



CONSERVATION COMMISSION  
70 EAST MAIN STREET  
NORTON, MASSACHUSETTS 02766-2320  
(508) 285-0275  
Fax (508) 285-0297

Monday May 13, 1996  
7:30 pm

RECEIVED

Attendance

MAY 29 1996

Jeff Houde (Chairman), Robert Medeiros,  
Patrick Corcoran, Dana Rappaneau, Ed Breault,  
Julian Kadish, Carlos Fragata (Director)

NORTON TOWN CLERK

Leonard Silvia (Vice Chairman) was absent

Minutes

Proposals for the Norton Reservoir Dredging project were opened. Bob Medeiros made a motion, seconded by Patrick Corcoran, to have Carlos Fragata, the Director, Jeff Houde, Chairman, Julian Kadish and Walter Lindberg, Town Manager, to be part of a subcommittee to review and make recommendations to the full board. Approved. The Director stated that price proposals were to be kept separate from the proposals. The Director stated that all three of the Consultants, Baystate Environmental Consultants, Coastline Engineering and Normandeau Associates had submitted timely proposals. One of each proposal was given to the Commissioners and one would be forwarded to the Town Manager, Walter Lindberg. Patrick Corcoran made a motion, seconded by Dana Rappaneau, not to extend the deadline, in response to a letter from Stone & Webster Engineering requesting such.

The members reviewed a request for a full Certificate of Compliance filed by **David B. Feldman, c/o Malloch Construction Co., Inc. (#250-218) - lot 35 (assessors map 24) So. Washington St.** Bob Medeiros made a motion, seconded by Dana Rappaneau, to issue the Certificate with box #3 checked and modified slightly. Approved.

The members reviewed a request for a partial Certificate of Compliance filed by **Thomas Carmichael (DET. #430) - lot 4 (assessors map 23) Barrows St.** Bob Medeiros made a motion, seconded by Ed Breault, to issue a partial Certificate of Compliance as soon as the applicant has posted a \$500 bond with the Town Treasurer. Approved.

**Norton Reservoir Public Access** - The Director stated that due to public requests, he had researched several potential boat launch areas, namely Alder Road, Evergreen Road and Juniper Road. Also, the Director stated that the State Public Access Board would provide a boat ramp if the Town entered into an agreement with them. Discussion ensued and the Director was asked to contact neighboring towns re: fee structures. Also, the Director was asked to look at So. Lakeview Rd. which has boulders along the frontage of the road and

**Norton Conservation Commission**  
**May 13, 1996**  
**Minutes**  
**page 2**

to see if the area could be a suitable beach area. The Alder and Evergreen areas did not seem appropriate for large scale usage.

Ed Breault state that he wanted to put Barbara Brady of Winnecunnet Pond Association on the next agenda at 7:30 pm. The Director was asked to look into regulations for jetskis and other self-propelled boats.

The Director left the meeting to make presentation to the Finance Committee on the Annual Town Meeting Article 20 - Zoning Bylaw - Floodplain District - Article XIII.

The members continued to review the **Notice of Intent (from 3/25/96 mtg.) - Fulco, Inc. - parcel 149 (assessors map 4) Essex Street** for the construction of a road and detention basin. Julian Kadish made a motion, seconded by Patrick Corcoran, to close the Public Hearing and to approve the Notice of Intent with conditions. Approved.

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

The members reviewed the draft minutes of April 22, 1996. Dana Rappaneau made a motion, seconded by Ed Breault to accept the minutes as written. Approved.

The Director returned to participate in the review of the continued public hearing for the **Notice of Intent (from 4/22/96 mtg.) - Teddy Realty Trust - parcel 138 (assessors map 17) Cross St.** for proposed plans to construct a portion of a detention area within the 100 foot buffer zone. This will be a point source discharge for about 2000 feet of proposed road and nineteen proposed houses. Ralph Maloon of RIM Engineering represented the applicant. Bob Medeiros abstained from voting on this project. Ed Breault made a motion, seconded by Dana Rappaneau, to continue the public hearing until the May 28, 1996 meeting at 8:00 pm. Approved. The applicant consented to this.

The members continued to review the **Notice of Intent (from 4/22/96 mtg.) - Wagon Wheel Realty Trust - lot 59 (assessors map 15) Oak St.** for proposed plans to complete the work associated with the development of the Norton Country Club Condominiums, Section II, including construction of the roadway, utilities and condominium buildings within the 100 foot buffer zone. The applicant's representative addressed the changes to the plan, namely, removing headwall - 1 and piping water further down stream. Mr. Thurston, an abutter, of 205 Oak Street stated that the project was started without permits. Mr. Fred Bottomly stated that this was not true and that after work was started, the pond on the Golf Course overflowed and created an intermittant stream. Gordon Landis questioned the lack of flagging bordering



**Norton Conservation Commission**  
**May 13, 1996**  
**Minutes**  
**page 3**

vegetated wetlands. Ernie and Miriam Bowser of Oak Street commented on flooding problems. Helen Landis commented with concerns of the closeness of the proposed buildings. Harry Libis asked if less water was now designed into the plan. Mr. Bottomley stated that the post development water would be less. He also suggested that the Order of Conditions require reflagging of the bordering vegetated wetlands around Buildings #11 and #12. Dana Rappaneau made a motion, seconded by Julian Kadish, to close the public hearing. Approved.

The members reviewed a **Notice of Intent - Fidelity Financial, Inc. - parcel 516 (assessors map 10) Cross St.** for proposed plans to construct a detention basin with related grading within the 100 ft. buffer area of a bordering vegetated wetland. Post development stormwater shall be transported to the basin and ultimately discharged to the resource area. Bill Eagan and Ralph Maloon of RIM Engineering represented the applicant. Elizabeth Keenan had concerns with potential impacts to the wetlands because of the proposal. Dana Rappaneau made a motion, seconded by Ed Breault, to close the public hearing. Approved.

The members reviewed a **Request for a Determination of Applicability - Philip Horton, et ux - part of lot 63 (assessors map 28) Taunton Avenue** for proposed plans to construct a dwelling, sanitary system, driveway and well and yard grading in the buffer zone of a bordering vegetated wetland. John Vance represented the applicant. Ed Breault made a motion, seconded by Patrick Corcoran, to close the public meeting. Approved. Ed Breault made a motion, seconded by Julian Kadish, to issue a negative Determination of Applicability as long as the project was done according to the plans. Approved.

The members reviewed a **Request for a Determination of Applicability - Julian L. Kadish - lots 218 (assessors map 9) and 14 (assessors map 10) 72 Reservoir St.** for proposed plans to replace existing septic system, including installation of a new tank, pump chamber, 2-inch forced main and leaching field. Also minor repairs to the driveway are proposed consisting of the spreading of crushed stone and leveling added stones to fill potholes. Julian Kadish represented himself and abstained from the meeting. Mr. Kadish explained the project to the commission members. Dana Rappaneau made a motion, seconded by Ed Breault, to close the public meeting. Approved. Ed Breault made a motion, seconded by Dana Rappaneau, to issue a negative Determination of Applicability as long as the work was done according to the submitted plans. Approved.

The members reviewed a **Request for a Determination of Applicability - Anthony E. Wilson - lot 95 (assessors map 28) 36 Margaret Drive** for proposed plans to place a pre-constructed 10 ft. by 10 ft. gazebo on the property and a small 6 ft. by 2 ft. wide and 10 inches deep lilly pond and a brick step going out of the basement door with a small patio under the existing wood deck in the back of the house, all of which is within 100 ft. of wetlands.

**Norton Conservation Commission**

**May 13, 1996**

**Minutes**

**page 4**

Anthony Wilson was present and explained the project to the commission members. Ed Breault made a motion, seconded by Patrick Corcoran, to close the public meeting. Approved. Patrick Corcoran made a motion, seconded by Dana Rappaneau, to issue a negative Determination of Applicability as long as the work was done according to the submitted plans. Approved.

The members reviewed a **Request for a Determination of Applicability - Gerard Harris - lot 204 (assessors map 5) 315 East Main St.** for a post facto filing for construction of a 40 ft. by 16 ft. foundation and grading of a backyard within the 100 ft. buffer zone. Gerard Harris was present and stated that the fill was placed to allow a cement truck to pour a foundation. Patrick Corcoran made a motion, seconded by Julian Kadish, to close the public meeting. Approved. Patrick Corcoran made a motion, seconded by Julian Kadish, to issue a negative Determination of Applicability subject to work being done according to the submitted plans.

The members reviewed a **Request for a Determination of Applicability - Darlene L. Keefe & Michael P. Fitzgerald - lot 162 (assessors map 3) 10 Woodland Road** for proposed plans to construct a 14 ft. x 24 ft. addition within the 100 ft. buffer zone of a wetland. The existing home is tied into the town sewer system. Dana Rappaneau made a motion, seconded by Bob Medeiros, to close the public meeting. Approved. Ed Breault made a motion, seconded by Patrick Corcoran, to issue a negative Determination of Applicability as long as the work was performed according to the submitted plans.

The members reviewed a **Request for a Determination of Applicability - Bruce Hicks - lot 60 (assessors map 17) 122 East Main St.** for proposed plans to repair an existing septic system in the buffer zone. Ed Breault made a motion, seconded by Patrick Corcoran, to close the public meeting. Approved. Ed Breault made a motion, seconded by Patrick Corcoran, to issue a negative Determination of Applicability. Approved.

The members reviewed a **Request for a Determination of Applicability - VAS Land Corp. - lot 36 (assessors map 31) Dearborn Drive** for proposed limited grading within the 100 foot buffer zone. Alan Brown and Ralph Maloon of RIM Engineering were present. Patrick Corcoran made a motion, seconded by Dana Rappaneau, to close the public meeting. Approved. Patrick Corcoran made a motion, seconded by Ed Breault, to issue a negative Determination of Applicability. Approved. Bob Medeiros made a motion, seconded by Dana Rappaneau, to have a letter issued by the Director to allow the closing of this property. Approved.



**Norton Conservation Commission**  
**May 13, 1996**  
**Minutes**  
**page 5**

The members reviewed a **Request for a Determination of Applicability - Richard LeVangie - lot 3, parcel 146 (assessors map 28) 13A Woodward St.** for proposed plans to construct a 30 ft. x 48 ft., one-story pole barn supported by posts in the buffer zone of a wetland. Richard LeVangie was present to explain the project. A backhoe is proposed to dig the trenches. Patrick Corcoran made a motion, seconded by Ed Breault, to close the public meeting. Approved. Dana Rappaneau made a motion, seconded by Bob Medeiros, to issue a negative Determination of Applicability. Approved.

The members reviewed a plan change request filed by Paul F. George, Jr. for 5 Island Rd. DET. #348. The change involves a proposed deck and pool. Ed Breault made a motion, seconded by Patrick Corcoran to approve the modification to the plan. Approved.

The Director asked the Conservation Commission to comment on the June 3, 1996 Special Town Meeting Articles #4 & #5 which are to ask that Rose Farm land be converted back to passive recreation and that the \$90,000 be taken out of the Conservation Commission Account. The Conservation Commission decided to discuss the issue at the next meeting.

Ed Breault made a motion to adjourn the meeting at 10:10 pm.

Respectfully Submitted,

  
Carlos T.B. Fragata  
Conservation Director

CF/pmb