



Norton Conservation Commission

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FEB 24 2009

NORTON TOWN CLERK

Monday, January 12, 2009

7:00 pm

Attendance

Earl Willcott (Chairman), Julian Kadish (Vice-Chairman), Ron O'Reilly, Kathleen Giblin, David Henry, Chris Baker, and Jennifer Carlino, Conservation Agent.

Lisa Carrozza was absent.

Minutes

The meeting started at 7:00 pm.

The members reviewed the minutes of **November 24, 2008**. David Henry made a motion, seconded by Kathleen Giblin, to accept the minutes as written. Approved. Ron O'Reilly and Chris Baker abstained from voting.

The members reviewed the minutes of **December 8, 2008**. Ron O'Reilly made a motion, seconded by David Henry, to accept the minutes as written. Approved.

The members reviewed the minutes of **December 22, 2008**. Ron O'Reilly made a motion, seconded by David Henry, to accept the minutes as written. Approved. Kathleen Giblin abstained from voting.

The members reviewed the Bills Payable Sheet (Mainstream Eng.). Ron O'Reilly made a motion, seconded by David Henry, to pay the bill. Approved.

The members reviewed the Bills Payable Sheet (Walter Amory). Ron O'Reilly made a motion, seconded by Kathleen Giblin, to pay the bill. Approved.

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

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

Duane Knapp, Water/Sewer Superintendent, addressed the Commission and stated that none of the three Norton Sewer Commissioners could attend tonight's meeting. Earl Willcott stated there were many areas in Town that needed attention due to construction work on the water lines. Jennifer Carlino stated that there are many side slopes that need to be stabilized and Mr. Knapp stated he would

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see to it that this was done. He stated that silt fences were in place and he would see to it that the contractor would be notified of any areas to be stabilized. Jennifer Carlino stated silt fence was up but needs to be installed properly.

Jennifer Carlino stated that work within the roadways does not need to be permitted but any dewatering and any staging does need to be permitted.

Jennifer Carlino suggested to Mr. Knapp that in the future, he could come into the Conservation office and discuss with her any projects he proposes and she could advise him of any needed permits. He agreed that he would do this.

The members reviewed a Notice of Intent – **(#250-836) – Bob Campbell/ Wheaton College – Parcels 14K & 14-10 (assessors maps 17 & 23) – 26 East Main Street – (cont. from the November 24, 2008, December 8, 2008 & December 22, 2008 mtgs.)** - for proposed plans for site work and storm water management associated with a building within 100 feet of wetlands. Jennifer Carlino noted that no one was her tonight to represent the applicant. Julian Kadish made a motion, seconded by Kathleen Giblin, to continue the public hearing until the next regular meeting of Monday, January 26, 2009. Approved.

The members reviewed a Abbreviated Notice of Resource Area Delineation – **(#250-829) – Mark D. Dibb, P.E./CA Architectural Design & Engineering, LLC – Parcel 116 (assessors map 24) & Parcels 84-01, 86 & 92 (assessors map 25) Commerce Way – (cont. from the October 20, 2008, November 10, 2008 & December 8, 2008 mtgs.)** - for verification of the wetland resource area delineation. Mark Dibb of CA Architectural Design and Engineering, LLC addressed the Commission and updated the Commission on the project. He stated he had revised the submitted plans to reflect more clearly work previously done on the property by ENSR for the Flatley Company. He stated that last week his consultant, Wetlands Preservation and Jennifer Carlino had walked the site and discussed revisions to the plans and wetland flags in the field. He said that supporting calculations for isolated wetlands had been electronically submitted to Jennifer Carlino. He then submitted the revised plans.

Jennifer Carlino asked Mr. Dibb if the calculations for the isolated wetlands included the influence for ground water and he replied they did not. Jennifer Carlino stated she would review the calculations herself. Kathleen Giblin made a motion, seconded by David Henry, to continue the public hearing until the next regular meeting of Monday, January 26, 2009. Approved.

The members reviewed the draft Order of Conditions for a Notice of Intent – **(#250-830) – Michael Riha – Parcels 686 & 687 (assessors map 3) 40 South Lakeview Road** - for proposed plans to construct a garage and an addition to an existing dock including a ramp and related grading within 100 feet of wetlands which were included with the agenda for their review. Jennifer Carlino stated that one condition would be added to these conditions. Kathleen Giblin made a motion, seconded by Julian Kadish, to sign and issue the Order of Conditions as amended. Approved.

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The members reviewed the draft Notice of Intent – (#250-831) – **Town of Norton – Parcels 28 & 525 (assessors map 10) Reservoir Street/Falls Road** - for proposed plans for repairs and modifications to the Norton Reservoir dam within multiple wetland resource areas which were included with the agenda for their review. Jennifer Carlino stated she would add two conditions to the draft conditions; 1. requiring the applicant to access the dam by the existing uppermost path and 2. limit the size of the machine that would be modifying the access path. Ron O'Reilly made a motion, seconded by David Henry, to sign and issue the Order of Conditions as amended. Approved.

Jennifer Carlino noted that Matt Bellisle of Pare Corporation sent the 42-page application from The Office of Dam Safety with her name as the contact person. She stated she would sign the application and send it back.

Earl Willcott noted that an invoice has been received from Pare Corporation twice. Jennifer Carlino stated she was waiting for a letter from Pare Corporation about reconciling their budget before paying the bill. She said they keep sending the same invoice requesting payment even though the work has not been completed per their contract with the Town and the budget has been depleted. Jennifer Carlino said she would send a letter to Pare Corporation requesting an explanation of the invoices and in-completed work.

Jennifer Carlino noted that Scott Goddard had sent DEP a revised ANRAD plan for Fairlee Lane/Fred Bottomley (#250-793). She said she is still waiting for DEP's decision.

INSPECTIONS

Jennifer Carlino noted that Conservation members and staff do have the right to do site inspections and to take pictures of any violations or issues that are in non-compliance with the rules and regulations and Order of Conditions. She said it is ok to take pictures if necessary, but she would prefer being contacted so that she can handle any problems or situations. Earl Willcott stated that, in Jennifer Carlino's absence (i.e. a day off or vacation), any member should call Chairman of the Board to handle any violation or enforcement issues.

Jennifer Carlino noted that Walter Amory had submitted an estimate (\$1,500-\$2,000) to oversee the installation of the storm water system at St. Mary's Church. She suggested this was a good idea and funds would come from the Wetlands Protection Fund. Chris Baker made a motion, seconded by Ron O'Reilly, to hire Mr. Amory. Approved.

Earl Willcott stated a copy of the MACC model bylaw was included with the agenda. It was his opinion the bylaw was the same as the Wetlands Protection Act currently being enforced by the Norton Conservation Commission. Jennifer Carlino stated a lot of the bylaw is the same as the Wetlands Protection Act, but the whole bylaw has to be adopted in order to write your own rules and regulations. Earl Willcott suggested that this might be overwhelming to residents. He said that after speaking with a few people, the most commonly asked question was "Are there going to be more rules and regulations?". He said he replied "yes, but it is better to take care of our resources now without impacting the wetlands."

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Jennifer Carlino stated that most of the bylaw will consist of the existing policies, rules and regulations presently practiced by the Commission with a few changes and they would be put into a written regulation. Julian Kadish stated that, in his opinion, residents at Town Meeting are going to be intimidated by a new bylaw. He suggested outlining the request for a bylaw in a simple form so as not to confuse the residents. It is his theory that if the residents are confused, they will vote against the bylaw, but if they can understand what a bylaw is for, they will vote for it. Earl Willcott suggested waiting until the Fall Annual Town Meeting to request a bylaw. He said people are usually in a better frame of mind than at the Spring Annual Town Meeting. Jennifer Carlino suggested she hold an informational meeting once a month this summer for residents to come in and ask questions and learn more about adopting a bylaw.

Earl Willcott asked the members if they would like to attend the MACC conference on February 28th and, if so, please give a copy of their application to the Conservation Secretary as soon as possible. He stated the Bills Payable would be signed tonight. Chris Baker stated he would like to attend as well as Jennifer Carlino. Chris Baker made a motion, seconded by David Henry, to sign the Bills Payable Sheet for two members to attend the MACC conference. Approved.

Jennifer Carlino quickly reviewed the enclosed sample bylaw with the members.

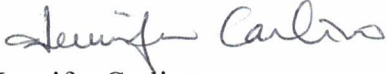
1. The "Town" would change to "Norton"
2. Jurisdiction:
 - a. All coastal issues would be omitted
 - b. All resource areas would be listed to now include vernal pools
 - c. All isolated wetland areas would be included
3. Notice of Hearings:
 - a. Abutters for all hearings will be notified by the applicant including RDAs

Jennifer Carlino asked the members if they had any questions or concerns regarding the bylaw and Ron O'Reilly suggested listing the advantages of implementing a bylaw. Jennifer Carlino stated some of the advantages are groundwater and drinking water, protection of wildlife/vernal pools, 40b construction requirements, appeals to the court and not DEP, etc. She stated she would list the advantages with town-specific examples for the next public meeting and suggested to discuss the bylaw at every upcoming meeting rather than to try and discuss all the issues at one time. David Henry suggested to review towns that have recently adopted a wetland bylaw with respect to how they presented the bylaw to the public and what exactly was the opposition to the bylaw. Jennifer Carlino asked the members to try and come up with suggestions for "goals" to be achieved with the bylaw.

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Kathleen Giblin made a motion, seconded by Julian Kadish, to adjourn the meeting at 8:09 pm.
Approved.

Respectfully Submitted,

A handwritten signature in dark ink, appearing to read "Jennifer Carlino". The signature is fluid and cursive, with the first name "Jennifer" written in a more compact, stylized manner and the last name "Carlino" written more fully.

Jennifer Carlino
Conservation Director
JC/pmb