



## Norton Conservation Commission

70 East Main Street  
Norton, MA 02766

RECEIVED  
2008 JUN 11 AM 9:32  
NORTON TOWN CLERK

Monday, May 19, 2008  
7:00 pm

### Attendance

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

### Minutes

The meeting started at 7:00 pm.

The members reviewed the draft minutes of **February 11, 2008**. The minutes were tabled until the next regular meeting.

The members reviewed the draft minutes of **April 14, 2008**. The minutes were tabled until the next regular meeting.

The members reviewed a request to amend the minutes of February 25, 2008. Lisa Carrozza stated she reviewed the minutes and had no revisions to make. Lisa Carrozza made a motion, seconded by Ron O'Reilly, to leave the minutes as is. Approved.

The members reviewed the Bills Payable Sheet (Sites Eng.). Lisa Carrozza made a motion, seconded by Julian Kadish, to pay the bill. Approved.

The members reviewed the Bills Payable Sheet (conference). Julian Kadish made a motion, seconded by Ron O'Reilly, to pay the bill. Approved.

The members reviewed the Bills Payable Sheet (Nextel). Julian Kadish made a motion, seconded by Ron O'Reilly, to pay the bill. Approved.

The members reviewed the Bills Payable Sheet (Pare Eng.). Lisa Carrozza made a motion, seconded by Julian Kadish, to pay the bill. Approved.

The members reviewed the Bills Payable Sheet (Mainstream Eng.). Jennifer Carlino stated Wheaton College gave the funds to pay for this engineer/consultant. Lisa Carrozza made a motion, seconded by Julian Kadish, to pay the bill. Approved.

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The members reviewed a Notice of Intent – **(#250-806) – Donald Potvin – Parcel 173-01 (assessors map 35) 59 West Hodges Street** – for proposed plans to construct a garage and breezeway addition and paved driveway with associated grading within 100 feet of wetlands and Goose Brook. The applicant was present with his engineer, Christopher Yarworth of Yarworth Engineering Co., Inc., who described the project to the members. He stated the applicant proposes to construct a breezeway and garage within the existing lawn area. He said he had made revisions to the previously submitted plans as requested by Jennifer Carlino and submitted the revised plans. Lisa Carrozza requested a detail of the erosion control be added to the plans. Mr. Yarworth agreed to add the detail of the erosion control to the plans. Jennifer Carlino requested that the applicant remove compost that has been dumped into the wetlands near wetland flag #8 before any work is started. Julian Kadish made a motion, seconded by Lisa Carrozza, to close the public hearing. Approved.

The members reviewed a Enforcement Order: **Chris Baker/C.Baker Trustee, CFB Realty Trust - 133 Mansfield Avenue (landscaping office)**. Bob Medeiros recused himself from the public meeting. Chris Baker updated the commission on the violation. He submitted a site plan of the existing buildings on the property. Julian Kadish asked where the water's edge was and Mr. Baker stated his engineer had to amend this line. He pointed out an existing retaining wall that had been built years ago for a recreational beach area. He stated there was a restaurant here at one time. Mr. Baker stated the materials stored in this area are stone and stone dust. Lisa Carrozza asked Mr. Baker if he operates his business under any EPA permits and he replied that he does not. She asked if he sweeps the sediment off the street caused by tracking outside of his business and he replied that he does every evening after business hours. Lisa Carrozza stated this should be done as needed before any mud forms and tracks all over the road. She suggested he place 3"/5" stone approximately 50' long at the entrance to the business to help trap some of the sediment before it gets to the road. Lisa Carrozza asked if any of the existing materials had been moved further from the water and Jennifer Carlino stated this plan and any revised plans are only to show existing conditions before a permit is applied for. Lisa Carrozza asked if there are any catch basins on the property at this time and Mr. Baker replied there are not. Jennifer Carlino suggested that Mr. Baker have the plans revised to show the correct distance between work and wetlands, or the water's edge until a wetland delineation is done and she would then do a site inspection before the next meeting.

The members reviewed a Notice of Intent – **(#250-799) – Bob Campbell/Wheaton College – Parcel 93 (assessors map 17) Off Pine Street – (cont. from the March 24, 2008, April 14, 2008 & April 28, 2008 mtgs.)** - for proposed plans to construct a 176-space parking lot with associated walkways, storm water management areas, site grading, lighting and landscaping within 100 feet of wetlands. Jennifer Carlino stated the engineer for the project, Marc Tisdelle of Hayward-Boynton & Williams, Inc. called to request a continuance of the public hearing until the next regular meeting but had not faxed a request letter as he proposed. Julian Kadish made a motion, seconded by Lisa Carrozza, to continue the public hearing until the next regular meeting of Monday, June 9, 2008. Approved.

The members reviewed a **Modification** to Order of Conditions for File #250-794 – Duane Knapp/Norton Water & Sewer Department – 63 West Main Street. Duane Knapp explained to the members that in the permitting process of moving from the old water tank to the new water tank at 63 West Main Street, the moving of each individual cell phone company was omitted in error. He



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submitted revised plans and stated the silt fence was still in place, top soil has been placed around the outside of the existing fence line and the wetland side and grass has been planted. Mr. Knapp stated the abutters have been re-notified. He said it was the intention of the Water Department and the Board of Selectmen to swap properties as the Town of Norton owns the site of the new water tank and the Water Department owns the site of the old water tank but legal issues prevented the swap. He said the the Town Meeting Warrant Article had to be removed from the warrant of the previous Town Meeting because of legal issues. Mr. Knapp stated as soon as these legal issues are straightened out, the cell companies will be moved. Julian Kadish asked if there will be concrete pads poured to hold the generator to run the equipment for the cell phone companies and Mr. Knapp stated there will be. Lisa Carrozza asked Mr. Knapp if any extra concrete would be left on site or removed and he replied all left over concrete would be taken off site. Jennifer Carlino stated this would be added as a condition to the Order of Conditions. Lisa Carrozza made a motion, seconded by Julian Kadish, to amend the Order of Conditions as requested. Approved.

The members reviewed a violation – 60 Plain Street – Anthony Virga. Mr. Brandon Faneuf, Botanist, and representative for Anthony Virga, updated the members on the violation. He presented a restoration plan to the members. He stated it was Mr. Virga's intentions to remove a 5-foot brush pile, 4-foot debris pile. Several other piles of soil will be replaced along the bank of the adjacent stream. Mr. Faneuf said these piles would be placed along the bank of the stream for stabilization. He said all altered wetlands would be seeded with a wetland seed mix and all other areas will be left untouched to restabilize. Lisa Carrozza asked what type of equipment would be used for this project and Mr. Faneuf stated nothing larger than a pickup truck. He said the work would be done between June and October. Jennifer Carlino asked that the Commission be notified at the start of work. Mr. Faneuf asked Mr. Virga to do this and he agreed. The members agreed with this plan.

The members reviewed a request for a Certificate of Compliance for :

**#250-373 – 25 Essex Street**  
**#250-399 – 25 Essex Street**

**#250-373 – 27 Essex Street**  
**#250-399 – 27 Essex Street**

Jennifer Carlino stated these two parcels were included in the application for #250-373 & #250-399 and should not have been since they were never part of the subdivision project. They were ANR lots cut from the large parcel at least a year earlier.

Julian Kadish made a motion, seconded by Lisa Carrozza, to issue a Certificate of Compliance for **#250-373 – 25 Essex Street & #250-373 – 27 Essex Street**. Approved.

Julian Kadish made a motion, seconded by Lisa Carrozza, to issue a Certificate of Compliance for **#250-399 – 25 Essex Street, & #250-399 – 27 Essex Street**. Approved.

The members reviewed a request for a Certificate of Compliance for File **#250-717 – Stephen Akerman – Lot 4, Parcel 93-05 (map 18) 6 Beverly Lane**. Jennifer Carlino stated the project was completed according to the approved plans. Julian Kadish made a motion, seconded by Lisa Carrozza, to issue the Certificate of Compliance. Approved.

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replant the trees and let the area restore itself. Julian Kadish read a portion of the minutes of Monday, March 12, 2007 of which Mr. Munise had attended for his violation and it was noted Mr. Munise at that time stated he would think about the two options. Jennifer Carlino said Mr. Munise called for an inspection and when she inspected the site she found that a couple of trees were planted surrounded by mulch and a swing set area. Julian Kadish suggested requiring that Mr. Munise do not touch any area on the side of the installed chain-linked fence abutting the Rumford River and to let this area restore itself. Jennifer Carlino stated the installation of the swing set area and mulched area was in violation, not the small strip of land between the fence and Rumford River. Lisa Carrozza suggested to require that Mr. Munise obtain a valid wetland permit for the planting of the trees, mulching, installation of a chain-linked fence and installation of a swing set within 200 feet of a wetland and within the floodplain. Jennifer Carlino stated she would draft a letter to be sent to Mr. Munise to be signed at the next Conservation Commission meeting. Lisa Carrozza made a motion, seconded by Julian Kadish, to have Jennifer Carlino draft the letter to be signed at the next Conservation Commission meeting. Approved.

Jennifer Carlino stated she had a copy of MA Highway's Snow and Ice Control Program for MEPA and asked if any of the members would like a copy, and, if not, she would make the comments and mail it back. Lisa Carrozza requested a copy.

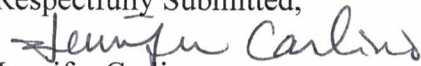
Jennifer Carlino noted there would be a meeting about the Southcoast rail at the Norton Middle School on Thursday, May 29<sup>th</sup> at 7:00 pm.

Jennifer Carlino noted that the Tweave Company was planning to sell their company a letter was received from the perspective buyer. She stated the company had received a notice from the Office of Dam Safety notifying them that they are responsible for bringing the dam into compliance and for the repairs to the Barrowsville Pond dam. She stated Conservation owns the property, but the company owns the dam rights. She stated Tweave company has cleared and cut within wetlands without a wetland permit and should be served an Enforcement Order. She said the new buyers have been calling and she has spoken with them. She said they intend on doing a river-restore program. She stated it was the intent of the new owner to remove the dam and to let the river go back. Jennifer Carlino stated, that obviously, they would need to get wetland permits. She stated the Conservation Commission owns the pond but not the dam. She said they would have to address the impact to the pond. Lisa Carrozza stated that removing a dam usually has a purpose. Bob Medeiros stated the reason behind this proposed plan is so the owner will not have to maintain the dam. Lisa Carrozza stated if this is done, a controlled engineered-structure should be in place to protect the pond.

Bob Medeiros stated Eileen King has resigned from the Commission for health reasons.

Ron O'Reilly made a motion, seconded by Julian Kadish, to adjourn the meeting at 8:15 pm. Approved.

Respectfully Submitted,

  
Jennifer Carlino

Conservation Director

JC/pmb