



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

Monday, August 25, 1997
7:30 pm

Attendance

Jeff Houde (Chairman), Ed Breault (Vice-Chairman),
Leonard Silvia, Patrick Corcoran, Dana Rappaneau, Julian Kadish,
Carlos Fragata (Director), Leo Yelle (Associate Member)

Bob Medeiros was absent.

Minutes

The members reviewed the Bills Payable sheet. Patrick Corcoran made a motion, seconded by Dana Rappaneau, to pay the bills. Approved.

The members reviewed the draft minutes of July 14, 1997. Leonard Silvia made a motion, seconded by Ed Breault, to accept the minutes. Approved.

The members reviewed the draft minutes of July 29, 1997. Leonard Silvia made a motion, seconded by Ed Breault, to accept the minutes. Approved. Patrick Corcoran and Dana Rappaneau abstained from voting. Approved.

The members reviewed the draft minutes of August 11, 1997. Ed Breault made a motion, seconded by Leonard Silvia, to accept the minutes. Approved.

The members reviewed a **Request for a Determination of Applicability - Paul M. Martin - lot 50, parcel 143 (assessors map 16) 112 Mansfield Avenue** - for proposed plans to install 2' tiles below the water table. Ed Breault made a motion, seconded by Leonard Silvia, to close the public meeting. Approved. Dana Rappaneau made a motion, seconded by Ed Breault, to issue a negative Determination of Applicability with conditions. Approved.

The members reviewed a **Request for a Determination of Applicability - Irene Shanahan - lot 1, parcel 32 (assessors map 17) 50 Elm Street** - for proposed plans to construct a single family house, a potable well and related grading and utilities within the 100 ft. discretionary zone. Irene Shanahan represented herself at the meeting and submitted revised plans dated August 25, 1997. Ed Breault made a motion, seconded by Dana Rappaneau, to close the public meeting. Approved. Ed Breault made a motion, seconded by Patrick Corcoran, to issue a negative Determination of Applicability with conditions. Approved.

The members reviewed a **Request for a Determination of Applicability - Timothy O'Sullivan - lot 288 (assessors map 4) 24 Kingsley Road** for proposed plans to bring in fill to level and grade the back

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yard within the 100 ft. buffer zone of bordering vegetated wetlands. Timothy O'Sullivan represented himself at the meeting. Leonard Silvia made a motion, seconded by Dana Rappaneau, to close the public meeting. Approved. Dana Rappaneau made a motion, seconded by Ed Breault, to issue a negative Determination of Applicability with the condition that Carlos Fragata, the Director, to oversee the work and provide direction on the 4 inch pipe needed, prior to filling the entire site.

The members reviewed a request for a Certificate of Compliance (with bond release) filed by **Peter Yachimski c/o Eugene & Karen Muller - lot 2, p. 127 (assessors map 11) 84 Leonard Street (#250-372)**. Ed Breault made a motion, seconded by Leonard Silvia, to issue the Certificate of Compliance and release the bond. Approved.

The members reviewed a request for a partial Certificate of Compliance filed by **Manuel Marshall - lot 3 (assessors map 31) 4 Myra's Way (#250-393)**. Dana Rappaneau made a motion, seconded by Julian Kadish, to issue the partial Certificate of Compliance with the condition that the applicant post a \$1,000 bond with the Norton Town Treasurer. Approved.

The members reviewed a request for a Certificate of Compliance (with bond release) filed by **Malloch Construction - lot 10 (assessors map 36) 1 Arnold Place (formerly 6 Richmond Drive) (DET. #498)**. Ed Breault made a motion, seconded by Dana Rappaneau, to issue the Certificate of Compliance and release the bond. Approved.

The members reviewed a request for a Certificate of Compliance (with bond release) filed by **Malloch Construction - lot 11 (assessors map 36) 8 Richmond Drive (DET. #473)**. Ed Breault made a motion, seconded by Patrick Corcoran, to table the request until the September 8, 1997 meeting. Approved.

The members reviewed a request for a Certificate of Compliance (with bond release) filed by **Malloch Construction - lot 12 (assessors map 36) 10 Richmond Drive (DET. #466)**. Ed Breault made a motion, seconded by Patrick Corcoran, to issue the Certificate of Compliance and release the bond. Approved.

The members reviewed a request for a Certificate of Compliance filed by **Malloch Construction - lot 16 (assessors map 36) 13 Richmond Drive (DET. #477)**. Ed Breault made a motion, seconded by Dana Rappaneau, to issue the Certificate of Compliance. Approved.

The members reviewed a request for a Certificate of Compliance (with bond release) filed by **Malloch Construction - lot 19 (assessors map 36) 7 Richmond Drive (DET. #481)**. Leonard Silvia made a motion, seconded by Ed Breault, to table the request until the September 8, 1997 meeting. Approved.

The members reviewed a request for a partial Certificate of Compliance filed by **David Plante - lots 42, 61 & 63 (assessors map 15) 114 Oak Street (#250-397)**. Dana Rappaneau made a motion, seconded by Patrick Corcoran, to issue the partial Certificate of Compliance with the condition that the applicant post a \$1,500 bond with the Norton Town Treasurer. Approved.

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The members reviewed a request for a Certificate of Compliance filed by **Alan Brown, VAS Land Corp., c/o Deborah A. Grimes - lot 38 Ext., parcel 6, assessors map 31 (now lot 76, assessors map 30) John Scott Boulevard (DET. #433)**. Ed Breault made a motion, seconded by Patrick Corcoran, to issue the Certificate of Compliance. Approved.

The members reviewed a request for a Certificate of Compliance filed by **Deborah A. Grimes - lot 30 (assessors map 20) 16 Noyes Street (DET. #537)**. Dana Rappaneau made a motion, seconded by Ed Breault, to issue the Certificate of Compliance. Approved.

The members reviewed a **Conservation Restriction for Christina Estates (#250-401) - Philip McCaron - lots 73 & 77 (assessors map 17) off East Main Street**. Leonard Silvia made a motion, seconded by Ed Breault, to approve and sign the municipal certification as requested. The Conservation Commission didn't have to sign the restriction because the Land Preservation Society will own the land and hold the restriction according to the applicant.

Discussion ensued re: the **Rose Farm** to be protected by an Agricultural Preservation Restriction. The Conservation Director explained that the Department of Agriculture wanted the Town to replicate the agricultural land lost to the Norton Middle School and Ball Field Project in another part of Town. The Director responded to Jim McFee's question stating that the agricultural land did not have to be matched acre for acre i.e. the 22 acre North Worcester Conservation area (Rose Farm) for example, may be used (subject to approval) to replace the 35 acre agricultural land (nursery) at the Norton Middle School/Jackson Nursery site. Leonard Silvia made a motion, seconded by Dana Rappaneau, to approve of having the Norton Conservation Commission land at "Rose Farm" preserved under an Agricultural Conservation Restriction. Approved. The Conservation Commission's consensus was to make sure the area was restored to **passive** Conservation use. The Director was asked to make sure that the North Worcester Street Conservation area land was totally under passive recreation and that the 5 acres has been converted back to a **passive** recreational use restriction.

Weed Harvester

Ed Breault stated that he would be sending in a bill for \$200. The Director was asked by the Commission to ask the Town Manager for \$2,500 to be appropriated again into the article line item for Weed Harvester Maintenance as soon as practicable (i.e. before the tentative Special Town Meeting on October 20, 1997).

Norton Reservoir

The Director updated the Conservation Commission that the DEIR was expected by the end of this week. Discussion ensued around an alternative dredge disposal site near Bakers Landscaping off Route 140. No action was taken.

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Report from Staff

The Director stated that there are two appeals outstanding:

- 1. Notice of Intent - Sher Corp., Ltd. - lot 90 (assessors map 29) Forest Lane (#250-400).**
- 2. Notice of Intent - Michael Galloway - parcels 149, 154 & 322 (assessors map 4) Goodwin Drive (#250-399).** There will be a site meeting with DEP on Thursday, September 4, 1997 at 10:30 am.

Ed Breault made a motion, seconded by Leonard Silvia, to adjourn the meeting at 8:50 pm.

Respectfully Submitted,

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

Carlos T.B. Fragata
Director

CF/pmb