



CONSERVATION COMMISSION  
70 EAST MAIN STREET  
NORTON, MASSACHUSETTS 02766-2320  
(508) 285-0275

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AUG 17 1995

NORTON TOWN CLERK

Monday, July 24, 1995

7:30 pm

**Attendance**

Jeff Houde (Chairman), Leonard Silvia, Vice Chairman,  
Ed Breault, Robert Medeiros, Julian Kadish, Dana Rappaneau,  
Carlos Fragata (Conservation Director)  
No members were absent.

**Minutes**

Bob Medeiros made a motion, seconded by Dana Rappaneau, to postpone the reorganization until more members were present. Approved. Once a full board formed, Julian Kadish made a motion, seconded by Bob Medeiros, to have Jeff Houde remain as the Chairman of the Board. Unanimously approved using a roll call vote. Ed Breault made a motion, seconded by Julian Kadish to have Leonard Silvia remain as Vice Chairman. Unanimously approved using a roll call vote.

The members reviewed the Bills Payable Sheet. Bob Medeiros made a motion, seconded by Dana Rappaneau, to pay the bills. Approved.

Members reviewed a Request for a Determination of Applicability filed by Creative Homes, Inc. for So. Washington St. (assessors map 24) for proposed plans to construct a 12" water main on the southerly side of So. Washington St., portions of which will be constructed within the 100 ft. Buffer Zone of a bordering vegetated wetland. Bill Humphrey, a representative for Creative Homes, Inc., and Chris Yarworth of Yarworth Engineering stated that the project would run from the Mazda plant to the Creative Homes subdivision, approximately 1,350 ft. They also stated that a silt fence would be installed to prevent siltation. Julian Kadish made a motion, seconded by Dana Rappaneau, to close the Public Hearing. Approved. Julian Kadish, made a motion, seconded by Ed Breault, to issue a negative Determination if the work was done according to the submitted plans. Approved.

Members reviewed the continued Public Meeting for a Request for a Determination of Applicability filed by John G. Walsh for lots 3 & 4, parcel 78 (assessors map 17), Plain St. for proposed plans to construct 2 single family houses involving all excavation, filling and grading within the 100 ft. Buffer Zone of a bordering vegetated wetland. Bob Field and John Walsh were present for the meeting. Mr. Field stated that the house on lot 3 was moved on the revised plans. Dana Rappaneau made a motion, seconded by Ed Breault, to close the Public Meeting. Approved. Julian Kadish made a motion, seconded by Ed

Breault, to issue a negative Determination as long as the work conformed to the revised plans. The Conservation Director was asked to look into the prospect of accepting the remainder of lot 3 after the house is built and then to get back to Mr. Walsh and the Conservation Commission on its suitability.

Members reviewed a Request for a Determination of Applicability filed by Folkman/Zola Builders for lot 22 (assessors map 14), Antone Drive for proposed plans to construct a single family house and associated grading off Antone Dr. within the 100 ft. Buffer Zone of a bordering vegetated wetland. Julian Kadish made a motion, seconded by Ed Breault, to close the Public Meeting. Approved. Bob Medeiros and Jeff Houde abstained from voting. Julian Kadish made a motion, seconded by Leonard Silvia, to issue a negative Determination pursuant to plans. Approved.

Members reviewed a Notice of Intent filed by Atlantic Dev. Corp. for lots 271, 278-17 & 278-18 (assessors maps 8 & 9), Mansfield Ave. (Rt. 140) for proposed plans which involve work proposed within the 100 ft. Buffer Zone of a bordering vegetated wetland and Bank resource areas, including parking, stormwater detention facilities and outlets, grading, and other related work related to construction of three retail buildings totaling 250,000 sq. ft. Donald MacKinnon represented the applicant & updated the Commission on the progress of the project relative to the ACOE and the DEIR. Municipal sewer and water will be provided by Mansfield and Norton. There is no proposal to fill or alter State Jurisdictional Wetlands. Colin Duncan of Fugro stated that most of the site has been disturbed due to a gravel operation, a flea market and a bird garden. He also described all the wetlands and stated that 3 isolated non state wetlands totalling 12,000 sq. ft. were proposed to be filled. Roy Smith of Sumner Schein, Architects and Engineers, described how the drainage of the 64 acre site would flow. Colin Duncan submitted a rip rap retaining wall detail at the ILSF area. The Board's consensus was to keep the detention ponding basin wet even if other boards in the Town disagree. Dana Rappaneau made a motion, seconded by Ed Breault, to continue the Public Hearing until the next regular meeting, Aug. 14, 1995 at 8:00 pm. in order to obtain the DEP # for this project. Approved.

Members reviewed a Request for a Determination of Applicability filed by Angelo Pasqualino of P & A Construction for lot 1 (assessors map 17), Cross St. for proposed plans to construct a single family house and associated grading within the 100 ft. Buffer Zone of a bordering vegetated wetland. Dana Rappaneau made a motion, seconded by Ed Breault, to close the Public Meeting. Approved. Bob Medeiros abstained from voting. Julian Kadish made a motion, seconded by Leonard Silvia, to issue a negative Determination if work is conducted according to the submitted plans. Bob Medeiros abstained from voting. Approved.

Members reviewed a Request for a Determination of Applicability filed by Angelo Pasqualino of P & A Construction for lot 2 (assessors map 17), Cross St. for proposed plans to construct a single family house and associated grading within the 100 ft. Buffer Zone of a bordering vegetated wetland. Leonard Silvia made a motion, seconded by Dana



Rappaneau, to close the Public Meeting. Bob Medeiros abstained from voting. Approved. Julian Kadish made a motion, seconded by Leonard Silvia, to issue a negative Determination if work is conducted according to the submitted plans. Bob Medeiros abstained from voting. Approved.

Members reviewed a Request for a Determination of Applicability filed by Winifred Winslow, for lot 156 (assessors map 20), 7 Edward St. for proposed plans to construct an in-ground pool and associated grading within the 100 ft. Buffer Zone of a bordering vegetated wetland. Dana Rappaneau made a motion, seconded by Julian Kadish, to close the Public Meeting. Approved. Julian Kadish made a motion, seconded by Leonard Silvia to issue a negative Determination. Approved.

Members reviewed a request for a Partial Certificate of Compliance filed by Robert Bullock for DET #394, lots 138-139, Holly Rd. Bob Medeiros made a motion, seconded by Dana Rappaneau, to issue the Certificate provided a \$500 bond is posted with the Norton Town Treasurer. Approved.

Members reviewed a request filed by James Feeney, who was present and representing himself, for the Conservation Commission to accept a settlement proposal for file #250-278, parcel 15 (assessors map 12), Burt St., for proposed plans to fill 9,200 sq. ft. of wetland with a driveway, for access to a proposed residential dwelling in an upland area within the 100 ft. Buffer Zone of a bordering vegetated wetland. The plan proposed the road in the Buffer Zone rather than the adjudicated wetland crossing. Julian Kadish made a motion, seconded by Dana Rappaneau, to send a letter to DEP and Town Counsel stating that the Norton Conservation Commission has reviewed an alternate plan and has no objections, however, they expect normal erosion controls in the Buffer Zone. Approved.

Members reviewed a draft Order of Conditions for Mass. Highway Dept. (#250-367). Dana Rappaneau made a motion, seconded by Ed Breault, to issue the Order of Conditions, with the standard conditions, drafted for this project except for #25 and #28. Approved.

Members reviewed a draft Order of Conditions for E.M. Duggan Realty Trust (#250-366). Dana Rappaneau made a motion, seconded by Ed Breault, to issue the Order of Conditions, with the standard conditions, drafted for this project except for #2. Approved.

Regarding the Norton Reservoir, Julian Kadish stated that the Reservoir was holding its level, but was concerned with algae blooms due to the warm weather and dry spell.

Regarding Determinations of Applicability, Mr. Rappaneau motioned that all Determinations must be recorded on all projects. Seconded by Mr. Breault.

Dana Rappaneau made a motion, seconded by Ed Breault, to adjourn the meeting at 10:00 pm. Approved.

Respectfully submitted,

  
Carlos T. B. Fragata  
Conservation Director

CF/pmb