



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

Monday, February 23, 1998  
7:30 pm

RECEIVED

MAR 25 1998

NORTON TOWN CLERK

Attendance

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

Julian Kadish & Dana Rappaneau were absent.

Minutes

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

The members reviewed a Bills Payable Sheet for Baystate Environmental Consultants, Inc. (BEC) for Invoice #11. Bob Medeiros made a motion, seconded by Patrick Corcoran, to hold off on the Bills Payable until the Director checks the Contract for this project to see if it is a lump sum contract. Approved.

The members reviewed the draft minutes of January 26, 1998 (con't. from the 2/9/98 mtg.) and February 9, 1998. Patrick Corcoran made a motion, seconded by Bob Medeiros, to continue the review of the draft minutes until the March 9, 1998 Conservation meeting. Approved.

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 (con't. from the 1/26/98 & 2/9/98 mtgs.)** – 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 Woods represented the applicant and stated that he had received a DEP number and would drop off the green received receipt cards on Tuesday, February 24, 1998. Kathy Gilmore, an abutter, had concerns with flooding potential on her property, pesticides and if the project proponent did not complete the project. Marshall Martin, a bog owner, commented that pesticide application was heavily regulated, requiring licenses. Bob Medeiros made a motion, seconded by Patrick Corcoran, to continue the public hearing until the March 23, 1998 meeting at 8:00 pm in order to have an engineer present to certify that no flooding will occur to wetlands on Kathy Gilmore's property and also for revised plans (originals were marked up by hand).

The members reviewed a Notice of Intent – **Susan Cucinotta – bldrs. lot 1, parcel 31 (assessors map 17) Elm Street** – for proposed plans to construct a single family house, sanitary system, driveway and lawn within the 100 foot wetland buffer. Otis Dyer represented the applicant and submitted revised plans showing the limit of work moved upland by a few feet. Ed Breault made a motion, seconded by Bob Medeiros, to close the public hearing. Approved. Ed Breault made a motion, seconded by Bob Medeiros, to approve the Order of Conditions excluding number 29. Approved.

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The members reviewed a Notice of Intent – **Susan Cucinotta – bldrs. lot 1, parcel 31 (assessors map 17) Elm Street** – for proposed plans to construct a single family house, sanitary system, driveway and lawn within the 100 foot wetland buffer. Otis Dyer represented the applicant and submitted revised plans showing the limit of work moved upland by a few feet. Ed Breault made a motion, seconded by Bob Medeiros, to close the public hearing. Approved. Ed Breault made a motion, seconded by Bob Medeiros, to approve the Order of Conditions excluding Number 29. Approved.

The members reviewed a Request for a Determination of Applicability – **Malloch Construction Company – bldrs. lot 8, parcels 9 & 9-01 (assessors map 36) 6 Arnold Place** – for proposed construction of a single family house, septic system and extension of a driveway in the buffer zone of a wetland. The wetland crossing for the driveway is allowed under file #250-379. Mike Ziobra of Hayward-Boynton & Williams, Inc. represented the applicant. Bob Medeiros made a motion, seconded by Patrick Corcoran, to close the public meeting. Approved. Ed Breault made a motion, seconded by Leonard Silvia, to issue a negative Determination of Applicability. Approved.

The members reviewed a Request for a Determination of Applicability – **James Fraser – parcels 172 & 173 (assessors map 19) – 113 King Philip Road** – for proposed plans to remove an existing cesspool and replace it with a subsurface sewage disposal system within 100 feet of a wetland. Rich Lesley of Bay Colony Group represented the applicant. Ed Breault made a motion, seconded by Patrick Corcoran, to close the public meeting. Approved. Ed Breault made a motion, seconded by Patrick Corcoran, to issue a negative Determination of Applicability. Approved.

The members reviewed a Request for a Determination of Applicability – **James & Mary Dunhill – lot 8, parcel 50-7 (assessors map 28) 24 New Taunton Avenue** – for proposed plans to construct a garage within the 100 foot buffer zone of a bordering vegetated wetland. James and Mary Dunhill represented themselves. Peter Carrigan of Taunton Avenue wanted to view the plans but made no comments. Bob Medeiros made a motion, seconded by Patrick Corcoran, to close the public meeting. Approved. Ed Breault made a motion, seconded by Bob Medeiros, to issue a negative Determination of Applicability. Approved.

The members reviewed a request for an Extension Permit filed by **Earl Willcott, Jr. for lot 2, 143 Newland Street (DET. #172)**. Discussion ensued and the Director stated that this file was up for a Certificate of Compliance and that the Pond file (#250-201) was up for an Extension Permit. Both projects would be put on for review at the next meeting.

The members reviewed a request for a full Certificate of Compliance filed by **Barry Close for lot 102 (maps 32/33) South Worcester St. #250-329**. Bob Medeiros made a motion, seconded by Ed Breault, to issue a full Certificate of Compliance (in order to leave the area stable). Approved.

The members reviewed a request for a Duplicate Certificate of Compliance filed by **Spruce Tree Realty Trust for lot 7, Spruce Tree Lane (#250-172)**. Bob Medeiros made a motion, seconded by Ed Breault, to issue a duplicate Certificate of Compliance. Approved.



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The Director stated that he would be attending the workshop - **Streams Forests Workshop** sponsored by the Canoe River Aquifer Advisory Committee on **Thursday, April 2, 1998 at 7:00 pm at the Norton Public Library.**

The Director stated that he would be attending the **Capital Improvements Project Meeting** for the Conservation Department re: Reservoir Dredging (self-funded) and Chartley Pond Dam study and repair (approximately \$5,000 and \$3,500 respectively ) on Thursday, March 19, 1998 - 6:30 - 7:30 pm. The Director recommended that one or more members attend as well.

**Jurisdiction Opinion request filed by Balcom Realty Trust** for file #250-403 - lot 3 (part of lot 4) assessors map 33, 26 Eddy Street **for cleanup work of broken trees in the wetlands.** Bob Medeiros made a motion, seconded by Patrick Corcoran, to approve the request filed by **Balcom Realty Trust (file #250-403)** to do cutting on the property without a permit as long as the work was done by hand. Approved.

**Signing of Conservation Restriction #22 - Christina Estates - East Main Street.** Patrick Corcoran made a motion, seconded by Leonard Silvia, to sign the Conservation Restriction #22 - Christina Estates - East Main Street. Approved.

Plan change request - **#250-377 -Teddy Realty Trust-** for lot 9 (assessors map 17) **16 Talbot Drive (DET. #492) Irene Estates,** for relocation of proposed wetland replication area. Ed Breault made a motion, seconded by Patrick Corcoran, to approve of the plan change as per letter dated February 17, 1998. Bob Medeiros abstained from voting. Approved.

Bob Medeiros made a motion, seconded by Patrick Corcoran, to adjourn the meeting at 9:00 pm. Approved.

The Director stated that the Town Manager made recommendations on the Commission's proposed FY99 Budget as follows: 1) cutting the operating budget by \$1,800, 2) including the weed harvester maintenance line item \$2,500 after the cut, 3) Secretary's hours would not need to be supplemented by filing fee money and 4) the filing fee money. Discussion ensued and the Director was asked to set up a meeting with the Town Manager to discuss the above changes.

Respectfully Submitted,



Carlos T.B. Fragata  
Director

CF/pmb