



CONSERVATION COMMISSION
70 EAST MAIN STREET
NORTON, MASSACHUSETTS 02766-2320
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RECEIVED

JUL 01 1996

Tuesday, May 28, 1996
7:30 pm

NORTON TOWN CLERK

Attendance

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

Leonard Silvia (Vice Chairman) and
Dana Rappaneau were absent

Minutes

The members reviewed the Bills Payable Sheet. Patrick Corcoran made a motion, seconded by Julian Kadish, to pay the bills. Approved.

The members reviewed draft minutes of May 13, 1996. Julian Kadish made a motion, seconded by Patrick Corcoran, to accept the minutes. Approved.

The members reviewed a **Request for a Determination of Applicability - Alan Brown - part of lots 4 & 5 (assessors map 11) 180 East Main Street** for proposed plans for a dwelling, sanitary system, driveway and yard grading in the buffer zone of a vegetated bordering wetland. Alan Brown represented himself at the meeting. Julian Kadish made a motion, seconded by Patrick Corcoran, to close the public meeting. Approved. Julian Kadish made a motion, seconded by Patrick Corcoran, to issue a negative Determination of Applicability as long as the work was done according to submitted plans. Jeff Houde also voted on this request. Approved. Julian Kadish made a motion, seconded by Patrick Corcoran, to eliminate #1. of the **Conditions**.

The members reviewed a **Request for a Determination of Applicability - Paul Jodice - lot 97-01 (assessors map 22) 29 Barrows St.** for proposed plans to construct an addition to a single family dwelling and related grading within the 100 ft. buffer zone. Siltation control will be erected prior to any movement of earth and other landscaping features are sufficiently established to prevent erosion towards wetlands. The structure is to be on a slab on grade. Paul Jodice represented himself at the meeting. Julian Kadish made a motion, seconded by Patrick Corcoran, to close the public meeting. Approved. Julian Kadish, made a motion, seconded by Bob Medeiros, to issue a negative Determination of Applicability with the elimination of number one (1.) of the **Conditions**. Approved.

Norton Conservation Commission
Tuesday, May 28, 1996
Minutes (page 2)

The members continued to review the **Notice of Intent (con't. from 4/22/96 and 5/13/96 mtgs.) - Teddy Realty Trust - parcel 138 (assessors map 17) Cross Street** 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 and Angela Pasqualino were present to explain the final revised plans dated 5/24/96 which showed 3,100 sq. ft. of filling and 3,100 sq. ft. of replication. Julian Kadish made a motion, seconded by Patrick Corcoran, to close the public hearing. Approved. Jeff Houde abstained from voting.

The members reviewed a **Request for a Determination of Applicability - CMG Development - parcel 149, lot B (assessors map 18) Plain Street** for the review and acceptance of the delineation of bordering vegetated wetland areas on the above-named site. Bob Pelaggi represented the applicant. The Director stated that he had performed an onsite and agreed with this line, which increases the original 1986 wetland delineation area dramatically. Ina Bishoff of Perry St. was concerned with water problems. Julian Kadish made a motion, seconded by Patrick Corcoran, to close the public hearing. Approved. Julian Kadish made a motion, seconded by Patrick Corcoran, to issue a positive Determination of Applicability with box number one (1.) checked off and stating that all or part of the area is subject to the act and any work requires a Notice of Intent or Request for a Determination of Applicability. Approved.

Julian Kadish made a motion, seconded by Patrick Corcoran, to waive reading of the extraneous parts of the Public Notices and only read important particulars.

The members reviewed a **Request for a Determination of Applicability - VAS Land Corp., - parcel 6, lot 31A (assessors map 31) Greenfield Circle** for proposed plans to construct a single family dwelling, driveway, septic system and related grading within the buffer zone of an isolated wetland. Alan Brown, representing himself (VAS Land Corp.), and Ralph Maloon (RIM Engineering) were present at the meeting. Julian Kadish made a motion, seconded by Patrick Corcoran, to close the public meeting. Approved. Julian Kadish made a motion, seconded by Patrick Corcoran, to issue a negative Determination of Applicability eliminating number one (1.) of the **Conditions**. Approved.

The members reviewed a **Request for a Determination of Applicability - VAS Land Corp., parcel 6, lot 23 (assessors map 31) Dearborn Drive** for proposed plans for work to an existing single family dwelling, driveway and related grading within the 100 ft. buffer zone. Siltation control has been established and will remain erected until landscaping features are sufficiently established to prevent erosion towards the wetlands. Alan Brown, representing

Norton Conservation Commission
Tuesday, May 28, 1996
Minutes (page 3)

himself (VAS Land Corp.), and Ralph Maloon (RIM Engineering) were present at the meeting. Julian Kadish made a motion, seconded by Patrick Corcoran, to close the public meeting. Approved. Julian Kadish made a motion, seconded by Patrick Corcoran, to issue a negative Determination of Applicability eliminating number one (1.) of the **Conditions**. Approved.

The members reviewed a **Request for a Determination of Applicability - VAS Land Corp., parcel 6, lot 29 (assessors map 31) Greenfield Circle** for proposed plans for work to an existing single family dwelling, driveway and related grading within the 100 ft. buffer zone. Approximately 20 cubic feet of fill material is needed within the 100 ft. buffer. Based on the topography of the site in relation to the wetland resource area, any potential silt migration associated with construction activities would not affect nor reach the wetlands. Alan Brown, representing himself (VAS Land Corp.), and Ralph Maloon (RIM Engineering) were present at the meeting. Julian Kadish made a motion, seconded by Bob Medeiros, to close the public meeting. Approved. Julian Kadish made a motion, seconded by Patrick Corcoran, to issue a negative Determination of Applicability eliminating number one (1.) of the **Conditions**. Approved.

The members reviewed a **Request for a Determination of Applicability - VAS Land Corp., parcel 6, lot 30A (assessors map 31) Greenfield Circle** for proposed off grading associated with construction of a single family dwelling within the 100 ft. buffer zone. Based on the topography of the site, the wetland resource area is upgradient of the proposed limit of work. Therefore, the proposed grading will not affect the wetlands area. Alan Brown, representing himself (VAS Land Corp.), and Ralph Maloon (RIM Engineering) were present at the meeting. Julian Kadish made a motion, seconded by Patrick Corcoran, to close the public meeting. Approved. Julian Kadish made a motion, seconded by Patrick Corcoran, to issue a negative Determination of Applicability eliminating number one (1.) of the **Conditions**. Approved.

Wagon Wheel Realty Trust - lot 59 (assessors map 15) Oak St. - Orders of Conditions. Julian Kadish made a motion, seconded by Patrick Corcoran to accept the Orders of Conditions as amended by eliminating #28, #29 and #30. Approved.

Fidelity Financial, Inc. - #250-378 - parcel 516 (assessors map 10) Cross St. - Orders of Condition.

Julian Kadish made a motion, seconded by Patrick Corcoran, to accept the Orders of Condition as written. Approved.

Norton Conservation Commission
Tuesday, May 28, 1996
Minutes (page 4)

Teddy Realty Trust - Orders of Conditions

Julian Kadish made a motion, seconded by Bob Medeiros, to accept the Orders of Conditions. Jeff Houde abstained from voting.

Barbara Brady of 82 King Philip Road, Norton, expressed her concerns with jet skis (but not with power boats) because they have been used dangerously, have run into swans and ducks and are noisy. Gerry Bishop, Recreation Director stated that as a member of the Bylaw Committee, he was seeking comments from the Bradys and others. The Director was asked to speak with the Town Manager regarding putting up signs prohibiting certain activities and to seek Town Counsel opinion through him. The Director gave out the existing Town Pond Bylaws and the State Jet Ski/Wet Bike Law regulations which were also discussed.

The members reviewed a **Request for a full Certificate of Compliance filed by Hamilton Homes, Inc. c/o Richard LeVangie (DET. #223) parcel 66, lot 3 (assessors map 28) 13A Woodward St.** Julian Kadish made a motion, seconded by Patrick Corcoran, to issue the Certificate. Approved.

Plan Change - DET. #435 - Creative Homes, Inc. - lot 10, parcel 160 (assessors map 18) Stanley Road. Bob Medeiros made a motion, seconded by Julian Kadish, to accept the modification to the plans. Approved.

Town Meeting Articles

Discussion ensued on Article #4 of the Special Town Meeting - Rose Farm, North Worcester St. Conservation Land, change of use (Active to Passive). Bob Medeiros made a motion, seconded by Patrick Corcoran, to support the Article for a change to passive Recreation. Gerry Bishop was present to state that he wanted the land to remain as active recreation. The Director stated that Fin Com voted "no action" on this Article.

Julian Kadish made a motion, seconded by Bob Medeiros, to support Article #5 - Transfer of Recreation field money expenditures (\$90,000) to the General Fund, at Town Meeting. The Fin Com recommended that the \$90,000 be transferred to the General Fund and according to sources the Fin Com felt that the "Use" issue would be moot for years.

Julian Kadish made a motion, seconded by Patrick Corcoran, to support Article #21 of the Annual Town Meeting - Water Resource Protection District. Approved.

Norton Conservation Commission

Tuesday, May 28, 1996

Minutes (page 5)

Norton Reservoir - Discussion ensued regarding the three (3) proposals received. It was stated that Baystate Environmental Consultants, Inc. (BEC) met all of the criteria. Normandeau Associates, Inc. and Coast Line Engineering did not meet all of the criteria. BEC's Price Proposal was \$122,000 in between the other two Price Proposals, but insignificant in price difference. Based upon detailed review, the Commission felt that BEC was most qualified and fees were close. Julian Kadish made a motion, seconded by Patrick Corcoran, to award BEC the Dredge Project, subject to Walter Lindberg's concurrence. Approved.

Bob Medeiros made a motion to adjourn the meeting at 10:30 pm. Approved.

Respectfully Submitted,



Carlos T.B. Fragata
Conservation Director

CF/pmb