



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

Monday, April 14, 1997  
7:30 pm

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NORTON TOWN CLERK

**Attendance**

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

**Minutes**

The members reviewed the Bills Payable Sheet (misc.). Bob Medeiros made a motion, seconded by Leonard Silvia, to table the Bills Payable Sheet until the next meeting. Approved.

The members reviewed a Bills Payable Sheet for Baystate Environmental Consultants, Inc. for Invoice #7. Bob Medeiros made a motion, seconded by Leonard Silvia, to table the Bills Payable (BEC) until the next meeting. Approved.

Patrick Corcoran made a motion, seconded by Leonard Silvia to table the draft minutes of March 24, 1997 until the next meeting. Approved.

The members reviewed a **Request for a Determination of Applicability - Michael Dupree - lot 2, parcel 66 (assessors map 28) 17 Woodward Street** for proposed plans to build up along side of driveway, add fill to the backyard to extend the lawn section to be filled and stepped down from the existing lawn and add pea stone to the bottom of the parking area. Michael Dupree represented himself and stated that a pressure treated wooden retaining wall would be constructed on the side of the driveway. Leonard Silvia made a motion, seconded by Bob Medeiros, to close the public meeting. Approved. Ed Breault made a motion, seconded by Julian Kadish, to issue a negative Determination of Applicability with conditions. Approved.

The members reviewed a **Request for a Determination of Applicability - Town of Norton, Highway Department - builders lot 2, parcel 163 through parcel 45-1 (assessors map 12) #31 through #47 Lincoln Street** for proposed installation of approximately 1,000 feet of 12 inch reinforced concrete pipe, 10 catch basins, a manhole and a flared end section, in order to alleviate a drainage and flooding problem. Carl Jacobs represented the Highway Dept. Leonard Silvia made a motion, seconded by Bob Medeiros, to close the public meeting. Approved. Bob Medeiros made a motion, seconded by Ed Breault, to issued a negative Determination of Applicability with conditions. Approved.

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The members reviewed a Notice of Intent - **Polillio Norton Trust - lot 40 (assessors map 6) off Bay Road (con't. from 3/24/97 mtg.)** - for proposed construction of a cranberry bog, canals, dike road and associated site grading within a buffer zone to a bordering vegetated wetland. Bob Medeiros made a motion, seconded by Dana Rappaneau, to accept the Order of Conditions with the removal of condition #19. Approved.

The members reviewed a **Request for a Determination of Applicability - Briarwood Construction Corp., c/o Ray Ferrone - lot 7A, formally part of parcel 516 (assessors map 10) 6 Eisnor Drive (con't. from 3/10/97 and 3/24/97 mtgs.)** for proposed plans to construct a portion of a single family house, a portion of a driveway with related grading and utilities within the 100 ft. buffer zone of a vegetated wetland. No one was present to represent the applicant. Ed Breault made a motion, seconded by Bob Medeiros, to continue the public meeting until the next meeting on Tuesday, April 29, 1997.

**The members reviewed a Request for a Determination of Applicability - Daniel O'Brien - lot 7 (assessors map 3) 440 Reservoir Street** for proposed plans to construct a new foundation (24' x 24') to be added upgradient to an existing house within the 100 ft. buffer zone of a bordering vegetated wetland. The depth below the grade is about 5 feet total. Daniel & Leah O'Brien were present at the meeting. Leonard Silvia made a motion, seconded by Ed Breault, to close the public meeting. Approved. Dana Rappaneau made a motion, seconded by Julian Kadish, to issue a negative Determination of Applicability with conditions. Approved.

The members reviewed a **Request for a Determination of Applicability - Gary Colassi - lot 1 (assessors map 35) 1 Hampshire Court** for a post facto project for a 24' x 24' attached garage to an existing house, approximately 54' from wetlands. Gary Colassi was present at the meeting. Bob Medeiros made a motion, seconded by Leonard Silvia, to continue the public meeting until the next meeting on Tuesday, April 29, 1997 at 8:00 pm. Approved.

The members reviewed a **Request for a Determination of Applicability - Stephen M. Brunelle - lot 1, parcel 37 (assessors map 17) 33 Elm Street** for proposed plans to expand a backyard by approximately 2,000 sq. ft. within the buffer zone of a bordering vegetated wetland. Low areas of yard are to be filled with clean sand, topped with loam and then seeded. A siltation fence will be used to prevent erosion. The project is partially post facto and loaming and seeding still needs to be done. The grade of the back yard was raised approximately 3 feet. Leonard Silvia made a motion, seconded by Bob Medeiros, to close the public meeting. Approved. Bob Medeiros made a motion, seconded by Julian Kadish, to issue a negative Determination of Applicability with conditions. Approved.

The members reviewed a **Request for a Determination of Applicability - Ellen J. Rubin - O'Hearn -lot 56 (assessors map 26) 14 No. Worcester Street** for proposed cutting and clearing of vegetation and brush within the 100 ft. buffer zone of a ponding area in order to improve growth of the remaining trees and shrubs. The project will continue agricultural practices which have been performed on the property over the past 90 years. Ellen Rubin-O'Hearn represented herself and



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stated that the trees were cut to the pond edge but the stumps are in place still. Mr. John Drane, an abutter, was concerned that if trees were removed before the Conservation Commission meeting, neighbors living nearby on the first floor of the house, and Mr. Drane's basement would be susceptible to flooding. If trees were removed, he feared that water would flow downhill to a pond which could cause problems. Jeff Houde stated that the high water was due to a dam on the pond. Ellen Rubin-O'Hearn did not file because she believed that her property was an agricultural exemption. Leonard Silvia stated that there would have to be some agricultural activity on the property in order to be exempt. Bob Medeiros 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 with conditions. Approved.

The members reviewed a **Request for a Determination of Applicability - John & Wendy Fichera - lot 28 (assessors map 14) 212 No. Worcester Street** for proposed plans to replace a failed leaching pit with a new field (15 ft. x 40 ft.), install a pump chamber and associated yard grading within the 100 ft. buffer zone of a bordering vegetated wetland. Jack Vance represented the applicant. He stated that the new leaching field would be raised. Leonard Silvia made a motion, seconded by Dana Rappaneau, to close the public meeting. Approved. Julian Kadish made a motion, seconded by Dana Rappaneau, to issue a negative Determination of Applicability with conditions. Approved.

The members reviewed a **Request for a Determination of Applicability - Thomas Peterson - part of lot 47 (assessors map 30) Maple Street** for proposed plans to construct a single family dwelling, yard grading and seeding of grass within the 100 ft. buffer zone of bordering vegetated wetlands. Jack Vance and Thomas Peterson were present at the meeting. Bob Medeiros made a motion, seconded by Dana Rappaneau, to close the public meeting. Approved. Ed Breault made a motion, seconded by Dana Rappaneau, to issue a negative Determination of Applicability with conditions. Approved.

The members reviewed a **Request for a Determination of Applicability - John Fournier - lot 579 (assessors map 3) 54 Island Road** for proposed construction of a 4 foot under wrap-around deck (10' x 24' x 18') within 100 ft. of Norton Reservoir. John Fournier was present at the meeting. Dana Rappaneau made a motion, seconded by Bob Medeiros, to close the public meeting. Approved. Dana Rappaneau made a motion, seconded by Julian Kadish to issue a negative Determination of Applicability with conditions. Approved.

The members reviewed a request for a full Certificate of Compliance filed by **Tolau Realty Trust of 1992 for parcels 1, 1-02 & 3 (assessors map 14) Richardson Avenue (250-314)**. Dana Rappaneau made a motion, seconded by Julian Kadish, to issue the full Certificate of Compliance. Bob Medeiros abstained from voting. Approved.

The members reviewed a **Field Change request (#250-322) - Gary Colassi - lot 1 (assessors map 35) 1 Hampshire Court** to allow rip rap stone to be placed in order to stabilize the slopes.

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Discussion ensued regarding the newly filled wetlands for the expanded driveway and existing wetland replication area. The driveway is covered by an existing order of conditions. The conditions were unclear as to whether or not it could be paved. Discussions were continued until the April 29, 1997 meeting.

The members reviewed a **Plan Change/Filing Guidance - DET. #485 - Neil Young - lot 1, parcel 162 (assessors map 12) Lincoln Street**. The board's consensus is to file for a Determination of Applicability for a plan change.

**Chartley Pond**

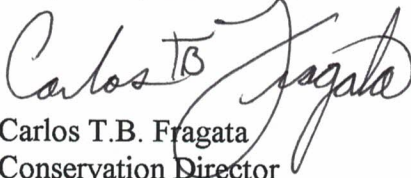
Dana Rappaneau reported that the water level is high, but he was unable to lower the level because there is no handle on the top board. He suggested that repair work be done on the board as soon as the water level drops.

**Norton Reservoir**

Discussion ensued regarding last week's meeting. Most of the comments by the public dealt with dry dredging vs. hydraulic dredging.

Patrick Corcoran made a motion, seconded by Ed Breault, to adjourn the meeting at 9:30 pm. Approved.

Respectfully Submitted,

A handwritten signature in cursive script, reading "Carlos T.B. Fragata". The signature is written in dark ink and is positioned above the printed name and title.

Carlos T.B. Fragata  
Conservation Director

CF/pmb