



Norton Conservation Commission

70 East Main Street
Norton, MA 02766

RECEIVED
2008 SEP 23 AM 10:18
NORTON TOWN CLERK

Monday, August 25, 2008
7:00 pm

Attendance

Earl Willcott (Chairman), Julian Kadish (Vice-Chairman), Kathleen Giblin, Lisa Carrozza, David Henry, Jennifer Carlino, Conservation Agent.

Ron O'Reilly were absent.

Minutes

The meeting started at 7:00 pm.

The members reviewed the draft minutes of **June 9, 2008**. Kathleen Giblin made a motion, seconded by Julian Kadish, to accept the minutes as written. Approved.

The members reviewed the Bills Payable Sheet (Chartley Pond Dam Maintenance). Lisa Carrozza 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 David Henry, to pay the bill. Approved.

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

The members reviewed a Request for a Determination of Applicability – **(DET. #927) – Michael & Linda Clarke – Parcel 3 (assessors map 3) 4 Bailey Lane – (cont. from the August 11, 2008 mtg.)** for proposed plans to demolish an existing garage and construct a garage and to extend a gravel driveway within 100 feet of wetlands. William Drexel, representative for the applicant, stated he had made the revisions to the plan and application as requested by Jennifer Carlino. He stated he had provided underground recharge information for the roof runoff which will discharge into the ground. Julian Kadish made a motion, seconded by Kathleen Giblin, to close the public hearing. Approved. Julian Kadish made a motion, seconded by Lisa Carrozza, to issue a negative Determination of Applicability (#3) as long as the work is done according to the approved plans. Approved.

The members reviewed an Abbreviated Notice of Resource Area Delineation – **(#250-818) – John C. Kelly, Norton Commerce Center 10 LLC – Parcel 83 (assessors map 25) 10 Commerce Way – (cont. from the August 11, 2008 mtg.)** - for verification of the Wetland Resource Areas. Mark Dibbs addressed the commission and stated he had submitted revised plans as requested by Jennifer Carlino. Lisa Carrozza recused herself from the public hearing. Julian Kadish made a motion, seconded by

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Kathleen Giblin, to close the public hearing. Approved. Julian Kadish made a motion, seconded by Kathleen Giblin, to sign and issue the Order of Resource Area Delineation. Approved.

The members reviewed an Abbreviated Notice of Resource Area Delineation – **(#250-817) – James Quattrocchi/Court Company, Inc. – Parcel 2 (assessors map 36) East Hodges Street – (cont. from the August 11, 2008 mtg.)** – for verification of the wetland resource areas. John Quattrocchi addressed the commission and stated he would like to go forward with the project and receive an ORAD as soon as possible. He stated he would pay the filing fee requested by Jennifer Carlino, and if this is incorrect, will adjust it later. Earl Willcott asked Mr. Quattrocchi if he had submitted plans showing a house on the property and Mr. Quattrocchi stated he had not. Earl Willcott then stated the \$2,000 fee for property only will be collected. Julian Kadish stated that in the 30 years he has been on the commission, he has not run into this situation where the applicant and his representative are so argumentative regarding the fee for a project and are so arrogant to the staff and agent. He suggested the client pay the fee and appeal it later. The applicant stated he would do so in order to go forward. Jennifer Carlino stated she had inspected the site and the wetland boundaries are correct as shown on the submitted plans. David Henry made a motion, seconded by Julian Kadish, to close the public hearing. Approved.

The members reviewed a Request for a Determination of Applicability – **(DET. #929) – Robin Santoli – Parcel 223 (assessors map 16) 8 Young Avenue** – for cutting and clearing within 100 feet of wetlands and a stream. Robin Santoli was present at the public hearing. Jennifer Carlino stated the project is the result of a violation on the property which is the cutting and clearing of trees and brush and grading directly adjacent to the wetland and stream without a valid permit. She stated the applicant will plant a row of shrubs to be used as a visual barrier between her property and the stream. Julian Kadish made a motion, seconded by Lisa Carrozza, to close the public hearing. Approved. Julian Kadish made a motion, seconded by David Henry, to issue a negative (#3) Determination of Applicability as long as the work is done according to the approved plans. Approved.

The members reviewed a Request for a Determination of Applicability – **(DET. #930) – John Ribeiro – Parcel 236 (assessors map 9) – 6 Robinson Lane** – for proposed plans to install a septic system within 100 feet of wetlands. Dylan Ribeiro, contractor was present and Steve Rumba, P.E. described the project to the members. He stated that the septic system would be in front of the house and before the road and across the street are the wetlands. He said erosion control will be in place during the installation of the system. Jennifer Carlino requested revised plans to show erosion control on the same side of the street as the proposed work. Lisa Carrozza made a motion, seconded by Julian Kadish, to close the public hearing. Approved. Julian Kadish made a motion, seconded by Kathleen Giblin, to issue a negative (#3) Determination of Applicability, after the revised plans are received, as long as the work is done according to the approved plans. Approved.

The members reviewed a Request for a Determination of Applicability – **(DET. #931) – Raymond Courbron – Parcel 15-01 (assessors map 35) 11 East Hodges Street** – for proposed plans to install a septic system within 100 feet of wetlands. Dylan Ribeiro, contractor was present and Steve Rumba, P.E. described the project to the members. He stated that because of Board of Health regulations, the septic system would have to be installed in the front of the house. An abutter, Matt K., requested that

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the existing distribution box which is on his property be removed. Neil Linehan, abutter, requested a lower elevation to reduce the amount of fill to be used. Mr. Rumba stated that the elevation is as low as the Board of Health will allow. Kathleen Giblin made a motion, seconded by Julian Kadish, to close the public hearing. Approved. Julian Kadish made a motion, seconded by Lisa Carrozza, to issue a negative (#3) Determination of Applicability, after the revised plans are received, as long as the work is done according to the approved plans. Approved.

(All discussion regarding this project could not be heard on the tape.)

The members reviewed a Notice of Intent – **(#250-819) – Andrew Davison – Parcel 6 (assessors map 32) 38 John Scott Boulevard** – for proposed plans to construct a driveway and house with associated utilities and grading within 100 feet of wetlands. Andrew Davison addressed the commission and stated that he had filed for a modification to the former permit for this property which was the addition of a pool. He stated that, since then, the permit had expired and that is why he has filed this application. He said that the applicant would like to now add a pool house and retaining walls. Mr. Davison stated the proposed retaining wall is approximately 3 feet high except for the front garage area which might be 3 ½ feet high. Jennifer asked if a detail of the block wall has been submitted and Mr. Davison said he would get this to the Conservation office soon. Jennifer Carlino asked Mr. Davison how far along the project was and he replied about 70%. He stated the pool house was already constructed but the pool was not in yet. Lisa Carrozza asked if the entire driveway is concrete and he replied that it will be geo-thermal so it would meet snow and ice on the driveway. Jennifer Carlino asked **(something about the driveway and the road???)** Lisa Carrozza asked if concrete wash out will be done on site and Mr. Davison replied it will be but all concrete is recycled and would be used later. Earl Willcott stated the public hearing would be continued until the next regular meeting of Monday, September 8, 2008 in order that a file number be received from DEP and plans of the block wall be submitted to the Conservation office before the next meeting.

Jennifer Carlino stated a letter was sent to DEP from Fred Bottomley asking why his appeal for Fairlee Lane was taking so long.

Jennifer Carlino noted that Brande Tarantino, who had sent a letter requesting to be considered for a Conservation Commission member, has withdrawn her request.

Jennifer Carlino mentioned that a copy of the Conservation section of the Town Report was included with the agenda and asked if any of the members wanted to add anything.

Jennifer Carlino noted that two warrant articles were submitted for Town Meeting to transfer tax title land along the Canoe River and Three-Mile River to the Conservation Commission.

Jennifer Carlino stated that a copy of a draft Instrument for Recording at **4 Rumford Road** was included with the agenda. Kathleen Giblin made a motion, seconded by Lisa Carrozza to have Jennifer Carlino send Town Counsel a letter requesting the official final copy. Approved.

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Jennifer Carlino stated she had received a phone call response regarding the Cease & Desist letter sent to the Association president for the condos on Edgewater Drive. She said that Joe Pucci of 15 Edgewater Drive would mark the trees to be cut down for her review. She said that he is aware a permit may be needed.

Discussion ensued regarding the pre-construction meeting for Emma's Pizza (file #250-815). Chris Baker, contractor requested that the meeting take place as soon as possible and Jennifer Carlino stated she would be on vacation until Tuesday, September 2, 2008. Earl Willcott stated that he did not want to delay the project and suggested that he do the pre-construction meeting tomorrow. He stated he had already met on site with the contractor and owner and went over the Order of Conditions. Jennifer Carlino requested that Earl Willcott pick up the original Order of Conditions at the office tomorrow and have the owner and contractor sign the back of the Order as well as provide emergency phone numbers. Julian Kadish made a motion, seconded by Kathleen Giblin, to allow Earl Willcott to conduct the pre-construction meeting for this project tomorrow. Approved.

Lisa Carrozza made a motion, seconded by Kathleen Giblin, to adjourn the meeting at 8:26 pm. Approved.

Respectfully Submitted,

A handwritten signature in cursive script, appearing to read "Jennifer Carlino".

Jennifer Carlino
Conservation Director
JC/pmb