



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

AUG 11 1998

NORTON TOWN CLERK

Monday, July 27, 1998
7:00 pm

Attendance

Jeff Houde (Chairman), Bob Medeiros, Patrick Corcoran,
Julian Kadish, Dana Rappaneau, Leonard Silvia,
Carlos Fragata, Director

Ed Breault (Vice-Chairman) was absent.

Minutes

The members reviewed the Bills Payable Sheet (misc.). Bob Medeiros made a motion, seconded by Dana Rappaneau, to pay the bills. Approved.

The members reviewed the draft minutes of May 11, 1998. Bob Medeiros made a motion, seconded by Patrick Corcoran, to accept the minutes as written. Approved.

The members reviewed the draft minutes of June 22, 1998. Bob Medeiros made a motion, seconded by Patrick Corcoran, to accept the minutes as written. Approved.

The members reviewed a Request for a Determination of Applicability – **Paul Fogerty – lots 11-04A & 11-05A (assessors map 28) 143 (rear) Taunton Avenue** – for proposed plans to install 3 drainage swales (#3 with culvert) and a driveway to lot 11-05A within the 100' buffer zone of a wetland. Jack Vance represented the applicant and stated that the culvert would be installed at location #3 prior to the driveway construction. Julian Kadish made a motion, seconded by Patrick Corcoran, to close the public meeting. Jeff Houde abstained from voting. Approved. Julian Kadish made a motion, seconded by Patrick Corcoran, to issue a negative Determination of Applicability with conditions. Jeff Houde abstained from voting. Approved.

The members reviewed a Request for a Determination of Applicability – **Sandra Hannon – lot 8 (assessors map 29) 246 Old Taunton Avenue** – for a proposed septic system repair within 100' of a buffer zone of a wetland. Sharlene Widak represented the applicant. Patrick Corcoran made a motion, seconded by Dana Rappaneau, to close the public meeting. Approved. Patrick Corcoran made a motion, seconded by Dana Rappaneau, to issue a negative Determination of Applicability with conditions. Approved.

The members reviewed a Request for a Determination of Applicability – **Nelson Holt – lot 20 (assessors map 26) 364 Old Colony Road** – for proposed plans to repair a sanitary disposal system including yard grading within the 100' buffer zone of a wetland. Jack Vance represented the applicant. Julian Kadish made a motion, seconded by Dana Rappaneau, to close the public meeting. Approved.

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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 – **Wayne Teixeira – parcel 137-01 (assessors map 16) 84 Mansfield Avenue** – for proposed plans to fill in around low spots which contain boulders within the 100 foot buffer zone of a wetland. Patrick Corcoran made a motion, seconded by Dana Rappaneau, to waive the reading of the Public Notice. Approved. Mr. Wayne Teixeira represented himself, stating that he would not place fill within 10 feet of the bordering vegetated wetlands. Julian Kadish made a motion, seconded by Dana Rappaneau, to close the public meeting. Approved. Julian Kadish made a motion, seconded by Dana Rappaneau, to issue a negative Determination of Applicability with conditions as long as the work is done according to the plans submitted. Approved.

The members reviewed a Notice of Intent – **Standish Realty Trust & Pilgrim Cranberry Corporation – parcel 038 (assessors map 36), parcel 10-1001 (assessors map 35) and parcel 4 (assessors map 2)** – for proposed plans to create 9 acres and 6 acres, respectively, of cranberry bogs within a previously degraded site and within the 100' buffer zone of a wetland. The bogs will be developed within two adjacent lots and will share irrigation water from a 2.5 acre, central irrigation reservoir to be constructed on Lot B. Matt Long of Coler & Colantonio represented the applicant and stated that a vernal pool existed in the western most wetland system at area "F", which would benefit from a 100 foot no disturbance buffer. Also a 25 foot no disturbance buffer was proposed around all wetlands. The Commission had concerns with the depth of the proposed reservoir potentially causing slope failure along the wetlands. Patrick Corcoran made a motion, seconded by Dana Rappaneau, to continue the public hearing until the August 10, 1998 meeting at 8:00 pm for a response from the Natural Heritage and Endangered Species Program with regards to rare species. Revised plans were received showing the wetland flag numbers. Approved.

The members reviewed a Request for a Determination of Applicability – **Julian L. Kadish – lot 218 (assessors map 9) & lot 14 (assessors map 10) 72 Reservoir Street** – for proposed plans to remove an existing house, to construct a single family dwelling and garage, to install a septic system and to repair a driveway within the 100 foot buffer zone of a wetland. Mr. Julian Kadish and Ms. Marielle Ferriter represented themselves. Julian Kadish stated that the house edge will be approximately 40 feet from the Reservoir, which will be further from the existing house (which is proposed to be removed). (Eva Jedrowski was present at the meeting to ask questions regarding wetlands.) Bob Medeiros made a motion, seconded by Patrick Corcoran, to close the public meeting. Julian Kadish abstained from voting. Approved. Patrick Corcoran made a motion, seconded by Dana Rappaneau, to issue a negative Determination of Applicability with conditions as long as the work is done according to the plans submitted. Julian Kadish abstained from voting. Approved.

The members reviewed a Notice of Intent – **Rt. 123 Donuts, Inc., Manuel P. Andrade, Pres. – lot 1, parcel 65 (assessors map 20) 420 Old Colony Road** – for proposed plans to redevelop existing commercial and residential properties for a combined Dunkin Donuts/Retail building within the 100 foot buffer zone of a wetland. Chris Yarworth of Yarworth Engineering represented the applicant. Mr. Yarworth stated that the stormwater quality conditions would be improved. Julian Kadish made a motion, seconded by Bob Medeiros, to close the public hearing. Approved. Dana Rappaneau made a

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motion, seconded by Bob Medeiros, to approve the project and to accept the Order of Conditions as drafted. Approved.

The members reviewed a Notice of Intent – **Parsons Infrastructure & Tech. – lot 271 (assessors map 9) Mansfield Avenue, Route 140** – for proposed plans for the construction of a 364,400 square foot warehouse/distribution and packaging facility, parking and associated drainage in the buffer zone of various wetland systems. Some wetland resources are proposed to be filled and replication of such is also proposed. D. J. McKinnon of Atlantic Development was present and explained the project. Also present was Nicholas Mariani of Parsons Infrastructure & Tech. Group, Inc., Ron O'Brien of Daylor Consultants, Dave Carron of BankBoston and others. Mr. McKinnon stated that the project would be on a 32 acre parcel, the building would be 336,000 sq. ft., 17 acres of buffer would be left and 15 acres of impervious area was proposed. Ron O'Brien of Daylor Consulting stated that peak flows would be reduced from pre to post development conditions; 4,800 sq. ft. of ILSF would be altered; replication is proposed at 1.5:1; roof runoff will be infiltrated; 82.3 is the T.S.S. point reached under the stormwater policy; the large detention basin would be approximately 100 feet from Great Brook; and a smaller basin would be constructed near the intermittent stream. (Revised plans dated July 31, 1998 showing the building turned 180° were submitted.) Dana Rappaneau made a motion, seconded by Leonard Silvia, to close the public hearing. Approved. Bob Medeiros made a motion, seconded by Leonard Silvia, to approve the project and to accept the Order of Conditions as drafted, except for #29 & #30. Approved.

The members reviewed a request for a full Certificate of Compliance filed by **Manuel Marshall** for **lot 2 (map 35) 2 Myra's Way (#250-408)**. Bob Medeiros made a motion, seconded by Leonard Silvia, to issue the Certificate of Compliance and release the bond posted with the Norton Town Treasurer for this lot. Approved.

The members reviewed a request for a full Certificate of Compliance filed by **Howard Harrop** for **parcel 22 (m. 18) 4 Draper Street (DET. #583)**. Bob Medeiros 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 **Julian L. Kadish** for **lot 218 (assessors map 9) & lot 14 (assessors map 10) 72 Reservoir Street (DET. #448)**. Bob Medeiros made a motion, seconded by Patrick Corcoran, to issue the Certificate of Compliance. Julian Kadish abstained from voting. Approved.

The members reviewed a request for a Certificate of Compliance filed by **Norton Constrution Co. c/o Michael Jones**, for **lot 1, p. 30 (m. 11) 11 Boutas Drive (DET. #238)**. Bob Medeiros 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 **Paul Schulz, Jr.** for **lot 173 (m. 35) 59 West Hodges Street (DET. #362)**. Leonard Silvia made a motion, seconded by Patrick Corcoran, to issue the Certificate of Compliance and release the bond posted with the Norton Town Treasurer for this lot. Approved.

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The members reviewed a request for a Certificate of Compliance filed by **Gilbert & Ola Salley c/o Dominic Texeira for lots 38 & 39 (m. 36) East Hodges Street (#250-365)**. Bob Medeiros made a motion, seconded by Leonard Silvia, to issue the Certificate of Compliance and release the bond posted with the Norton Town Treasurer for this lot. Approved.

The members reviewed a request for a Certificate of Compliance filed by **Irene Shanahan for lot 1, p. 32 (m. 17) 50 Elm Street (DET. #548)**. Bob Medeiros made a motion, seconded by Dana Rappaneau, to issue the Certificate of Compliance. Approved.

The members reviewed a Jurisdictional Opinion – **file #250-391 – Norton Middle School Bldg. School Committee – lots 22 & 180 (assessors map 22) 217 West Main Street** for pumping ponds at the Norton Middle School for ball field irrigation. Julian Kadish made a motion, seconded by Patrick Corcoran, to approve the letter sent by the Director dated July 17, 1998.

The members reviewed a Land Offer – **Sher-Corp. - approx. 48 acres – parcel 31 (assessors map 32) off of Taunton Avenue, adjacent to Meadow Brook Pond/Furnace Pond**. Leonard Silvia made a motion seconded by Bob Medeiros, to table the review of the offer until more information is received re: who owns the dam (who controls it). Approved.

The members reviewed a Land Offer – **Mary L. Gravel – approx. 35 acres - parcel 510 (assessors map 10) North Washington Street**. Leonard Silvia made a motion seconded by Bob Medeiros, to table the review of the offer until more information is received (price of the land). Approved.

The members reviewed a **Girl Scout** project proposal for the **Leo Yelle Conservation Area Trail** reconstruction. Girl Scout Jennifer Rego was present to meet the members. Julian Kadish made a motion, seconded by Bob Medeiros, to approve the project and to have the Director assist the Girl Scouts with the project. Approved.

The members reviewed a Jurisdictional Opinion – **Mark Jardin – lot 2, parcel 6 (assessors map 35) West Hodges Street (DET. #558) for an addition of a 12' by 15' one story storage shed with a concrete slab**. Julian Kadish made a motion, seconded by Dana Rappaneau, to accept the shed as a revised plan change. Approved.

The members reviewed Tax Title Land for acceptance – **(assessors map 16) parcels 142 & 157 Land under Norton Reservoir**. The Director stated that Tax Title Land under the Reservoir was available for Conservation Commission purposes. The issue was tabled for further research into the prior owners.

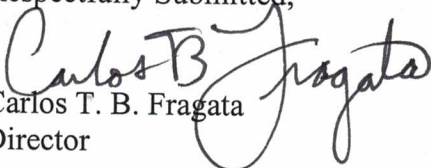
Norton Reservoir Dam DEM Evaluation Report. The Director stated that the DEM Evaluation Report was received and he read the remedial measures into the record. The members stated that a good faith effort should be applied towards the goal of satisfying the DEM (i.e. Town Meeting action and in house). However, the members felt that these measures would not be completed within one year.

The Director stated that water quality sampling would occur on Lake Winnecunnet as part of a second round of Total and Fecal Coliform testing.

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Patrick Corcoran made a motion to adjourn the meeting at 9:40 pm. Approved.

Respectfully Submitted,


Carlos T. B. Fragata
Director

CF/pmb