



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

DEC 02 1997

NORTON TOWN CLERK

Tuesday, October 14, 1997
7:30 pm

Attendance

Leonard Silvia, Julian Kadish, Patrick Corcoran,
Jeff Houde (Chairman), Ed Breault (Vice-Chairman)
Carlos Fragata (Director)

Bob Medeiros and Dana Rappaneau were absent.

Minutes

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

The members reviewed the Bills Payable Sheet (Typewriter Contract). Ed Breault made a motion, seconded by Leonard Silvia to pay the bill. Approved.

The members reviewed the Bills Payable Sheet (Fax Machine). Ed Breault made a motion, seconded by Patrick Corcoran, to pay the bill. Approved.

The members reviewed the draft minutes of September 8, 1997. Patrick Corcoran made a motion, seconded by Julian Kadish, to table the minutes until the October 27, 1997 Conservation meeting. Approved.

The members reviewed the draft minutes of September 22, 1997. Leonard Silvia made a motion, seconded by Patrick Corcoran, to table the minutes until the October 27, 1997 Conservation meeting. Approved.

The members reviewed a **Request for a Determination of Applicability - Phil Eramo, Jr. - lot 3A, parcel 3 (assessors map 18) 3 Morse Drive** for proposed plans to construct a driveway within the 100 ft. buffer zone of a bordering vegetated wetland. Chris Yarworth represented the applicant. Julian Kadish made a motion, seconded by Patrick Corcoran, to close the public meeting. Approved. Julian Kadish made a motion, seconded by Edward Breault, to issue a negative Determination of Applicability with conditions. Approved.

The members reviewed a **Request for a Determination of Applicability - Kristen Miller - lot 4A (assessors map 18) 5 Morse Drive** for proposed plans for site grading within the buffer zone of a bordering vegetated wetland. Chris Yarworth represented the applicant. Julian Kadish made a motion, seconded by Patrick Corcoran, to close the public meeting. Approved. Ed Breault made a motion,

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seconded by Patrick Corcoran, to issue a negative Determination of Applicability with conditions. Approved.

The members reviewed a **Request for a Determination of Applicability - Creative Homes, Inc. - lot 4, parcel 57 (assessors map 24) 5 Washburn Street** - for proposed plans to construct a single family dwelling, driveway, septic system and associated site grading within the 100 ft. buffer zone of a bordering vegetated wetland. Chris Yarworth represented the applicant. Ed Breault made a motion, seconded by Julian Kadish, to close the public meeting. Approved. Julian Kadish 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 - Herbert W. Rood - lots 109, 110 & 111 (assessors map 19) 50 King Philip Road** - for proposed plans to construct a garage in the buffer zone of a wetland. Mr. Rood represented himself. Ed Breault made a motion, seconded by Patrick Corcoran, to close the public meeting. Approved. Julian Kadish made a motion, seconded by Ed Breault, to issued a negative Determination of Applicability with conditions. Approved.

The members reviewed a **Request for a Determination of Applicability - Paul Precourt - lot 2, parcel 6 (assessors map 35) West Hodges Street** - for proposed plans to construct a portion of the rear yard of a single family house within the 100 ft. buffer zone of a wetland. Chris Yarworth represented the applicant. Ed Breault made a motion, seconded by Julian Kadish, to close the public meeting. Approved. Julian Kadish made a motion, seconded by Patrick Corcoran to issue a negative Determination of Applicability with conditions (not requiring a silt barrier). Approved.

The members reviewed a **Request for a Determination of Applicability - Willow Crest Mobile Homes - lots 249 & 250 (assessors map 9) 27 Smith Street** - for proposed plans to construct a concrete pad for a proposed mobile home in the buffer zone of a wetland. Jack Taylor represented the applicant. Julian Kadish made motion, seconded by Ed Breault, to close the public meeting. Approved. Julian Kadish 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 - Wheaton College, Inc. - parcel 14 (assessors map 17) Howard Street** - for proposed construction of a 6 space parking area and access way installation of electric and stormwater discharge improvements in the buffer zone of a wetland. Robert Mainoinnes represented the applicant. Ed Breault made a motion, seconded by Patrick Corcoran, to close the public meeting. Julian Kadish 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 - Rubin Family Realty Trust - lot 38 (assessors map 5) 308 East Main Street** - for proposed paving of a parking lot of an existing gravel area in the buffer zone of a wetland. Ed Breault made a motion, seconded by Patrick Corcoran, to continue the public meeting until the October 27, 1997 meeting per the applicant's letter to allow time to obtain plans for the project. Approved.

The members reviewed a **Notice of Intent - Allen O. Riley - parcels 55 & 154 (assessors map 18) Plain Street** for proposed construction of a residential subdivision with associated drainage structures and detention basin in the buffer zone of a wetland. Chris Yarworth represented the applicant and stated 1.) that the Planning Board has approved of the project, Joanna Estates and 2.) that besides buffer zone work, the stormwater policy would be applied. Mr. Yarworth described the detention basin, which was designed complete with forebay and nature vegetation. Leonard Silvia made a motion, seconded by Patrick Corcoran, to continue the public hearing until the October 27, 1997 meeting at 8:10 pm in order to obtain the DEP file number. Approved.

The members reviewed a **Notice of Intent - Balcom Realty Corp. - lots 203/205 (assessors map 27) 139 So. Worcester Street** - for proposed plans to construct an access driveway for a proposed barn on a slab, which involves the filling of approximately 1,800 sq. ft. of wetlands (2,075 sq. ft. will be replicated). The project also involves the construction of a single family house, septic system and associated amenities. Alan Brown represented himself at the public hearing. Ed Breault made a motion, seconded by Julian Kadish, to continue the public hearing until the October 27, 1997 meeting at 8:15 pm to obtain a DEP file number. Approved.

The members reviewed a request for a Certificate of Compliance with a bond release filed by **Ronald Coolidge for lots 25-26 (map 3) Harbor Road (DET. #390)**. Julian Kadish 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 Certificate of Compliance filed by **Teddy Realty Trust for lot 10, parcel 138 (map 17) 18 Talbot Drive (#250-387)**. Julian Kadish made a motion, seconded by Ed Breault, to issue the Certificate of Compliance. Approved.

The members reviewed a request for a Certificate of Compliance filed by Herbert W. Rood (for **Diane Melberg**) for **51 King Philip Road (DET. #84)**. 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 with a bond release filed by **Paul M. Martin for lot 50, parcel 143 (map 16) 112 Mansfield Avenue (DET. #547)**. Julian Kadish 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 Certificate of Compliance with a bond release filed by **Malloch Construction for lot 19 (map 36) 7 Richmond Drive (DET. #481), con't. from 8/25/97, 9/8/97 & 9/22/97 mtgs.** Ed Breault made a motion, seconded by Patrick Corcoran, to table the request until a future Conservation Commission meeting. Approved.

The members reviewed a request for a Certificate of Compliance with a bond release filed by **Malloch Construction for lot 11 (map 36) 8 Richmond Drive (DET. #473), con't. from 8/25/97, 9/8/97 & 9/22/97 mtgs.** Patrick Corcoran made a motion, seconded by Ed Breault, to issue the Certificate and bond release letter. Approved.

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The members reviewed a request for a Certificate of Compliance with a bond release filed by **Malloch Construction for lot 18 (map 36) 9 Richmond Drive (DET. #478)**. Ed Breault 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 Certificate of Compliance filed by **J & R Enterprises, Inc. for lot 32, parcel 89 (map 24) 141 Pine Street (#250-375), con't. from 9/22/97 mtg.** Ed Breault made a motion, seconded by Patrick Corcoran, to issue a partial Certificate of Compliance with the condition that the applicant post a \$1,000 bond with the Norton Town Treasurer to ensure final vegetated stabilization of exposed soils on this lot. Approved.

Review of the Conservation Town Report - July 1, 1996 - June 30, 1997.

Julian Kadish made a motion, seconded by Ed Breault, to approve the Report as amended. Approved.

Board of Health Regulation Amendment

The Regulation amendment would create a 100 foot setback from the proposed leaching area to the wetland (BVW) boundary, in the whole Town. Julian Kadish made a motion, seconded by Ed Breault, to take no action. Approved.

The members reviewed a plan change request filed by **Manuel Marshall, J & M Development for lot 17, East Hodges Street (#250-352)**. Julian Kadish made a motion, seconded by Ed Breault, to approve the changes allowing the 1,776 sq. ft. to be added to the 6,760 sq. ft. area in order to minimize disturbance to the upland and wetland adjacent to the originally proposed 1,776 sq. ft. replication area.

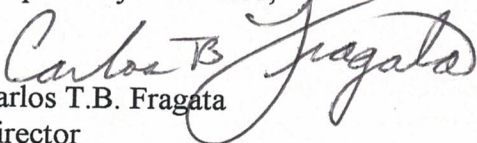
Director's Report

Carlos Fragata stated that from what was discussed at the Finance Committee meeting on October 6, 1997, the weed harvester article would most likely be approved at the Special Town Meeting on October 20, 1997, the Chartley Pond Dam article would have no motion (the Conservation Commission would do a Request For Proposal for a Hydraulic & Hydrologic Study to see about the type of gates to use, etc.

The Director also outlined some of the recent Wetland Protection Act changes such as filing fees for Wetland Determinations, limited project and septic system classification, form deletion from regulations and DEP's ability to reaffirm a Commission's appealed or intervened Order of Conditions (instead of issuing a new Superceding Order of Conditions).

Julian Kadish made a motion, seconded by Ed Breault, to adjourn the meeting at 9:20 pm. Approved.

Respectfully Submitted,


Carlos T.B. Fragata
Director