



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

RECEIVED

MAR 25 1998

NORTON TOWN CLERK

Monday, January 26, 1998  
7:30 pm

Attendance

Jeff Houde (Chairman), Ed Breault (Vice-Chairman),  
Patrick Corcoran, Bob Medeiros, Carlos Fragata (Director)

Leonard Silvia, Dana Rappaneau and Julian Kadish were absent.

Minutes

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

Reviewing of the draft minutes of January 12, 1998 was tabled until February 9, 1998.

The members reviewed a **Notice of Intent – Joseph P. Difiore, Jr., Tr. of Key Realty Trust – lots 10, 10-01 & 195 (assessors map 35) off of East Hodges Street** – for a proposed agricultural limited project under 310 CMR 10.53 (3)(b) for construction of 3upland cranberry bogs, storage areas, 2 reservoirs and associated amenities and tree farm. Ed Wood represented the applicant. An abutter, Kathy Gilmore stated that she was not notified of the public hearing properly. Bob Medeiros made a motion, seconded by Patrick Corcoran, to continue the public hearing until the next meeting of February 9, 1998 in order to allow the applicant to notify the abutters properly. Approved.

The members reviewed a **Request for a Determination of Applicability – Roger Tenglin – lot 32 (assessors map 14) North Worcester Street** – for proposed plans to purchase lot 32, No. Worcester Street, divide the lot into 2 lots and construct a residential house no closer than 25 feet from the adjacent wetlands. This wetland area will be protected from the construction project with a silt barrier. Jack Vance represented the applicant. Bob Medeiros 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 – James Tenglin – lot 32 (assessors map 14) North Worcester Street** – for proposed plans to purchase lot 32, No. Worcester Street, divide the lot into 2 lots and construct a residential house adjacent to a historic mill site on the Wading River and would be considered exempt based on 310 CMR 10.58 (6) (k). The house will be located no closer than 25 feet from wetlands and will have silt barriers placed adjacent to all applicable wetland areas. Jack Vance represented the applicant. Bob Medeiros made a motion, seconded by Ed Breault, to issue a negative Determination of Applicability with conditions and the project being exempt from the River's Act due to the historic mill on the site. Approved.



**Norton Conservation Commission**

**Monday, January 26, 1998**

**Minutes, page 2**

The members reviewed a **Request for a Determination of Applicability - MASS Highway Department - Rt. I-495 in Norton from the Taunton/Norton town line to the Norton/Mansfield town line** – for vegetation control through the Mass. Highway Vegetation Management Plan (VMP) along Rt. 495---the vegetation will be Controlled through the Department of Food and Agriculture (DFA) regulations approved herbicides and as part of a Yearly Operating Plan (YOP). Tom Maguire explained that the project entails the spraying of herbicides as part of a 5-year VMP and yearly YOP which is being commenced for the first time this year. He also stated that in sensitive areas, in the two Zone II's, limited spraying would occur every 2 years and no wetlands or water bodies would be sprayed within 10 feet. He continued, stating that the other restrictions or mitigation measures that would be used pursuant to the regulations, near water courses, were more than the requirements relative to distances. Phil Stepanek, of East Main Street asked what would be killed and if Tom Maguire had communicated with the Canoe River Aquifer Advisory Committee. Mr. Maguire stated that there was a half life to the herbicides approved by the DFA of about 30 days, plants were being targeted and the VMP was formed through consultation with DEP, etc., that the laws only require review and approval by the local Conservation Commission and that no spraying would be done within 10 feet of wetlands or water bodies. Chris Baley who owns land near Rt. 123 (East Main Street) in Norton, stated that she was concerned about this project due to the chemical contamination. Patrick Hollywood asked if spraying would occur south of the Washington Street bridge and Tom Maguire stated that some would be done. In response to a question asked by the Commission, Tom Maguire stated that a private contractor licensed by the DFA would be used. The Director was asked by the Commission to send a letter to the Chairman of the Canoe River Aquifer Advisory Committee to advise the Committee of the continuance of the project until February 9, 1998 and requesting a response to the project and/or for a representative of the Committee to attend the public meeting.

The members reviewed a request for a Certificate of Compliance filed by **Bruce Development** for **parcels 9 & 9-01 (map 36) East Hodges Street (#250-370)**. Ed Breault made a motion, seconded by Patrick Corcoran, to issue the Certificate of Compliance. Approved.

The members reviewed a plan change request filed by **Roger Precourt – File #250-203 – parcel 20, lot 22 – Precourt Lane**, dated January 8, 1998. The change involved the replacement of a damaged culvert with a plastic one in order to access the open field area on the property. Ed Breault made a motion, seconded by Patrick Corcoran, to approve the plan change. Approved.

The members reviewed a plan change request filed by **Marshall B. Martin, III – files #250-317 & #250-337 – parcels 34 (assessors map 32), 13 (assessors map 33) and 1 (assessors map 29) Taunton Avenue**, dated January 12, 1998. The change involved combining the two replication areas into one large one near the constructed pond. Ed Breault made a motion, seconded by Bob Medeiros, to approve the change. Approved.

**Signing of Conservation Restriction for Maple Commons**

Peter McClellan represented the applicant. Ed Breault made a motion, seconded by Patrick Corcoran, to sign the Conservation Restriction. Approved. The Municipal Certificate was signed also.



**Norton Conservation Commission**  
**Monday, January 26, 1998**  
**Minutes, page 3**

**Jurisdictional Opinions for three lots filed by Arthur Amaral – file #250-384 – Setters Place Realty Trust – parcels 2 & 95 (assessors map 32) John B. Scott Blvd.**

It was decided by the Commission to continue this request for Jurisdictional opinions until the next regular meeting of the Conservation Commission on Monday, February 9, 1998.

**Chartley Dam**

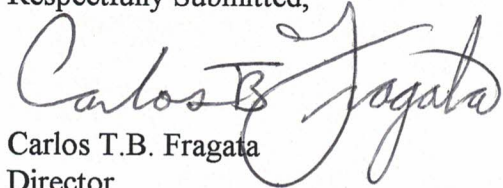
The Director stated that DEM was going to inspect the dam free of charge and was asked by the Commission to get a price on Easton's New Pond and Old Pond dams.

**Lake Winnecunnet**

Ed Breault asked that Carl Jacobs, Highway Superintendent, be asked to empty the trash barrels along Bay Road.

Ed Breault made a motion, seconded by Jeff Houde, to adjourn the meeting at 9:27 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 of the signatory.

Carlos T.B. Fragata  
Director

CF/pmb