



Norton Conservation Commission

70 East Main Street
Norton, MA 02766

RECEIVED
FEB 27 PM 2:15
NORTON TOWN CLERK

Monday, October 30, 2006
7:00 pm

Attendance

Earl Willcott (Chairman), Bob Medeiros (Vice-Chairman),
Julian Kadish, Ron O'Reilly, Kathleen Giblin
Eileen King, Jennifer Carlino, Conservation Agent

Lisa Carrozza was absent.

Minutes

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

The members reviewed the Bills Payable Sheet (Misc). Julian Kadish made a motion, seconded by Bob Medeiros, to pay the bill. Approved.

The members reviewed the Bills Payable Sheet (Pare Engineering Corp.). Bob Medeiros made a motion, seconded by Julian Kadish, to pay the bill. Approved.

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

The members reviewed a Notice of Intent – (#250-736) – Mark Lincoln – Parcels 97 & 98 (assessors map 19) 5 King Phillip Road – (cont. from the August 14, 2006, August 28, 2006 & September 25, 2006 mtgs.) - for proposed plans to construct a single family house within 100 feet of Lake Winnecunnet. Jennifer Carlino stated she had met with the applicant's engineer on site. She stated she spoke with George Collins of Collins Engineering and he stated the applicant was withdrawing his request to construct a house on this property. She stated she had advised him that this permit will only cover the clearing and cutting that has already been done and there is to be no more cutting of the property and the property should be allowed to re-grow. Jennifer Carlino requested a final revised plan. The public hearing had to be continued because abutters were told the applicant had requested a continuance, but appeared at tonight's meeting. Julian Kadish made a motion, seconded by Ron O'Reilly, to continue the public hearing until the next regular meeting of Monday, November 13, 2006 at 7:03 pm. Approved.

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The members reviewed a Notice of Intent – (#250-741) – **Jacqueline Gill – Parcel 133 (assessors map 19) 65 King Philip Road – (cont. from the August 28, 2006 , September 11, 2006 & September 25, 2006 mtgs.)** - for proposed plans to replace an existing retaining wall within 100 feet of Lake Winnecunnet. Jennifer Carlino stated the applicant has requested a continuance of the public hearing until the second next regular meeting in order to obtain the needed information from her engineer. Julian Kadish made a motion, seconded by Ron O'Reilly, to continue the public hearing until the regular meeting of November 27, 2006 at 7:10 pm. Approved.

The members reviewed a Abbreviated Notice of Resource Area Delineation – (#250-740) – **Riley Lamson /LL Investments – parcel 6 (assessors map 36) East Hodges Street – (cont. from the September 11, 2006, September 25, 2006 & October 16, 2006 mtgs.)** - for verification of the wetland resource areas. Earl Willcott recused himself from the public hearing. Jennifer Carlino stated the applicant has requested a continuance of the public hearing until the next regular meeting. Julian Kadish made a motion, seconded by Ron O'Reilly, to continue the public hearing until the next regular meeting of Monday, November 13, 2006 at 7:15 pm. Approved.

The members reviewed an Abbreviated Notice of Resource Area Delineation – (#250-743) – **Nick Mirrione/Red Mill Realty Trust – parcel 4 (assessors map 2) Newland Street – (cont. from the September 11, 2006, September 25, 2006 & October 16, 2006 mtgs.)** - for verification of the wetland resource areas. Scott Faria of Gallagher Engineering and Fred Clark of Red Mill Realty Trust were present at the public hearing. The Commission members agreed that the area is Isolated Land Subject to Flooding and the project must meet Performance Standards. Ron O'Reilly made a motion, seconded by Julian Kadish, to close the public hearing. Approved.

The members reviewed a Request for a Determination of Applicability – (DET. #883) – **Sinclair Mfg. Co., Inc./David M. LeMieux, Pres. – Parcels 124-01, 126, 127 & 127-01 (assessors map 26) 12 South Worcester Street – (cont. from the October 16, 2006 mtg.)** - for proposed plans to collect water/soil samples from Chartley Brook and install monitoring wells within 100 feet of wetlands. Jennifer Carlino stated she had spoken with the consultant about a minor modification and she advised him that a Notice of Intent has to be filed in order to complete this project using the methods requested by the Conservation Commission. She stated the applicant has requested a continuance of the public hearing in order to file a Notice of Intent until the next regular meeting. Julian Kadish made a motion, seconded by Ron O'Reilly, to continue the public hearing until the next regular meeting of Monday, November 13, 2006 at 7:20 pm. Approved.

The members reviewed a Request for a Determination of Applicability – (DET. #884) – **Doug & Nancy May Parcel 31-01 (assessors map 18) 9 South Washington Street** – for proposed plans to repair/replace a sanitary disposal system within 100 feet of wetlands. Jennifer Carlino stated she had received a revised plan from the applicant's engineer which was ok. Julian Kadish made a motion, seconded by Ron O'Reilly, to close the public hearing. Approved. Julian Kadish, made a motion, seconded by Ron O'Reilly, to issue a negative Determination of Applicability (#3) as long as the work is done according the approved plans. Approved.

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The members reviewed a Request for a Determination of Applicability – **(DET. #885) – John White – Parcel 64 (assessors map 16) 23 Robinson Lane** – for proposed plans to install a septic system within 100 feet of Norton Reservoir. Jennifer Carlino stated this was an emergency and she allowed the work to be done before the public hearing. Ron O'Reilly made a motion, seconded by Julian Kadish, to close the public hearing. Approved. Bob Medeiros made a motion, seconded by Julian Kadish, to issue a negative Determination of Applicability (#3) as long as the work is done according to the approved plans. Approved.

The members reviewed a Notice of Intent – **(#250-754) – Ryan Sheehan/Sheehan Construction - Parcel 98 (assessors map 32) 14 John Scott Boulevard** – for proposed plans to construct a single family house, attached garage, deck sewage disposal system, utilities and related grading within 100 feet of wetlands. Ryan Sheehan presented the project to the members. Jennifer Carlino asked what type of well would be constructed. Mr. Sheehan replied that it will be an artesian well. The members agreed with the agent that a visual barrier would be installed at the limit of work. Dave Simpson, an abutter, questioned flooding potential. Jennifer Carlino requested that the applicant place a deed restriction on the property and install a mulch/lawn visual barrier at the edge of the wetlands. Bob Medeiros made a motion, seconded by Julian Kadish, to close the public hearing. Approved.

The members reviewed a Notice of Intent – **(#250-753) – Meere Chakrar – Parcels 140-149 (assessors map 3) Holly Road** – for proposed plans to construct a single family house with associated driveway and utilities within 100 feet of wetlands. The applicant, her attorney, Henry Sousa and her engineer, George Collins of Collins Engineering were present at the public hearing. The members questioned why the house couldn't be moved closer to the road and further from the wetland. Mr. Sousa replied that it is easier to appeal the Order of Conditions than a decision from the Zoning Board of Appeals. The members agreed a visual barrier would be installed at the limit of work and Mr. Sousa said his client had no problem with that. Diane CoCo of 9 Holly Road had concerns with water coming up to her foundation and asked how much fill would be brought in. She submitted photos to the Commission. The members requested that the engineer move the house or raise it so it wouldn't be impacted by water. Lori Kimball of 8 Holly Road had concerns with flooding. Bob Medeiros made a motion, seconded by Julian Kadish, to continue the public hearing until the next regular meeting of Monday, November 13, 2006 at 7:25 pm. Approved.

The members reviewed a Notice of Intent – **(#250-725) - Thomas Landry/Massachusetts Golf Association – Parcel 139 (assessors map 26) 300 West Main Street – (cont. from the June 12, 2006, June 26, 2006, July 24, 2006, August 14, 2006, August 28, 2006, September 11, 2006, September 25, 2006 & October 16, 2006 mtgs.)** - for proposed plans to install an irrigation system withdrawal mechanism with associated piping within 100 feet of wetlands. Matt Varrell of VHB updated the members on the project. He submitted a revised plan showing less work proposed than the original plan submitted. He said the new irrigation system is able to measure the flows of the Wading River and this information will be submitted to the Conservation office. The applicant stated that the pump would remain in place. Jennifer stated that one of the conditions will be no cutting of vegetation to create an area to install a bench or to create a view. Kathleen Giblin made a motion, seconded by Bob Medeiros, to close the public hearing. Approved.

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The members reviewed a request for a Certificate of Compliance for File **#250-557A – M.B. Martin Contractor, Inc. – Parcels 13 & 57 (assessors map 33) Taunton Avenue**. Jennifer Carlino stated the project was completed according to the approved plans. Julian Kadish made a motion, seconded by Eileen King, to issue the Certificate of Compliance. Approved.

The members reviewed a request for a Certificate of Compliance for File **#250-417A – Polaroid Corporation – Parcel 27 (assessors map 9) - Mansfield Avenue (Rt. 140)**. Jennifer Carlino stated the project was completed according to the approved plans. Ron O'Reilly made a motion, seconded by Julian Kadish, to issue the Certificate of Compliance. Approved.

The members reviewed a request for a Certificate of Compliance for File **#250-678 – Lot B-1, Parcels 224 & 229 (assessors map 17) 18 Johnson Drive**. Jennifer Carlino stated the project was not completed. She said the driveway to the house was incomplete, the grass was not growing and the erosion control needed to be fixed. She said that an As-Built plan would have to be submitted to complete the request. Julian Kadish made a motion, seconded by Kathleen Giblin, to issue a partial Certificate with the condition that the applicant post a \$500 bond with the Town Treasurer to ensure final vegetative stabilization of exposed soils on this lot. Approved.

The members reviewed the Order of Conditions for Notice of Intent – **(#250-739) – Angelo Pasqualino, Tr./Teddy Realty Trust – (assessors maps 10 & 17) Johnson Road** which was sent to the members with the agenda for review. Bob Medeiros abstained from voting. Julian Kadish made a motion, seconded by Ron O'Reilly, to accept the conditions as written and to sign the Order of Conditions. Approved.

The members reviewed the Order of Conditions for Notice of Intent – **(#250-752) – Alison Stapleton – Parcel 163 (assessors map 15) 4 Fletcher Way** which was sent to the members with the agenda for review. Bob Medeiros made a motion, seconded by Ron O'Reilly, to accept the conditions as written and to sign the Order of Conditions. Approved.

Jennifer Carlino presented an Enforcement Order issued for a violation at **143 Plain Street**. She stated that 10,000 sq.ft. of riverfront area has been altered without a permit by Angelo Pasqualino, who withdrew the permit at the previous meeting. She said the Enforcement Order would have to be issued to the new owner of the property. Bob Medeiros abstained from voting. Ron O'Reilly made a motion, seconded by Eileen King, to issue the Enforcement Order. Approved.

Jennifer Carlino presented "thank you" Certificates for the members to sign for all the people who worked on the Leo Yelle Conservation Area project.

Jennifer Carlino stated she received a letter from the Office of Dam Safety extending the time to submit the Phase I Report for the Chartley Pond and Norton Reservoir dams until the end of December as long as the engineer sends a monthly report.

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Bob Medeiros made a motion, seconded by Kathleen Giblin, to adjourn the meeting at 8:45 pm.
Approved.

Respectfully Submitted,



Jennifer Carlino
Conservation Director

JC/pmb