

Monday, April 9, 2012

Attendance

David Henry (Chairman), Ron O'Reilly (Vice-Chairman), Julian Kadish, Lisa Carrozza, Michele Simoneaux, and Jennifer Carlino, Conservation Agent.

Chris Baker was absent.

Minutes

David Henry called the meeting to order at 7:00 pm.

The members reviewed the draft minutes of **February 13, 2012**. Lisa Carrozza made a motion, seconded by Ron O'Reilly, to accept the minutes as written. Approved.

The members reviewed the draft minutes of **February 27, 2012**. Ron O'Reilly pointed out a couple of typos. Lisa Carrozza made a motion, seconded by Michele Simoneaux, to accept the minutes as amended. Approved.

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

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

The members reviewed the Bills Payable Sheet (T-Ford). Michele Simoneaux made a motion, seconded by Julian Kadish, to pay the bill. Approved.

The members reviewed a Request for a Determination of Applicability – **(DET. #978) – J & R Enterprises, Inc. – Parcel 9-01 (Assessor's Map 35) 44 West Hodges Street** – for proposed plans to construct a single-family house, septic system and well with associated grading within 100 feet of wetlands.

Document List

1. WPA Form 1 – Request for a Determination of Applicability.
2. Plan entitled "Sewage Disposal Plan for #44 West Hodges Street in Norton, MA", Scale: 1"=30', prepared by RIM Engineering Co., Inc., signed and stamped by Ralph I. Maloon and dated April 9, 2012.

Norton Conservation Commission

Monday, April 9, 2012

Minutes, Page 2.

James Chabot of J & R Enterprises, Inc. stated that he received a letter from Jennifer Carlino requesting that he include a post and rail fence at the limit of work on the plans with a note stating no work is to be done beyond this point. He noted that he moved the project as far away from the wetlands as possible. Michele Simoneaux asked Mr. Chabot why he checked box 3.a. on the Request for a Determination of Applicability Form on page 3. which refers to "Scope of Alternatives for work in the Riverfront Area". He replied that he checked the box in error. Julian Kadish made a motion, seconded by Michele Simoneaux, to close the public hearing. Approved. Michele Simoneaux made a motion, seconded by Julian Kadish, to issue a negative (#3) Determination as long as the work is done according to the approved plan. Approved.

Notice of Intent – (#250-884) – Robin McDonald/Attleboro YMCA Camp Finberg – Parcel 292 (Assessor's Map 26) 295 West Main Street – (cont. from the February 13, 2012, March 26, 2012, April 9, 2012 & April 23, 2012 mtgs.) - for the removal of debris from the wetland resource areas, removal and proper disposal of cut branches and vegetation within the wetland resource areas and vegetation maintenance of the view shed area. Jennifer Carlino stated the applicant emailed a request to continue the public hearing to the next regular meeting. Julian Kadish made a motion, seconded by Lisa Carrozza, to continue the public hearing until Monday, April 23, 2012. Approved.

Red Mill Village update - #250-612

Gabe Thaisz, Project Manager for Thorndike Properties and Lloyd Geisinger, President of Thorndike Properties and manager of the Red Mill Village Condo Association, were present at the public meeting. Gabe Thaisz updated the commission on the project as follows:

1. Out of 156 units proposed, 109 units have been sold.
2. 5 additional units are under agreement and are under construction and will be sold this Spring.
3. 9 additional units are under construction, but not yet sold.
4. 96% of the roadways are completed.
5. Many areas of pavement will be completed with the construction of the units.
6. Irrigation is completed and working in the finished and stabilized areas from Building #7-south to the single family houses.
7. Lots 30-38 have been stabilized which border the designated turtle nesting habitat area.
8. Thorndike Properties is still managing the irrigation system, but the property management company will be in charge of a large portion of it in late spring.
9. Spring landscape maintenance has begun and a portion of the turtle habitat maintenance has been completed.

Michele Simoneaux asked how the stock piles are being maintained since he had stated they were decreasing in size. Mr. Thaisz replied the only stock piles left are loam for seeding and the majority of the stock piles were removed off site to help the marketability of the site. He said a majority of the stockpiles will be removed off site as construction continues.

Norton Conservation Commission

Monday, April 9, 2012

Minutes, Page 3.

Jennifer Carlino asked Mr. Thaisz if the water for irrigation was being pumped from the well into a detention basin for storage. He replied that basin #1B is temporarily being used as a storage area and filled to overflow into a second basin and some of that water is used for irrigation purposes. Jennifer Carlino stated that they were filling the space for the storm water by filling the basins with water for irrigation leaving no room for storm water, the intended purpose. Lloyd Geisinger said that, after about one year after the project had begun, Walter Amory had re-designed the basins to add additional water storage space. Jennifer Carlino said that any change to the plans have to be approved by the Conservation Commission. Mr. Geisinger said he would try and find any papers and information related to this issue. Jennifer Carlino asked Mr. Thaisz for a copy of LEC's report and he said he would email it to her.

Jennifer Carlino stated that they should walk the boundaries of the Conservation Restriction. She said she would like information on the soil profiles as listed in #34 and #35. She asked Mr. Thaisz if he was going to submit As-Built plans when the units are conveyed to the owners and he stated he would not be doing As-Built plans at that time but would submit a list of any outstanding conditions to be completed. Lisa Carrozza asked when the current Order of Conditions would expire and he replied it would expire on August 9, 2012.

The members reviewed the draft Order of Conditions for a Notice of Intent – (**#250-886**) – **Duane Knapp/Norton Water and Sewer Department – Bay Road and Plain Street** – for proposed plans to replace water main piping and services within 100 feet of wetlands.

Lisa Carrozza suggested amending condition #28 by adding the words “methods and” after the word “dewatering”. Lisa Carrozza suggested amending condition #33 by adding the word “temporarily” before the word “stabilized” and adding the words “until final stabilization is established by loaming and seeding at the end of the paragraph. Lisa Carrozza made a motion to sign and issue the Order of Conditions, as amended. Approved.

Old Business: Violations:

81 Freeman Street - Jennifer Carlino stated she has gotten no response.

241 Mansfield Avenue – Jennifer Carlino stated that the owner has removed all the junk and debris from the area and will decide whether to file for a permit for the extended parking lot or remove it.

6 Rumford Road – Jennifer Carlino stated she has gotten no response.

45 Crane Street - Jennifer Carlino stated she has gotten no response.

New Business:

MassDOT Snow and Ice Program – Jennifer Carlino had drafted a letter to the EOEEA to attention of Bill Gage and she thanked the members for their edits. She stated that she received letters of support of her letter from Duane Knapp of the Water/Sewer Department and from the Canoe River Aquifer Advisory Committee which she also forwarded to the EOEEA.

Norton Conservation Commission

Monday, April 9, 2012

Minutes, Page 4.

Sustainable Water Management Initiative-Jennifer Carlino stated she has not had a chance to read the information she received. She stated that they had talked about the 303 (d) List regarding impaired waters at the previous meeting. She noted that since the list did not include the Taunton River Watershed she did not do a letter for the 303 (d) List.

Kilburn Glass, 111 S Worcester St., RTN 4-00130 update - Jennifer Carlino stated she had included an update letter with the agenda.

19 Union Road violation, dock – Jennifer Carlino stated she had met with the owners. She said the clearing is not recent, but the dock is fairly new. She said it is a floating dock attached by rope to a tree. She suggested having the owner’s name attached to the dock in case it floats away and to adjust the spacing in the decking to allow light to get through so it would not shade the vegetation under it. David Henry asked approximately how big the dock is and Jennifer Carlino stated that it is approximately 5 or 6 feet x 10 or 12 feet. She stated that he should apply for a Request for a Determination of Applicability.

Jennifer Carlino stated that there is a violation at 94/96 Maple Street and this will be added to the next agenda.

Jennifer Carlino said that an Eagle Scout has requested to do a project at the Norton Reservoir Dam at the parking area that has been created. She said he would like to install benches, stone, mulch and native plants. She noted, however that the plans he dropped off were only for the replication area and not for the parking area. She said she had no way to contact him. David Henry suggested sending him a letter. David Henry noted there is no lock on the gate and Jennifer Carlino agreed a lock will have to be installed.

Lisa Carrozza made a motion to close the public meeting and reconvene at the Norton Public Library at 8:00 pm. Approved.

The members reviewed a Notice of Intent – (#250-882) – **Kenneth Leavitt – Parcel 720 (Assessor’s Map 3) Pheeny’s Island, Norton Reservoir – (cont. from the February 13, 2012 & March 26, 2012 mtgs.)** for proposed construction of ropes based adventure course to include construction of a building, shed, dock, wood chip walkways and picnic areas within 100 feet of Norton Reservoir.

Document List

1. WPA Form 3 – Notice of Intent.
2. Stormwater Management Form.
3. Several color photographs of the proposed camp.
4. Several color photographs of the Island.
5. Response letter from Yarworth Engineering Company, Inc. dated March 27, 2012.
6. Plan entitled “Plan of Proposed Recreational Day Camp On “Pheeny’s Island” In Norton Reservoir Prepared For Kenneth Leavitt, Prepared by Yarworth Engineering Company, Inc. and

Norton Conservation Commission

Monday, April 9, 2012

Minutes, Page 5.

signed and stamped by Christopher D. Yarworth, scale of 1"= 40' and dated January 5, 2012 with revisions on March 27, 2012.

Present at the public hearing were Chris Yarworth, engineer; Kenneth Leavitt, applicant; Scott Goddard, Wetland Scientist and Attorney, Matt Wattsky.

Chris Yarworth updated the commission on the project since the previous hearing. He stated that the tree course designers had gone out and designed the project and the trees proposed to be used have been added to the plans.

He said that the course has been added to the plans as well as cart paths. He noted that the trees to be cut down have been located and notes why they need to be cut down are on the plan. He said they met with the Board of Health and have incorporated the septic system information onto the plans. Mr. Yarworth stated that Scott Goddard has submitted a Habitat Analysis. He said he has responded to Jennifer Carlino's letter.

Kenneth Leavitt addressed the board. He presented a map and explained that he had filed a request with the Town of Mansfield to lease the building at 237 Mansfield Avenue. He said that this is where guests will arrive before they begin their excursion and they will be shown a half hour documentary on the history of the Town and the Norton Reservoir and what they can expect to experience on their expedition. He noted that after viewing the documentary, they will be transported to Pheeny's Island in Jon boats. He said that on an active day, approximately 25 guests every ½ to ¾ hours will be brought to the island. Mr. Leavitt handed out pictures of the island at various times of the year and pointed out the beautiful trees, noting that most of the trees that will be cut down are small and damaged.

Chris Yarworth addressed the commission and proceeded to describe his response comments to Jennifer Carlino's comment letter dated February 16, 2012 as follows:

He noted that comments #1 and #2 were legal issues and he asked Attorney Matthew Wattsky to respond to these two comments.

- 1. The deed states that the parcel is six acres, land removed from a larger parcel. The plan says 7.36 acres. Provide evidence that the lot is 7.36 acres as described.**
- 2. The Conservation Commission owns the Norton Reservoir where work is proposed. The applicant's access to the island is through Conservation property and the dock extends into Norton Conservation Commission property. Permission for use of town property must be obtained first and the application must include the signature of all property owners involved in the project. A lease is required to use town property for private use.**

Mr. Wattsky stated that, in answer to comment #1, Mr. Yarworth had surveyed all land above water and came up with a total of 7.36 acres. He said that in researching the deed, the recording of the island dates back to the 1800s and a detailed survey had never been done, thus the records describing the

Norton Conservation Commission

Monday, April 9, 2012

Minutes, Page 6.

property as “6 acres, + or –“. In answer to comment #2, Mr. Wattskey referred to a property line title recorded in 1894 referring to two copper bolts, one upper and one lower, to be used to determine the property line. Mr. Wattskey stated that Mr. Yarworth did refer to the two copper bolts and determined that the property around the island under 2 ½ feet of water is privately owned and that is where the dock will be placed.

Mr. Wattskey reminded the Commission that in 1988 when the Norton Reservoir was purchased by the Town, one condition by the State was that the body of water be open to the public for recreational use always. He said that Mr. Leavitt is presently working with the Board of Selectmen to be able to lease the rights to the Reservoir. He stated that Mr. Leavitt is proposing to construct two docks, one for the team building project and one for the residents. Jennifer Carlino noted that the lease would be obtained through both the Board of Selectmen and the Conservation Commission would have contact information for any events taking place on the Norton Reservoir.

Lisa Carrozza stated she had questions regarding the property line and the dock location. Mr. Wattskey stated that the dock will be held up by posts which will be on private property, but part of the dock would extend out onto town-owned property. Chris Yarworth pointed out the poles on the plans. He noted that the information pertaining to the property differs with different deeds and plans.

- 3. The entire island is shown within the 100-year floodplain on the most recent FEMA FIRM. The submitted plans also state this. Pare Corporation has already determined the 100-year floodplain elevation in its work on the Norton Reservoir Dam project at 105.1 feet. Determine the 10-year floodplain elevation.**

Chris Yarworth stated that he did not answer this question. He said that he listed eight options for determining the regulated boundary and assessing impacts on the flood zone in order to answer this question as best he could. He noted that the entire island is in a floodplain as shown on the FIRM. He said he submitted maps of the reservoir and, unless the water in the reservoir is expected to rise at least 10 feet, in his opinion, the maps are incorrect. He stated that he feels that this project is not going to have an impact on the floodplain and says he cannot calculate the figures any better than he has.

Jennifer Carlino stated that regulations require the use of the floodplain maps and she suggested to Mr. Yarworth to have Pare Corporation refigure the floodplain calculations using the 7” of precipitation within a 24-hour period instead of the 8.5”. She said that Pare Corporation gave an estimate of \$1,000 to review Mr. Yarworth’s calculations and re-calculate the floodplain based on their previous calculations for the reservoir dam permit. Chris Yarworth asked if this was necessary since, in his opinion, not much activity is proposed within the floodplain. Lisa Carrozza replied to Mr. Yarworth that it is required by the applicant to do the calculations using the Wetland Protection Act regulations and it is his burden of proof to prove the figures otherwise.

Ken Leavitt said that the regulations require either the maximum lateral extent of flood waters that have been observed or what would result from a statistical 100-year frequency storm if the calculations

Norton Conservation Commission

Monday, April 9, 2012

Minutes, Page 7.

are within. He stated you could have a FEMA Flood profile and it would be presumed consistent with the flood profile not the mapping. Mr. Leavitt stated that, according to Mr. Yarworth, there is no correct profile available. He said that the FEMA mapping that shows the island within the floodplain is questionable and not reliable at this time. Lisa Carrozza stated that Conservation jurisdiction under the Mass Wetland Protection Act requires the applicant to submit the elevation calculations for Bordering Land Subject to Flooding in the 100-year floodzone. She stated this information has not been submitted yet.

Chris Yarworth stated that the entire island is in the floodplain and it does not matter what the elevation is. David Henry stated that if it does not matter what the elevation is, then why not go with 105.1 elevation line. Chris Yarworth argued that the entire island is in the floodplain and his applicant is complying with the guidelines. He said if the commission agrees that the island is not in the floodplain, it is their burden to let him know.

Michele Simoneaux stated to Chris Yarworth that he make a determination based on the regulatory requirements and based on the fact that Bordering Land Subject to Flooding falls under the Conservation Commission's jurisdiction. She stated that he has to figure out the **real** calculations and make a determination as this project will set a precedent for future similar projects.

Scott Goddard agreed that the Conservation Commission has jurisdiction over all property within 100 feet of wetlands. He asked Chris Yarworth to point out where the 100-foot buffer zone line was on the plans. He noted that the center of the island is not within Conservation jurisdiction. He asked Chris Yarworth to point of where the 105.1 elevation mark was on the plans. Mr. Goddard pointed out that the commission had increased their jurisdiction slightly on the north side of the island under these calculations. He stated that even under the worse case scenario of using the 105.1 elevation mark, the project still meets the Bordering Land Subject to Flooding standards.

Julian Kadish suggested moving on with the comment letter.

4. Reflag areas between flag numbers 58 and 78.

David Henry stated the areas have been reflagged.

5. Provide soils information for the area of highbush blueberries near flags 23 through 27.

David Henry stated the information has been received. Mr. Goddard stated he added an additional flag #92A and asked if Jennifer Carlino had inspected the site since that flag has been added.

6. The project requests a permit for “construction of a ropes based adventure course on Pheeny’s Island in Norton Reservoir. Project consists of construction of a lodge building, accessory shed, dock and associated wood chip walkways and picnic areas associated with the course.” The actual course, walkways, and picnic area are not on the plans. The project should be fully designed and accurately illustrated on the plans.

David Henry stated the information has been submitted.

7. Methods of construction of the course should be included in the application.

David Henry stated the information has been submitted. He asked Mr. Yarworth to describe the method briefly.

Chris Yarworth stated that the course was mapped out from TreeGo of Canada. He submitted pictures of the trees to be cut and the trees to be used for the course stating that no trees will be damaged and the course can be taken down if needed with no damage to the trees. Jennifer Carlino asked what the height of pruning for the trees would be and Mr. Yarworth agreed to submit that information before the next meeting. She asked how wide the paths were going to be and Chris Yarworth stated 4 feet minimum. David Henry asked if the number of trees on the property has been determined and Mr. Leavitt stated he was given a figure of 1700 to 1750 of 6-inch or larger trees. David Henry noted that 83 trees are proposed to be removed.

Michele Simoneaux asked why a small portion of the zip line was going straight through the wetlands when there is quite a bit of uplands available. Kenneth Leavitt replied that going 30 feet above the wetlands is not impacting the wetlands in any way. Michele Simoneaux stated that trees were being cut and how is this not impacting the wetlands? Scott Goddard stated that 4 trees were being cut at the 20-foot height leaving the bottom portion intact for wildlife habitat. He stated all blueberry bushes are being left in place. Mr. Leavitt replied that there are no large trees in the upland area that can be used for a zip line and this is why the area above the wetlands was chosen for one of the courses.

Jennifer Carlino asked if there was a better description of how TreeGo was going to prune the trees. Kenneth Leavitt stated that climbers actually climb the trees and do the pruning. She asked for written details on the compression system used to secure the platforms. Kenneth Leavitt explained the process and David Henry stated that he wanted documentation to support what he was describing.

8. Describe long-term forestry management. Describe long-term trail maintenance, particularly the installation of readily available wood chips. Where will the woodchips be obtained if you are not cutting any trees on the site?

Chris Yarworth replied that wood chips can be obtained from the trees that are being cut down on the site. He said the trails are in good condition and may not need any woodchips.

9. Removal of vegetation within the buffer zone must be shown on the plans. A detailed list should be submitted describing species, height, diameter at breast height, condition, and proposed action for the marked trees.

Chris Yarworth stated he would submit that additional information.

10. Confirm the project is allowable under zoning.

Chris Yarworth stated he has submitted a letter dated December 19, 2011 to the Building Inspector requesting information on the allowed use of the island. He said that the Building Inspector advised him to go ahead and apply for the needed permits. He said that he was instructed to apply for a license from the Board of Selectmen to address any emergency service issues on the island.

11. The proposal submitted to the Conservation Commission for discussion at their December 19, 2011 meeting described a caretaker living on the island. Is this still part of your proposal?

Chris Yarworth stated that there is a two-bedroom apartment proposed for the caretaker of the property to prevent vandalism on the island. Jennifer Carlino noted all on-site information has been submitted regarding the septic system and soils.

12. The limit of work should be shown on the plans. Is the limit of clearing greater than 1 acre?

Chris Yarworth stated that the silt fence has been added to the plans. He noted that less than 1 acre of clearing will be done.

13. The owner and company name should be consistent of all application and fee transmittal forms.

Jennifer Carlino stated a letter has been received with the correct information.

14. Identify all resource areas on the site with a written description of compliance with performance standards for each.

David Henry stated that Scott Goddard had submitted a report. Scott Goddard briefly described the information in his report as follows:

He stated there are a number of resource areas on the property.

1. Land Under Water – he stated this was the property under water up to the bank. He said the only work proposed is 7 posts for the dock with no adverse impacts to wildlife or water carrying capacity in the reservoir. He said that a wildlife study would not be needed. He said this meets the standards under the Wetland Protection Act.
2. Bank – he stated the only work proposed for the bank is the elevated 4-foot wide board walk with no work done on the bank itself.

Jennifer Carlino reminded Scott Goddard that he had written in his report that a Bobcat was going to be brought onto the shore over plywood placed on the bank. She asked him to quantify the temporary impact and requested him to state how the area was going to be stabilized later.

Norton Conservation Commission

Monday, April 9, 2012

Minutes, Page 10.

Lisa Carrozza requested that Chris Yarworth add the temporary access to the revised plans. Scott Goddard noted that the work still meets the standards under the Act for not impacting the wetlands.

3. Bordering Vegetated Wetlands – he noted the only work being done in this area is one zipline which will be 30 feet up in the air. He said four trees will be cut down to 20 feet high. Lisa Carrozza asked if any heavy equipment will be needed to cut the trees and Mr. Goddard stated no equipment is needed as the trees are small. He said the zip line will go over the wetland surface approximately 25 or 30 feet. He stated no wetlands will be altered.
4. Buffer Zone to the Bordering Vegetated Wetlands – he stated the buffer zone does not have standards under the Act to review.
5. Bordering Land Subject to Flooding – he stated this would mean impacts to either Wildlife Habitat or Floodplain Storage. He noted that the standards under the regulations are met. He stated this would be work being done under the 105.1 elevations such as paths and a couple of support pilings to elevate the shed and removal of a few trees. He noted there would be no filling in this area and there would be no eliminating of flood storage in this area. Again, he stated all standards are being met under the act.

Scott Goddard said he could find no evidence of endangered or special concern wildlife habitat in this area, therefore, there will be no rare wildlife habitat impact. He noted that all the important standards under the act are being met with no adverse activities.

Ron O'Reilly asked Mr. Goddard about the sandy area for the proposed dock and if this would impact any wildlife habitat such as turtles and where they nest. Mr. Goddard replied that the area of impact is less than 50 linear feet and less than 10% of all the bank of the property, therefore, it still meets the standards.

David Henry stated that in order to allow residents to ask questions, the remaining issues, starting with number 15. in Mr. Yarworth's response letter, will be heard at the next public meeting. He then asked if anyone had any questions.

Frank Hovey, 42 So. Lakeview Road, asked if there was a shower in the apartment above the lodge and Chris Yarworth replied there was and the Board of Health was aware of this and the septic design is sufficient for the toilet and shower. Mr. Hovey also noted that by cutting 4 trees to within 20' of the bottom, this will allow more light to come in and might impact the wetlands.

Ziad Khallouf, 33 So. Lakeview Road asked what was going to happen to the wood from the trees that were being cut down and Mr. Yarworth replied that the wood was going to be chipped or used for fire wood. Mr. Khallouf asked if a wood chipper would be brought onto the island and Mr. Yarworth replied there would be. He asked if the grade was going to change and Mr. Yarworth replied the grade from any digging or excavating would be restored to the original grade. He stated that small equipment of the contractor's choice will be used for excavating and digging. Mr. Khallouf asked where any displaced soil will be put and Mr. Yarworth replied the soil would be spread around the island.

Norton Conservation Commission

Monday, April 9, 2012

Minutes, Page 11.

Robin Grant of 31 Mayflower Rd. asked where the water that the trees drink will go once the trees are cut down. She also stated to Mr. Wattsky that the town purchased the reservoir for public recreation and it was her opinion that this organization was not a public entity. She asked why the building was being constructed on a low side of the island instead of the higher side of the island. Julian Kadish replied that the building is being constructed at the high point of the island.

Jim Dinsel of 120 West Main St. noted he was opposed to this project. He asked how handicap people in wheelchairs were going to get up a steep slope after getting off the boat.

Chris Yarworth replied that the paths and walkways will be 4 feet wide where possible and there will be help available to help the handicap climb the slopes. He said the ramps and bathrooms will all be handicap accessible. He noted that everything will not be totally handicap accessible and a waiver will need to be obtained and the applicant is working on that presently.

Joyce Guild of 444 Reservoir Street asked where all the visitors will be parking and asked who owned the building in Mansfield that will be used to greet the visitors. Chris Yarworth stated that there were two options for the parking, one in Mansfield and one in Norton. He stated that a license would have to be obtained in Norton from the Board of Selectmen. He noted that the applicant would like to keep the entire project in Norton if possible. He said that any jobs would be offered to Norton residents first and the residents would also receive discounts. He said that the project would more than likely be delayed for about a year in order to obtain all permits and if the project is appealed.

Susan Johnson, 20 Larson Farm Drive, questioned the property levels being compared to data from 1894 and 1951 and Chris Yarworth replied the property line was 3 feet below the 101.76 mark and the water flow mark was 3 feet above the 101.76 mark.

David Lennon of 90 Maple Street had concerns with bringing a BobCat out to the island on a 30-ft. Jon boat.

Carol Zwicker of 10 Grove Lane had concerns with the total number of people using the septic system in one season. David Henry stated that issue would be addressed in comment number 25 of this letter.

Linda Clark of 4 Bailey Lane had concerns with legal liability for any accidents or issues happening on the reservoir. Julian Kadish stated this would be a question for the Board of Selectmen. Bob Kimball, Selectman, stated that this issue would be written into the lease or contract with the Town.

Frank Hovey of 42 So. Lakeview Road asked how to keep visitors from encroaching into the wetlands. David Henry stated that visual barriers are usually required for many projects to prevent encroachment into the wetlands. Julian Kadish noted that this project is a supervised project and visitors cannot just wander at will.

David Lennon of 90 Maple Street asked who would supervise equipment, etc. going to and from the island. Lisa Carrozza replied that the Conservation Commission would oversee that

Norton Conservation Commission

Monday, April 9, 2012

Minutes, Page 12.

as well as the contracted who would attend a pre-construction meeting before work begins. David Henry noted that a lot of these questions might be included in the maintenance plan that will be submitted.

Ziad Khallouf, 33 So. Lakeview Road had concerns with the solid sewage and Chris Yarworth replied it would not be taken off the island. He said it would be turned into compost and spread around for top soil.

Jane Ellison of 27 So. Lakeview Road stated that, in her opinion, the island will get higher over a period of years by the spreading of the compost over the island year to year. She said that she and her neighbors will in fact be able to view the zip line if trees are removed from the island.

Robin Grant of 31 Mayflower Rd. had concerns with high winds going through the island after trees are removed.

An abutter asked if the building would have a basement and Chris Yarworth replied there would not be a basement in the building.

Joe Pelletier of 30 Juniper Road had concerns with permanent power as people will be living on the island. Chris Yarworth stated propane gas would be used as needed.

Linda Clarke asked if a runoff tank would be required for the building and Jennifer Carlino stated there would be and that is listed in the second half of the comments addressed by Chris Yarworth.

Frank Hovey of 42 So. Lakeview Road requested that a PDF file of submitted plans with details be available on line and Chris Yarworth stated it would be.

Lisa Carrozza made a motion, seconded by Michele Simoneaux, to continue the public hearing until the next regular meeting of Monday, April 23, 2012. Approved.

Michele Simoneaux made a motion, seconded by Lisa Carrozza, to adjourn the public meeting at 10:04 pm. Approved.

Minutes Approved by Committee on: _____
(Date)

Respectfully submitted,

Signature:

(Name)

Chairman, _____