



Norton Conservation Commission

70 East Main Street
Norton, MA 02766

RECEIVED
NOV 21 PM 3:00
NORTON TOWN CLERK

Monday, September 26, 2005
7:00 pm

Attendance

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

Robert Medeiros & Eileen King were absent.

Minutes

The members reviewed the draft minutes of **June 13, 2005**. Earl Willcott made a motion, seconded by Kathleen Giblin, to accept the minutes as written. Approved.

The members reviewed the draft minutes of **July 11, 2005**. Kathleen Giblin made a motion, seconded by Ron O'Reilly, to accept the minutes as written. Approved.

The members reviewed the draft minutes of **July 25, 2005**. Earl Willcott made a motion, seconded by Ron O'Reilly, to accept the minutes as written. Approved.

The members reviewed the draft minutes of **August 22, 2005**. Kathleen Giblin made a motion, seconded by Ron O'Reilly, to accept the minutes as written. Approved.

The members reviewed the Bills Payable Sheet (Baystate Env. Cons.). Ron O'Reilly made a motion, seconded by Lisa Carrozza, to pay the bill. Approved.

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

The members reviewed a Notice of Intent – (#250-660) – **Chuck Cramer/Cramer Levine & Company – Parcel 58B (assessors map 17) – 134 East Main Street – (cont. from the May 16, 2005, June 13, 2005, July 11, 2005 & August 22, 2005 mtgs.)** – for proposed plans to construct a parking lot and expand an existing sewage disposal system within 100 feet of wetlands. Jennifer Carlino stated the applicant has requested a continuance for the public hearing. Kathleen Giblin made a motion, seconded by Ron O'Reilly, to continue the public hearing until the next regular meeting of Monday, October 17, 2005 at 7:05 pm. Approved.

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The members reviewed a Notice of Intent – (#250-670) - **Edward R. Woods, Jr., Trustee, Rapwood Nominee Trust —Parcel 37-1 (assessors map 31) John Scott Boulevard – (cont. from the July 11, 2005, July 25, 2005, August 22, 2005 & September 12, 2005 mtgs.)** - for proposed plans to fill and replicate wetlands and bank for a driveway, construct a house, septic system, utilities and grading in a Riverfront Area. Julian Kadish read a letter written by the applicant's representative requesting a continuance of the public hearing until the next regular meeting of Monday, October 17, 2005 at 7:15 pm. Approved.

The members reviewed a Notice of Intent – (#250-683) – **Angelo Pasqualino/Teddy Realty Trust – Lot 11, Parcel 233 (assessors map 17) 10 Johnson Road – (cont. from the September 12, 2005 mtg.)** - for proposed plans to construct a 36' x 60' house, driveway, sewer disposal system and utilities with related grading within 100 feet of wetlands. Angelo Pasqualino and his engineer, Earl Chartier, of RIM Engineering Co., Inc. were present at the public hearing. Mr. Chartier submitted a revised plan. He stated the driveway and siltation fence were moved out of the 25-foot no touch zone. Mr. Chartier stated the front portion of the driveway was straightened out to move it further away from the stream. Jennifer Carlino stated a letter had been received from Natural Heritage stating there would be no adverse effects by this project. Kathleen Giblin made a motion, seconded by Earl Willcott, to close the public hearing. Approved. Ron O'Reilly made a motion, seconded by Lisa Carrozza, to sign and issue the Order of Conditions as written. Approved.

The members reviewed a Notice of Intent – (#250-678) – **Angelo Pasqualino/Teddy Realty Trust – Lot A, Johnson Road & Lot 3, Mill Lane, Parcels 224 & 229 (assessors map 17) 18 Johnson Road – (cont. from the September 12, 2005 mtg.)** – for proposed plans to construct a house with attached garage, porch, sewage disposal system, driveway, utilities, with related grading within 100 feet of wetlands. Angelo Pasqualino, his attorney, Dick Bland and his engineer, Earl Chartier of RIM Engineering Co., Inc. were present at the public hearing. Mr. Chartier submitted revised plans showing revisions on both sides of the road and the elimination of the retaining wall near the vernal pool. Julian Kadish asked if the common driveway had been approved by the Planning Board and he said it had been approved. Jennifer Carlino asked Mr. Chartier if the area on the plan shown as dense vegetation existed or was proposed. He stated that it was proposed. Jennifer Carlino stated that one of the conditions in the Order would be to provide a planting plan. She asked Mr. Chartier if the applicant had submitted the appendix to the conservation restriction. Mr. Dick Bland stated there were two ways to submit the appendix. One way would be to write the description for five different areas as conservation restricted areas and the other would be to show the exact boundaries on each house lot. Jennifer Carlino stated the exact boundaries shown on each lot would be the best way. She stated she would like a reduced Conservation Restriction plan approximately eight and one half inches by eleven inches. Lisa Carrozza asked if the two vernal pools were part of the Conservation Restriction and Jennifer Carlino replied that they are. Lisa Carrozza asked why there was no erosion control on the other side of the house and Jennifer Carlino pointed out that this permit was only for the road and one house. Earl Willcott made a motion, seconded by Ron O'Reilly, to close the public hearing. Approved. Kathleen Giblin made a motion, seconded by Ron O'Reilly, to sign and issue the Order of Conditions as written. Approved.

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The members reviewed a Notice of Intent – (#250-684) – **Michael Powers – Parcel 175 (assessors map 16) – 69 Freeman Street – (cont. from the September 12, 2005 mtg.)** – for proposed plans to replant the wetland vegetation along the bank of the Norton Reservoir. Sue and Michael Powers were present at the public hearing. Jennifer Carlino presented a list of various trees and shrubs to be used in the replanting process. Lisa Carrozza made a motion, seconded by Kathleen Giblin, to close the public hearing. Approved. Lisa Carrozza made a motion, seconded by Ron O'Reilly, to sign and issue the Order of Conditions as written. Approved.

The members reviewed a Notice of Intent - #250-686) – **PMF Realty Trust – Parcel 198 (assessors map 31) 59 Harvey Street** – for proposed plans to construct a house, septic system and utilities with related grading within 100 feet of wetlands. Ted Trowbridge of Hutchins-Trowbridge Associates represented the applicant at the public hearing and described the project to the members. He stated there would be very little changes in the grading. Jennifer Carlino stated that she had sent a letter to Hutchins-Trowbridge Associates with several minor plan changes and had received a revised plan. An abutter, Donna Lima of 71 Harvey Street had concerns with an existing vernal pool on her property getting contaminated. Julian Kadish and Jennifer Carlino assured Ms. Lima that the clearing would be far enough away to not cause any changes in the vernal pool. Jennifer Carlino explained that erosion control would be in place during construction. Ms. Lima asked if there would be any guarantees to prevent trees being cut beyond the erosion control and Jennifer Carlino stated any further work on this lot would require a separate wetland permit. Dorothy Freeman stated that this house would belong to her son and more than likely not be sold. Kathleen Giblin made a motion, seconded by Earl Willcott, to close the public hearing. Approved. Kathleen Giblin made a motion, seconded by Ron O'Reilly, to sign and issue the Order of Conditions as written. Approved.

The members reviewed a Notice of Intent – (#250-685) – **PAF Realty Trust – Parcel 6 (assessors map 31) 55 Harvey Street** – for proposed plans to construct a house, septic system and utilities with related grading within 100 feet of wetlands. Ted Trowbridge of Hutchins-Trowbridge Associates represented the applicant at the public hearing and described the project to the members. He stated the septic system was proposed 110 feet from the vernal pool which was moved as far away from the vernal pool as possible. Earl Willcott made a motion, seconded by Ron O'Reilly, to close the public hearing. Approved. Kathleen Giblin made a motion, seconded Ron O'Reilly, to sign and issue the Order of Conditions as written. Approved.

The members reviewed a Notice of Intent – (#250-688) – **Town of Norton – Union Street** – for proposed plans to reconstruct a portion of Union Road near the railroad tracks within 100 feet of wetlands. Ron O'Reilly recused himself from the public hearing. Tim Beauchemin of the Army Corps of Engineers represented the town at the public hearing and explained the project to the members. Mr. Beauchemin stated that a clean up project was in place for the Shpack Superfund site, and he explained that the purpose of this project was to pave the approach to the railroad crossing to prevent the trucks used to haul away land from the Shpack superfund site from tipping over or bottom out. He explained that the proposal involves filling in on each side of the tracks to level the road and lessen the hump in the road. He stated the worst case senario would be the placement of one and a half feet of asphalt in some sections. He said a two-foot shoulder would be in place on each side of the road at these sections. Mr. Beauchemin stated there would be a two-foot shoulder of compacted stone on each side

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of the road. Lisa Carrozza asked if this would be removed at the end of the project and he stated it would be permanent. He stated this would be an improvement of the road and overseen by the Highway Superintendent, Keith Silver. Lisa Carrozza suggested to add a condition to the Orders to require a turtle monitor be on-site during the work. Jennifer Carlino noted a DEP file number had not been received yet and no response has been received from Natural Heritage. Earl Willcott made a motion, seconded by Julian Kadish, to sign the Order of Conditions now and to continue the public hearing until the next regular meeting of Monday, October 17, 2005 at 7:30 pm, then issue the Order of Conditions after a letter is received from Natural Heritage and after a DEP file number is assigned to the project. Approved.

Tim Beauchemin Asked the board members if it would be possible to lower the Chartley Pond dam. He explained that on-site the ground water is two feet down and the waste is six to eight feet down. It was agreed that Ron O'Reilly would remove one board each week for three weeks.

The members reviewed a request for a Certificate of Compliance for **File #250-570 – Joan Reilly – 13B Samoset Street** (sewer connection). 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 #250-570 – Chris Maglaras – 48 Bay Road** (sewer connection). 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 #250-570 – James Millerick – 53 Bay Road** (sewer connection). 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 #250-637 – Brian Mulligan/L & M Builders – parcel 5 (assessors map 1) Newland Street (Westaway Estates)**. Earl Willcott recused himself from the public hearing. Kathleen Giblin made a motion, seconded by Ron O'Reilly, to issue the Certificate of Compliance with the condition that all erosion control is removed from Earl Willcott's property, the culvert on Earl Willcott's property is cleaned and the catch basin is cleaned. Approved.

Jennifer Carlino stated she received a letter from the Great Woods Marketplace requesting permission to cut trees within and clean out the detention basin on the property. Jennifer Carlino stated at a previous meeting the members decided to allow the vegetation to grow unaware of a detention basin being present. Since then, the Selectmen approached a representative for the Great Woods Marketplace regarding cutting vegetation within and cleaning out the detention basin. Jennifer Carlino stated the vegetation could be removed with hand tools and, therefore, would not require a wetland permit. Ron O'Reilly made a motion, seconded by Earl Willcott, to allow the clearing out of the detention basin with hand tools. Approved.

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The members reviewed a draft letter to Carl Neilson of the ESS Group, Inc. by the agent suggesting that a more in-depth study of rare species in Lake Winnecunnet be conducted at the proper time of year. It did not appear that ESS Group, Inc. was doing this. Ron O'Reilly made a motion, seconded by Kathleen Giblin, to send the letter. Approved.

The members reviewed a draft injunction for Nancy Hamilton at 123 Freeman Street. Jennifer Carlino stated she had made minor revisions, primarily dates and times. She updated the members on the sequence of events that led to the injunction. Earl Willcott made a motion, seconded by Lisa Czarrozza, to approve the injunction as written by Town Counsel with the minor revisions made by the agent and have the agent sign it and return it to Town Counsel. Approved.

Jennifer Carlino stated she would like to purchase a few signs such as "No Dumping" and "Turtles Crossing". She said that people have been dumping debris and leaves at various locations and if the areas were posted they might stop.

Jennifer Carlino noted that the deadline to submit proposals for the Norton Reservoir dredging project was extended to October 5, 2005.

Jennifer Carlino noted that there will be a meeting this Wednesday to go over what other area towns have for Stormwater Regulations. She stated the responsibility in most towns is put upon the Conservation Commission. She said the meeting will include herself, the Town Planner, the Highway Superintendent and the Town Manager, all of whom will form a committee for Phase II. She stated EPA had required all towns to do a by-law a year ago and the Highway Department had received a letter regarding this issue.

Jennifer Carlino stated she had purchased a used canoe and suggested keeping it in Norton as long as she would be re-imbursed. The members agreed the canoe would be an asset for various inspections and studies.

Jennifer Carlino showed the Commission members a sample of the markers to be used by the GM Corporation to depict the Conservation Restriction boundaries and they gave their approval.

Kathleen Giblin made a motion, seconded by Ron O'Reilly, to adjourn the meeting at 8:19 pm. Approved.

Respectfully Submitted,



Jennifer Carlino
Conservation Director

JC/pmb