



CONSERVATION COMMISSION
70 EAST MAIN STREET
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SEP 24 1996

NORTON TOWN CLERK

Monday, September 9, 1996
7:30 pm

Attendance

Jeff Houde (Chairman), Ed Breault (Vice-Chairman)
Dana Rappaneau, Bob Medeiros, Leonard Silva,
Patrick Corcoran, Julian Kadish, Carlos Fragata (Director)

Minutes

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

The members reviewed a Bills Payable Sheet for Baystate Environmental Consultants, Inc. for Professional services pertaining to the Phase II Dredging Design Plan/EIR for Norton Reservoir, Norton, MA. Bob Medeiros made a motion, seconded by Dana Rappaneau, to have Carlos Carranza of Baystate Environmental Consultants, Inc. provide an overview of progress at the next regular Conservation Commission meeting, before payment is made for this bill. Approved.

The members reviewed the draft minutes of August 12, 1996. Bob Medeiros made a motion, seconded by Julian Kadish, to accept the minutes. Approved.

The members reviewed the draft minutes of August 26, 1996. Dana Rappaneau made a motion, seconded by Leonard Silva, to accept the minutes. Approved. Patrick Corcoran abstained from voting.

The members reviewed a **Request for a Determination of Applicability** filed by **Malloch Construction - lot 11 (assessors map 36) Richmond Drive** for proposed plans to construct a single family dwelling, on-site sanitary disposal system, and associated site grading partially within the 100' discretionary buffer zone of a bordering vegetative wetland. Shane Rio of Hayward-Boynton & Williams represented the applicant. Dana Rappaneau made a motion, seconded by Bob Medeiros, to close the public meeting. Approved. Dana Rappaneau made a motion, seconded by Patrick Corcoran, to issue a negative Determination of Applicability. Approved. Ed Breault made a motion, seconded by Bob Medeiros, to amend the negative Determination of Applicability to include boiler plate conditions and a recording condition and siltation fence only if required. Approved.

The members reviewed a **Request for a Determination of Applicability** filed by **Kredo Berzins - parcel 143, lot 50 (assessors map 16) Freeman Street (corner of Mansfield Avenue)** for proposed plans to construct a single family house and associated grading within the 100' buffer zone of a pond and bordering vegetated wetland. Kredo Berzins represented himself at the meeting. He stated that this lot had been percolation tested in 1992. Bob Medeiros made a motion, seconded by Ed Breault, to close the public meeting.

Approved. Bob Medeiros made a motion, seconded by Ed Breult, to issue a negative Determination of Applicability with boilerplate conditions including recording and siltation fence as needed. Approved.

The members reviewed a **Request for a Determination of Applicability** filed by **Lynne M. Feeney - lot 3, parcel 8 (assessors map 19) Plain Street** for proposed plans to construct a single family dwelling, driveway and associated site grading within the 100' buffer zone of a bordering vegetated wetland. Otto Bingal of Yarworth Engineering represented the applicant. Revised plans, that were stamped but not dated, were submitted. Bob Medeiros made a motion, seconded by Ed Breault to close the public meeting. Approved. Bob Medeiros made a motion, seconded by Ed Breault, to issue a negative Determination of Applicability with boilerplate conditions including recording and siltation barrier if needed and to accept the revised plans. Approved.

The members reviewed an **Amendment to the Order of Conditions file #250-366 issued to E.M. Duggan Realty Trust - lot 515 (assessors map 10) No. Washington Street** for the consideration of an amendment to the Order of Conditions and acceptance of revised plans associated with the construction of the North Washington Estates subdivision drainage area. Bob Truax of GLM represented the project. The Director gave a short history of the project explaining that the applicant started the work without notifying the Conservation office and is doing work based on the Planning Board approved plan (which was never officially approved by the Norton Conservation Commission). The applicant did, however, record the Order, erect a DEP sign onsite and put up most of the silt fence, as noticed at the first onsite by the Director. A verbal stop order was then issued and the Norton Conservation Commission approved of a plan change at the August 26, 1996 Norton Conservation Commission meeting. An abutter called DEP to complain shortly thereafter. DEP SERO Wetlands Section told the Director that either an Enforcement Order or an Amended Order would be needed. GLM Engineering chose the Amended Order. Bob Medeiros made a motion, seconded by Ed Breault, to approve the Amended Order of Conditions subject to no further work until the applicant has, prior to any other work within the Buffer Zone of the vernal pool, submitted a vegetative planting plan and posted a performance bond with the Norton Town Treasurer sufficient in cost to cover the vegetative planting plan stated below:

- a. A mix of 6 to 7 ft. Swamp Red Maple (*Acer rubrum* L.) and 4 to 5 ft. White Pine (*Pinus strobus*) shall be planted six (6) feet on center and staggered in a zig zag fashion (forming two rows of plantings).
- b. The planting shall be made from the headwall to the dike.
- c. The area shall be loamed and seeded around and adjacent to the plantings with fescue or other grasses accepted by the Norton Conservation Commission.
- d. Prior to any work, the applicant shall submit a plan view plan showing the locations and type of species planted, which must be approved by the Norton Conservation Commission prior to any further work in the Buffer Zone.

The members reviewed a **Request for a full Certificate of Compliance** filed by **Sher-Corp., Ltd. for lot 5 (assessors map 29) Forest Lane (DET. #342)** (from 8/26/96 mtg.). Bob Medeiros made a motion, seconded by Ed Breault, not to issue the full Certificate of Compliance until there is vegetative stabilization of exposed soil on this lot. Approved.

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The members reviewed a **Request for a partial Certificate of Compliance** filed by **RCM Construction** for lot 147 (assessors map 28) Taunton Avenue (Rte. 140) (DET. #464). Dana Rappaneau made a motion, seconded by Julian Kadish to issue the partial Certificate of Compliance with the condition that a \$500 bond would be posted by the applicant with the Norton Town Treasurer. Approved. Bob Medeiros abstained from voting.

The members reviewed a **Request for a partial Certificate of Compliance** filed by **Paul Schulz, Jr.** for lot 173 (assessors map 35) West Hodges Street (DET. #362). Bob Medeiros made a motion, seconded by Ed Breault to issue the partial Certificate of Compliance with the condition that a \$500 bond would be posted by the applicant with the Norton Town Treasurer. Approved.

Lake Winnecunnet Aquatic Weed Control - Leonard Silvia made a motion, seconded by Ed Breault, to wait until the next Conservation Commission meeting after copies of the two price estimates and plans have been sent out to each of the Commission members.

Land Donation (offering) - lot 22 (assessors map 10) Reservoir St./Harbor Rd., owner: John & Barbara Tyler - Dana Rappaneau made a motion, seconded by Patrick Corcoran, to send and defer the land to the Board of Selectmen for their consideration. Approved.

Rivers Protection Act (New) - The Director stated that the new Rivers Protection Act was in effect but there are no DEP regulations yet. Dana Rappaneau made a motion, seconded by Patrick Corcoran, to table further discussion on this subject until more information was provided. Approved.

Bob Medeiros made a motion, seconded by Patrick Corcoran, to adjourn the meeting at 9:05 pm.

Respectfully Submitted



Carlos T.B. Fragata
Conservation Director

CF/pmb