



## Norton Conservation Commission

70 East Main Street  
Norton, MA 02766

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NORTON TOWN CLERK

Monday, April 23, 2007  
7:00 pm

### Attendance

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

Kathleen Giblin was absent.

### Minutes

The members reviewed the draft minutes of **March 26, 2007**. Bob Medeiros made a motion, seconded by Ron O'Reilly, to accept the minutes as written. Approved.

The members reviewed the Bills Payable Sheet (misc.). Bob Medeiros made a motion, seconded by Ron O'Reilly, to pay the bills. Approved.

The members reviewed the Bills Payable Sheet (grant.). Bob Medeiros made a motion, seconded by Ron O'Reilly, to pay the bills. Approved.

The members reviewed the Bills Payable Sheet (Pare Corp.). Bob Medeiros made a motion, seconded by Ron O'Reilly, to pay the bills. Approved.

The members reviewed a Notice of Intent – (#250-767) – **Edward Fontneau – Parcel 9 (assessors map 26) 380 Old Colony Road – (cont. from the January 22, 2007, February 12, 2007, February 26, 2007, March 12, 2007, March 26, 2007 & April 9, 2007 mtgs.)** - for proposed plans to construct a building and driveway extension with utilities and related grading within 100 feet of wetlands. Jennifer Carlino stated the applicant did not appear at the last public meeting and no one is here tonight. Bob Medeiros made a motion, seconded by Ron O'Reilly, to have Jennifer Carlino send a letter to Edward Fontneau requiring him to appear at the next public meeting or the Commission will vote to close the public hearing. Approved.

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, October 30, 2006, November 27, 2006, December 18, 2006, January 22, 2007, March 12, 2007 & April 9, 2007 mtgs.)** - for proposed plans to replace an existing retaining wall within 100 feet of Lake Winnecunnet. Mr. George Cuneau, Atty. for the Gills, updated the Commission on the project.

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He stated he received a response from NHESP stating the project shall not impact the rare species in the Lake. Mr. Cuneau said he contacted DCR and the Office of Dam Safety and both felt they had no jurisdiction over this project. He presented the members with a construction sequence for the project as requested at the last meeting. Mr. Cuneau stated that since the last public meeting, the contractor inspected the site and decided a 1-foot pre-cast footing could be used instead of a poured 4-foot footing for the retaining wall. He said he would be submitting revised engineered-stamped plans pertaining to the amount of fill to be used as soon as possible. Bob Medeiros asked how the proposed retaining wall was going to fit in with neighboring walls and Ms. Gill replied the wall will be placed flush against the neighboring walls. She stated the wall is designed for water coming in between the walls, and therefore, it is designed with a v-shaped space for drainage filled with crushed stone to allow the water to flow back into the lake. Bob Medeiros asked if a fence was still proposed to be placed on top of the retaining wall and Ms. Gill stated there was, either to be cemented into or bolted onto the wall. Joel Fishman, Attorney for Sandra and Carol Shiere, stated the Shieres have concerns with the connection between the proposed retaining wall and the existing walls. Carol Shiere addressed the commission and pointed out an area where there will be a 3-foot jog in the connection between the walls and explained that she already has debris on her property washed up onto land from the lake by strong northeast winds. She had concerns with another area for debris to collect. Mr. Cuneau assured Ms. Shiere that the proposed retaining wall will be an improvement to this problem and presented a photo of this area to the members and described to the members why the proposed retaining wall will improve this situation. Mr. Cuneau reassured Ms. Shiere and the members that the finished grade of the area will be lower than the neighboring properties. Sandra Shiere stated that it was her understanding that abutters to the proposed work site be presented with a drainage analysis of water runoff of the bordering properties in order to review the displacement of flood waters. She asked why the retaining wall was moved back 3 feet and Earl Willcott replied it was the filling of a floodplain issue. Mr. Fishman requested the applicant hire, at their expense, an engineer to determine what impacts there would be on the Shiere's property. Julian Kadish stated this would not be necessary as the project would only improve conditions. Bob Medeiros made a motion, seconded by Julian Kadish, to continue the public hearing until the next regular meeting of Monday, May 21, 2007. Approved.

The members reviewed a Notice of Intent – **(#250-768) – Michael Riha – Parcels 686 & 687 (assessors map 3) 40 South Lakeview Road – (cont. from the January 22, 2007, February 12, 2007, February 26, 2007, March 12, 2007 & April 9, 2007 mtgs.)** - for proposed plans to demolish a building and construct a 45"x48" house, patio, utilities and garage with associated grading within 100 feet of wetlands. No one was present the public hearing to present this project. Bob Medeiros made a motion, seconded by Ron O'Reilly, to close the public hearing. Approved. Bob Medeiros made a motion, seconded by Ron O'Reilly, to deny the project for lack of information and have the agent send a letter to the applicant stating this. Approved.

The members reviewed a Notice of Intent – **(#250-758) – Perry DiMascio/Shamrock Realty Trust – Parcel 33 (assessors map 21) – Walker Street – (cont. from the December 18, 2006, January 22, 2007 & March 26, 2007 mtgs.)** - for proposed plans to construct a dwelling, garage, deck, room and driveway with related grading within 100 feet of wetlands and within the floodplain. No one was present at the public hearing to present this project. Jennifer Carlino stated that at the last meeting the



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applicant requested a continuance in order to review information regarding the Conservation Restriction and land donation options. She stated she expected someone to show up for this public hearing and had not received any information otherwise. Bob Medeiros made a motion, seconded by Lisa Carrozza, to have Jennifer Carlino send a letter to the applicant requesting his appearance at the next regular meeting of Monday, May 21, 2007 to inform the Commission on his intentions with this project. Approved. Mr. George Hill, an abutter, presented the Commission with pictures of the area after a recent rain storm.

The members reviewed the Order of Conditions for Notice of Intent – **(#250-771) – Easecat Limited Partnership – Parcel 286 (assessors map 21) 15 Goff Road** which was sent to the members with the agenda for review. Lisa Carrozza requested a revision to condition #16. Bob Medeiros made a motion, seconded by Ron O'Reilly, to accept the conditions, as amended, and to sign the Order of Conditions. Approved.

Jennifer Carlino noted there was a Shpack meeting on Tuesday, June 5, 2007.

Jennifer Carlino noted she had enclosed changes to the regulations to the Storm Water Management Policy which with the agenda for this meeting.

Jennifer Carlino noted proposals for the Lake Winnecunnet project are due on May 11<sup>th</sup>.

Jennifer Carlino noted she enclosed a letter from Pare Corporation regarding Norton Reservoir dam in the agenda for the Commission's review.

Jennifer Carlino suggested sending a letter to the applicant for the Kingsbury Hills Condominium Association project to copy the Norton Conservation Commission on any correspondence regarding the Conservation Restriction for this project since it is the Conservation Commission that retains the Conservation Restriction of file. Bob Medeiros made a motion, seconded by Ron O'Reilly, to have the agent send the letter. Approved.

Ron O'Reilly presented photos of West Main Street to show the Commission that the company just drops the old paper into the river. This will be an enforcement issue next time.

Ron O'Reilly stated there are five active burrows approximately 3-4 inches in size on the Chartley Pond dam wall. Discussion ensued on what type of animal this could be.

Ron O'Reilly stated one of the horizontal bars at the dam is bent out and may present a hazard to people fishing.

Bob Medeiros stated he has been approached by a resident requesting that the Conservation Commission members either wear name tags or have name plates in front of them at the public meetings. Bob Medeiros made a motion, seconded by Julian Kadish, to have the names of the members on the table in front of them at the public meetings. Approved.

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Jennifer Carlino stated she had two hard copy books printed containing some of the events and members of the Canoe River Aquifer Advisory Committee for the past 20 years. She stated she would like to donate one to the Library and have one on hand for the Conservation Commission to review. Bob Medeiros made a motion, seconded by Julian Kadish, to pay for the two books.

Jennifer Carlino stated the sewer hook-up projects at Lake Winnecunnet were almost completed. She had the members sign a few more copies of the Order of Conditions for File #250-570.

Bob Medeiros made a motion, seconded by Ron O'Reilly, to adjourn the meeting at 8:00 pm. Approved.

Respectfully Submitted,



Jennifer Carlino  
Conservation Director

JC/pmb