



CONSERVATION COMMISSION
70 EAST MAIN STREET
NORTON, MASSACHUSETTS 02766-2320
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RECEIVED
JAN 26 1999
NORTON TOWN CLERK

Monday, December 14, 1998
7:30 pm

Attendance

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

Dana Rappaneau was absent.

Minutes

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

The members reviewed the draft minutes of November 23, 1998. Jeff Houde made a motion, seconded by Patrick Corcoran, to accept the minutes as written. Approved.

The members reviewed a Notice of Intent - **Poquoy Development Corp. - Parcel 31 (assessors map 30) Maple Street (cont. from the 9/14/98 & 10/26/98 mtgs.)** - for proposed plans for construction of stormwater facilities, for a 20 single family house lot subdivision within the discretionary 100 foot buffer zone of a bordering vegetated wetland and site grading for a shared septic system within an isolated land subject to flooding. A letter was received by the Director requesting a continuance of the project until the January 11, 1999 meeting. Jeff Houde made a motion, seconded by Bob Medeiros, to continue the public hearing until January 11, 1999 at 8:00 pm. Approved.

The members reviewed a Request for a Determination of Applicability – **Joanna Estates, L.L.C. – bldrs. lot 4, parcel 174 (assessors map 18) 10 Bartley Drive** – for proposed plans to construct a well for a single family house with associated grading within the buffer zone of a wetland. Chris Yarworth of Yarworth Engineering represented the applicant. Julian Kadish made a motion, seconded by Patrick Corcoran, to close the public meeting. Bob Medeiros abstained from voting and left the room. Approved. Julian Kadish made a motion, seconded by Patrick Corcoran, to issue a negative Determination of Applicability with conditions. Bob Medeiros abstained from voting and left the room. Approved.

The members reviewed a Request for a Determination of Applicability – Bob Martini – bldrs. lot 5, parcel 175 (assessors map 18) 8 Bartley Drive – for proposed plans to construct a single family house with associated grading and installation of utilities within the buffer zone of a wetland. Chris Yarworth of Yarworth Engineering represented the applicant and stated that a retaining wall could be built to setback the limit of work 10 feet from the bordering vegetated wetlands. Julian Kadish made a motion, seconded by Patrick Corcoran, to close the public meeting. Bob Medeiros and Jeff Houde abstained from voting and left the room. Approved.

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Julian Kadish made a motion, seconded by Patrick Corcoran, to issue a negative Determination of Applicability subject to a retaining wall or landscaping to be set back 10 feet from the bordering vegetated wetlands. Bob Medeiros and Jeff Houde abstained from voting and left the room. Approved.

The members reviewed a Request for a Determination of Applicability – **Mike & Laura Pladsen – lot 115 (assessors map 10) 28 Arrow Road** – for proposed plans to construct a 56' x 30' three car garage with a second story addition, grading and associated amenities within the outer 100 ft. riparian zone of the river front area of the Rumford River. A tree and shrub edge exists approximately 100 ft. from the Rumford River. Peter Baker represented the applicants at the public meeting. Bob Medeiros made a motion, seconded by Julian Kadish, to close the public meeting. Approved. Bob Medeiros made a motion, seconded by Julian Kadish, to issue a negative Determination of Applicability with conditions including condition #2 checked off on page 2-2A of the Determination (page 2 of 3). Approved.

The members reviewed a Request for a Determination of Applicability – **Hudson Park Associate Nominee Trust – parcels 4B and 4E (assessors map 2) 133 Newland Street** – for proposed plans to construct a single family house (a portion of which will be within a wetland), a deck, associated grading and amenities within a wetland. John Zimmer of Coler & Colantonio represented the applicant at the public meeting. Maureen Rooslet of Newland Street had concerns regarding the water quality of her well. Julian Kadish made a motion, seconded by Patrick Corcoran, 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 full Certificate of Compliance filed by **Edward Medeiros for lot 15 (assessors map 21) 247 West Main Street (DET. #377)**. Jeff Houde made a motion, seconded by Julian Kadish, to issue the full Certificate of Compliance. Approved.

The members reviewed a request for a partial Certificate of Compliance filed by **Welch Building Corp. for lot 1, parcel 327 (assessors map 4) 2 Keith Drive (DET. #565)**. Bob Medeiros made a motion, seconded by Patrick Corcoran, to issue a partial Certificate of Compliance with the condition that the applicant post a \$500 bond with the Norton Town Treasurer to ensure final vegetative stabilization of exposed soils on this lot. Jeff Houde abstained from voting and left the room. Approved.

The members reviewed a request for a partial Certificate of Compliance filed by **Welch Building Corp. for lot 2, parcel 328 (assessors map 4) 4 Keith Drive (DET. #566)**. Bob Medeiros made a motion, seconded by Patrick Corcoran, to issue a partial Certificate of Compliance with the condition that the applicant post a \$500 bond with the Norton Town Treasurer to ensure final vegetative stabilization of exposed soils on this lot. Jeff Houde abstained from voting and left the room. Approved.

The members reviewed a request for a partial Certificate of Compliance filed by **Welch Building Corp. for lot 7, parcel 333 (assessors map 4) 14 Keith Drive (DET. #571)**. Bob Medeiros made a motion, seconded by Patrick Corcoran, to issue a partial Certificate of Compliance with the condition that the applicant post a \$500 bond with the Norton Town Treasurer to ensure final vegetative stabilization of exposed soils on this lot. Jeff Houde abstained from voting and left the room. Approved.

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The members reviewed a request for full Certificate of Compliance filed by **Manny Lawrence, c/o Frances Ulak** for **parcel 140 (assessors map 19) 72 King Philip Road (#SE#250-274)**. Bob Medeiros made a motion, seconded by Jeff Houde to issue a Certificate of Compliance. Approved.

The members reviewed a request for a full Certificate of Compliance filed by **O'Brien & Meeks Construction** for **lot 6, (assessors map 15) 10 Country Club Way (DET. #622)**. Bob Medeiros made a motion, seconded by Jeff Houde to hold off until the area is stabilized. Approved.

The members reviewed a request for a full Certificate of Compliance filed by **Mary & Russell Wilber** for **15 King Phillip Road (#SE250-318)**. Bob Medeiros made a motion, seconded by Jeff Houde, to issue a Certificate of Compliance. Approved.

The members reviewed a request for a full Certificate of Compliance filed by **Plymouth Bay Girl Scout Council** for **lot 47 (assessors map 21) Camp Edith Reid, No. Worcester Street (DET. #480)**. Bob Medeiros made a motion, seconded by Jeff Houde, to issue a Certificate of Compliance. Approved.

The members reviewed a request for a duplicate Certificate of Compliance for **Richard Bodio, c/o J. Christopher Amrhein, Attorney at Law** for **parcel 57, bldrs. lot 1 (assessors map 15) 2 McTee Drive (DET. #136)**. Bob Medeiros made a motion, seconded by Jeff Houde, to issue a duplicate Certificate of Compliance. Approved.

The members reviewed a Jurisdictional Opinion request filed by **Joe and Joyce Coppenrath** for cleaning out debris in a wetland at **lot 159 (assessors map 3) 8 Woodland Road**. The Commission approved the cleaning of this lot by the Highway Department without a permit, since the work would be accessed through the upland.

Discussion ensued regarding **Proposed Capital Improvement Program Project List submission**. The Director stated that he was going to propose \$15,000.00 for a Hydrological/Hydraulic study on the Norton Reservoir dam for FY2000. Bob Medeiros made a motion, seconded by Julian Kadish, to accept the Director's proposed item. Approved.

The Director stated that he had recorded the deed for the land donated to the Norton Conservation Commission by Althier Pino.

Norton Reservoir

Discussion ensued regarding the dam/trees are to be cut by the Highway Department and a Professional Engineer was recommended to be there by the DEM for large stump removal. The Director stated that spilling of concrete inside of the dam sluiceway was discovered by the scuba diver (Kevin MacCaffrie) from the Fire Department during an annual clean up event. No action was taken.

The Norton Reservoir project was discussed by the members. The Director was asked to inquire as to what permit fees the Conservation Commission would need to pay for in order to begin the project.

The Director stated that the Mass Health Department had not responded to the Norton Conservation Commission letter yet regarding Dioxin being found upstream of the Norton Reservoir. However, the Director stated that the Department of Fisheries and Wildlife had verbally stated to him that there

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probably wasn't going to be a problem for Norton Reservoir with Dioxin as long as the pending lab results of fish tissue samples showed no or low Dioxin levels in Mansfield's Fultons Pond.

Land Purchase – “Johnson Acres” – North Washington Street, parcels 486 & 487, portion of parcel 487 with a lifetime easement, assessors map 10. Jeanne McKnight of Kopelman & Paige P.C. (Town Counsel) came before the Conservation Commission to discuss the purchase of the Johnson Acres. The Director read the November 23, 1998 Conservation Commission meeting vote which stated that 1) \$40,000 would come from Conservation funds and \$360,000 would come from Town meeting; 2) Self-Help reimbursement would be \$266,000 and \$134,000 would come from the Town and Conservation Commission (\$40,000 from the Conservation Commission and \$94,000 from the Town); 3) the land would include parcel 487 (54.12 acres) and parcel 486 (4.62 acres) and 4) 4.12 acres of parcel 487 shall be given a lifetime easement. Discussion ensued and it was the consensus of the members and the owners 1) to only include parcel 487 (54 acres) in the Purchase and Sales Agreement, and not parcel 486; 2) to include in the lifetime easement, only the owners living in the house adjacent to parcel 487, being Arline Cox, lot 1 on the proposed subdivision of land of parcel 487 per Otis Dyer's plan and the adjacent lot owned by the Churches on Assessors map 10, parcel 488; 3) to not allow the sale of stockpiled wood on parcel 487, but allow only the gardens; 4) to get a twenty-one E (21E) site investigation performed, cost to be split 50% by the Norton Conservation Commission and the owners, (approximate cost of \$2,000 total); 5) to have the Land Preservation Society of Norton pay for the two appraisals for the Self Help Grant proposal (approximate cost \$2,000 to \$4,000 each) and 6) to have the Conservation Commission pay \$40,000 from their funds and the Town to pay \$360,000 for a total of \$400,000, to be reimbursed through a state Self Help Grant, if possible, at a rate of 67%, for a total of \$134,000 Town funding (\$40,000 from the Conservation Commission and \$94,000 from the Town) and \$266,000 State funding.

Jeff Houde made a motion, seconded by Patrick Corcoran, to adjourn the meeting at 9:50 pm.
Approved.

Respectfully Submitted,


Carlos T. B. Fragata
Conservation Director

CF/pmb