



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

Monday, September 8, 1997  
7:30 pm

RECEIVED

DEC 02 1997

NORTON TOWN CLERK

Attendance

Leonard Silvia, Patrick Corcoran, Dana Rappaneau,  
Bob Medeiros, Carlos Fragata (Director)

Ed Breault (Vice-Chairman), Julian Kadish and Jeff Houde (Chairman) were absent.

Minutes

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

Leonard Silvia made a motion, seconded by Patrick Corcoran, to table the minutes of August 25, 1997 until the September 22, 1997 meeting. Approved.

Bob Medeiros was acting Chairman due to the absence of Jeff Houde.

The members reviewed a **Request for a Determination of Applicability - Richard Demers - lots 168, 169 & 170, parcel 711 (assessors map 3) 388 Reservoir Street** - for proposed plans to A) Repair broken wall and level ground from wall to deck, B) Plant 2 landscape areas, which will include a clump of white spruce trees in each. (3' to 5" diameter), C) Reseed lawn area and D) Remove organic debris in cove (manually) and maintain the cove area. Mr. Demers represented himself. Bob Medeiros read 2 letters into the record. Dana Rappaneau made a motion, seconded by Patrick Corcoran, to close the public meeting. Patrick Corcoran made a motion, seconded by Dana Rappaneau, that it was the finding of the Commission that 1) The repairs to the wall to level ground, 2) the planting of trees and shrubs and 3) the repair of the retaining wall are negative with conditions and that the dredging project maintenance program is positive with a Notice of Intent filing necessary. Approved.

The members reviewed a Request for a Determination of Applicability - **Mark Gaboury - lot 247 (assessors map 10) Rumford Road** - for proposed plans to construct a single family house, driveway and associated site grading within the 100 ft. buffer zone of a bordering vegetated wetland. Otto Bing of Yarworth Engineering and Mark Gaboury represented the project at the public meeting and submitted revised plans dated September 6, 1997. The Directed stated that 1) The plans didn't show the River Front Act boundary and floodplain (line) and 2) a botanist/geologist to determine if the soils are hydric in order to see if there are Isolated Vegetated Wetlands or if no wetlands exist. The Director requested a continuance of the public meeting for this project. Dana Rappaneau made a motion, seconded by Patrick Corcoran, to continue the public meeting to the September 22, 1997 meeting at 8:00 pm for revised plans showing the Rivers Act information, floodplain information and for a botanist/geologist to provide an opinion on the Isolated Vegetated Wetlands in question. Approved.



**Norton Conservation Commission**

**Monday, September 8, 1997**

**Minutes, page 2**

The members reviewed a **Notice of Intent - William J. Devine - lot 2 (part of lot 4) assessors map 33, 28 Eddy Street** - for proposed plans to construct a single family house, driveway, lawn, deck and water service within the wetland buffer. Otis Dyer, Jr. represented the applicant. Dana Rappaneau made a motion, seconded by Patrick Corcoran, to close the public hearing. Approved.

The members reviewed a **Notice of Intent - William J. Devine - lot 3 (part of lot 4) assessors map 33, 26 Eddy Street** - for proposed plans to construct a single family house, driveway, lawn and water service within the wetland buffer. Leonard Silvia made a motion, seconded by Dana Rappaneau, to waive the reading of the Legal Notice for this public hearing. Approved. Otis Dyer, Jr. represented the applicant. The Director stated that the pond area (almost dry) might be a certifiable vernal pool and habitat area for rare spadefooted toads (per abutter Debbie White's statement to Carlos Fragata re: wood frog & spadefooted toad vocalizations and spotted salamanders). Dana Rappaneau made a motion, seconded by Patrick Corcoran to close the public hearing. Approved.

The members reviewed a **Notice of Intent - James, Jr. & Donna Schmidt - lot 3, parcel 321 (assessors map 4) 6 Goodwin Drive** - for proposed plans to construct a house and septic system within the wetland buffer. Wayne Route of Miller Engineering represented the applicant. Patrick Corcoran made a motion, seconded by Dana Rappaneau, to close the public hearing. Approved.

The members reviewed a **Request for a full Certificate of Compliance and bond release letter** filed by **Malloch Construction - lot 11 (m. 36) 8 Richmond Dr. (con't from 8/25/97 mtg.) DET. #473**. It was the consensus of the Commission to continue this request until the September 22, 1997 meeting.

The members reviewed a **Request for a full Certificate of Compliance and bond release letter** filed by **Malloch Construction - lot 19 (m. 36) 7 Richmond Dr. (con't from 8/25/97 mtg.) DET. #481**. It was the consensus of the Commission to continue this request until the September 22, 1997 meeting.

The members reviewed a **Request for a full Certificate of Compliance and bond release letter** filed by **Don Colangelo - parcel 93 (assessors map 36) East Hodges Street (DET. #463)**. Dana Rappaneau made a motion, seconded by Patrick Corcoran to issue the Certificate of Compliance and bond release letter. Approved.

The members reviewed a **Request for a full Certificate of Compliance** filed by **Richard Demers - 388 Reservoir Street (DET. #57)**. Dana Rappaneau made a motion, seconded by Patrick Corcoran, to issue the Certificate of Compliance. Approved.

The members reviewed a **Request for a partial Certificate of Compliance** filed by **Teddy Realty Trust - lot 10, parcel 138 (m. 17) 18 Talbot Drive (#250-387)**. Dana Rappaneau made a motion, seconded by Patrick Corcoran, to issue the partial Certificate of Compliance with the condition that the applicant post a \$1,000 bond with the Norton Town Treasurer for this lot. Bob Medeiros abstained from voting. Approved.

The members reviewed a **Request for an Extension Permit - #250-342 - W & G Development Corp. - lot 103 (m. 28) Margaret Drive**. It was the consensus of the Commission to continue this request until the September 22, 1997 meeting.



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**Minutes, page 3**

Review of the disposal of Tax Title Land - Map 11, lot 19 & map 5, lot 34. Dana Rappaneau made a motion, seconded by Patrick Corcoran, to have the Director send a letter to the Town Manager stating that the Conservation Commission wants the land and will allow a recreation group to use it subject to subdivision of the land by this recreation group. Approved. The Commission chose not to request the lot(s) off Charlotte Avenue (Lake Winnecunnet).

Plan Detail change - File #250-401 - Philip McCaron - lots 73 & 77 (m. 17) East Main Street. Dana Rappaneau made a motion, seconded by Patrick Corcoran, to approve the plan detail changes submitted by Philip McCaron on September 4, 1997 re: the bridge. Approved.

**New Business**

Robert Keating of 182 Old Dean Road came before the Commission to discuss the Bill Nicholas project on 187 Old Dean Street. He stated that the work was done on the driveway without permits. The Director explained that an Isolated Vegetated Wetland existed and were fed upgradient by non-wetland springs. Bob Medeiros stepped down and Leonard Silvia took over as the Chairman. The Commission asked the Director to ask Bill Nicholas to send in a septic plan for the Conservation Commission to review.

**Old Business**


**Lots 1 and 2, Hampshire Court.** The Director was instructed not to use bond money to allow Mr. Roy to fill in a bordering vegetated wetland for a driveway and to send an enforcement letter order to Mr. Colassi to correct any violations.

Carlos Fragata stated that the complaint at East Hodges Woods re: draining wetlands was closed because plans showing the replication area also show a swale and ditch off of each wetland, one being the replication area.

The Director stated that an onsite was scheduled to inspect the Chartley Pond Dam for estimates by Rodney Hunt Co. for September 10, 1997 at 10:30 am, meeting at the Conservation office.

Patrick Corcoran made a motion, seconded by Dana Rappaneau, to adjourn the meeting at 8:50 pm. Approved.

Respectfully Submitted,

  
Carlos T.B. Fragata  
Director

CF/pmb