was completed according to the submitted plans. Julian Kadish 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 a Lake Winnecunnet sewer project for **File #250-570 – 15 Samoset Street – Paul Martin**. Eileen King 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 a Lake Winnecunnet sewer project for **File #250-570 – 41 Charlotte Avenue – Forrest Hicks**. Eileen King 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 a Lake Winnecunnet sewer project for **File #250-570 – 70 Charlotte Avenue – Madeleine Yarleths**. Eileen King made a motion, seconded by Lisa Carrozza, to issue the Certificate of Compliance. Approved.

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The members reviewed a request for a Certificate of Compliance for a Lake Winnecunnet sewer project for **File #250-570 – 15 Maplewood Avenue – Theodore Peter**. Eileen King 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 a Lake Winnecunnet sewer project for **File #250-570 – 16 Maplewood Avenue – Cindy Anuszkiewicz**. Eileen King 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 a Lake Winnecunnet sewer project for **File #250-570 – 22 Maplewood Avenue – Jay Khubchanda**. Eileen King 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 a Lake Winnecunnet sewer project for **File #250-570 – 49 King Phillip Road – June Pipes**. Eileen King 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 a Lake Winnecunnet sewer project for **File #250-570 – 56 King Phillip Road – Paul Costa**. Eileen King 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 a Lake Winnecunnet sewer project for **File #250-570 – 64 King Phillip Road – Lynette Benoit**. Eileen King made a motion, seconded by Lisa Carrozza, to issue the Certificate of Compliance. Approved.

The members reviewed a request for a partial Certificate of Compliance for **File #250-580 – James Sullivan/Rainbow Kids Daycare – Parcel 19R (assessors map 26) 366 Old Colony Road**. Jennifer Carlino stated the applicant had already posted a \$500 with the Town Treasurer to ensure the final stabilization of exposed soils. Julian Kadish made a motion, seconded by Lisa Carrozza, to issue the partial Certificate of Compliance.

The members reviewed a request for a Certificate of Compliance for **File #250-233 – First Bristol Corp./SC Greatwoods Marketplace, Inc. c/o Scott Abrams, Esq., Nossaman, Guthner, Knox & Elliott LLP – parcel 265 (assessors map 9) Mansfield Avenue (Greatwoods Marketplace)**. It was agreed to issue the Certificate of Compliance as long as the trees are removed from the sideslopes of the detention basin. Discussion ensued regarding the removing of the trees from the sideslopes of the detention basin. Julian Kadish stated that, in his opinion, the trees would be beneficial rather than a hazard to the area and recommended leaving them. Julian Kadish made a motion, seconded by Earl Willcott, to issue the Certificate of Compliance and allow the trees to remain in the detention basin. Approved.

Bob Medeiros asked if any of the members had comments on the response letter to the appeal for **File #250-611 – Thomas Calhoun** by the agent. It was the consensus of the board to have the letter sent as written.

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Jennifer Carlino noted the appeal hearing for **File #250-632 – Gatehouse Realty Trust – Maple Street** was this Friday at 9:00 am on site. She noted that the attached response letter had been slightly revised.

The members reviewed the Conservation Restriction for the **River Oaks (Shelly Road and Anna Way)** project. Lisa Carrozza made a motion, seconded by Julian Kadish, to sign the restriction. Approved.

Earl Willcott made a motion, seconded by Kathleen Giblin, to adjourn the public meeting at 8:00 pm. Approved.

Respectfully Submitted,

A handwritten signature in dark ink, appearing to read "Jennifer Carlino". The signature is fluid and cursive, with the first name "Jennifer" written in a larger, more prominent script than the last name "Carlino".

Jennifer Carlino
Conservation Director

JC/pmb