



CONSERVATION COMMISSION
70 EAST MAIN STREET
NORTON, MASSACHUSETTS 02766-2320
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APR 13 1999

NORTON TOWN CLERK

Monday, March 22, 1999
7:30 pm

Attendance

Ed Breault (Chairman), Patrick Corcoran (Vice-Chairman),
Jeff Houde, Julian Kadish, Dana Rappaneau, Leonard Silvia,
Bob Medeiros, Earl Willcott, Associate Member and
Carlos Fragata, Director

Minutes

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

The members reviewed the draft minutes of March 8, 1999. Jeff Houde made a motion, seconded by Patrick Corcoran, to accept the minutes as written. Approved.

The members reviewed a Notice of Intent – **Pilgrim Cranberry Corp. and Standish Realty Trust – parcel 038 (assessors map 36), parcel 10-1001 (assessors map 35) & parcel 4 (assessors map 2) 129 Newland Street (continued from the February 22, 1999 and March 8, 1999 mtgs.)** - for proposed plans for an amendment to an Order of Conditions issued by the Norton Conservation Commission (file #250-415) to amend plans and "Order of Conditions permit" to include additional replication surface area (6,500 sq.ft.) for a total of 11,750 sq.ft. for mitigation of a wetland area altered and proposed for bog expansion (to square off the proposed bog) within the buffer zone of an Area Subject to Protection Under the Wetlands Protection Act (General Laws Chapter 131, Section 40). Matt Long of Coler & Colantonio represented the applicant. Revised plans were submitted showing a reconfiguring of the bog in the violation area and proposing a smaller replication area in order to eliminate a 401 filing. Jeff Houde made a motion, seconded by Bob Medeiros, to close the public hearing. Approved.

The members reviewed a Request for a Determination of Applicability – **Gregg Mills – lots 168, 170 & 175-01 (assessors map 4) (rear) 74 Newcomb Street** – for proposed plans to construct 600' of roadway for 5 residential house lots within the 100 ft. buffer zone of a bordering vegetated wetland. Gregory Mills represented himself at the meeting. Jeff Houde made a motion, seconded by Dana Rappaneau, to close the public meeting. Approved. Jeff Houde made a motion, seconded by Dana Rappaneau, to issue a positive Determination of Applicability in and concluding that a Notice of Intent would be needed. Approved.

The members reviewed a Request for a Determination of Applicability – **Stephen R. Norsek – bldrs. lot 70, parcel 102 (assessors map 28) 2 Garrett Drive** – for proposed plans to construct an addition of a 24' x 24' 2-car garage and widening of an existing driveway to a 2-car width within the 100 ft. buffer zone of a bordering vegetated wetland. No one was present to represent the applicant at the meeting. Jeff Houde made a motion, seconded by Dana Rappaneau, to close the public meeting. Approved. Jeff Houde made a motion, seconded by Dana Rappaneau, to issue a negative Determination of Applicability with conditions. Approved.

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The members reviewed a Request for a Determination of Applicability – **Welch Building Corp. – bldrs. lot 8, parcel 334 (assessors map 4) 16 Keith Drive** – for proposed plans to construct a single family house, associated grading and utilities within the 100 ft. buffer zone of a bordering vegetated wetland. David Welch represented the applicant. 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 and for the siltation barriers to be approved by the Director. Approved.

The members reviewed a Request for a Determination of Applicability – **Whispering Pines, Ltd. Partnership – (Subdivision parcels 91 & 92) bldrs. lot 19, parcel 239 (assessors map 21) 6 Ulmer Farm Road** – for proposed plans to construct a single family dwelling, driveway, subsurface sewage disposal system and related grading within the 100 ft. buffer zone of a bordering vegetated wetland. Arthur Amaral was present to represent the applicant. An abutter, Christine Dennehy, asked where the intermittent stream was and she was shown. Another abutter, Derek Howarth, also had concerns with flooding on his property. Arthur Amaral stated that his own study recommended that a 3'x 4' box culvert be installed across Route 123. Bob Medeiros made a motion, seconded by Jeff Houde, to allow Arthur Amaral to dig out the Ulmer Farm ditch to allow water to flow freely and prevent flooding. Approved. Julian Kadish made a motion, seconded by Jeff Houde, to close the public meeting. Approved.

The members reviewed a Request for a Determination of Applicability – **Whispering Pines, Ltd. Partnership – (Subdivision parcels 91 & 92) bldrs. lot 20, parcel 240 (assessors map 21) 3 Ulmer Farm Road** – for proposed plans to construct a single family dwelling, driveway, subsurface sewage disposal system and related grading within the 100 ft. buffer zone of a bordering vegetated wetland. Arthur Amaral was present to represent the applicant. Jeff Houde made a motion, seconded by Dana Rappaneau, to waive the reading of the legal notice. Approved. Julian Kadish made a motion, seconded by Jeff Houde, to close the public meeting. Approved. Julian Kadish made a motion, seconded by Jeff Houde, to issue a negative Determination of Applicability with conditions. Approved.

The members reviewed a request for a full Certificate of Compliance filed by **P & A Construction, c/o Stephen Norsek for bldrs. lot 70, parcel 102 (assessors map 28) 2 Garrett Drive (DET. #267)**. Dana Rappaneau made a motion, seconded by Julian Kadish, to issue the full Certificate of Compliance. Jeff Houde and Bob Medeiros abstained from voting. Approved.

The members reviewed a request for a full Certificate of Compliance filed by **David & Kathryn Harju, et ux for lot 19 (assessors map 19) 58 Charlotte Avenue (DET. #621)**. Jeff Houde made a motion, seconded by Patrick Corcoran, to issue the full Certificate of Compliance. Approved.

The members reviewed a request for a partial Certificate of Compliance filed by **Dominic Texeira for bldrs. lot 1, parcel 31 (assessors map 17) Elm Street (#250-419)**. Dana Rappaneau made a motion, seconded by Patrick Corcoran, to issue the partial Certificate of Compliance with the condition that the applicant post a \$1,000 bond with the Norton Town Treasurer to ensure final stabilization of exposed soil on bldrs. lot 1, parcel 31 (assessors map 17) Elm Street. Bob Medeiros abstained from voting. Approved.

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The members reviewed a request for a duplicate Certificate of Compliance for **RCM Construction - lot 32 (assessors map 14) Laura Lane (DET. #327)**. Jeff Houde made a motion, seconded by Patrick Corcoran, to issue the duplicate Certificate of Compliance. Bob Medeiros abstained from voting. Approved.

Michael Fitzsimmons was present at the meeting and did a presentation on **Environmental Restoration**. He emphasized bio remediation of contaminated sites by using micro organisms, which use and/or transform the compounds into a food. Specifically, he stated that Lake Winnecunnet can be treated someday. He explained the mechanism for treatment as organisms that breakdown hydrocarbons into harmless nutrients. The Conservation Commission stated that they would contact him if they chose to explore his method of pollution attenuation. The Director asked Mr. Fitzsimmons for a business card and literature, which Mr. Fitzsimmons stated he would provide at a later date.

The Director made reference to the following:

1. regarding Johnson Acres, Bob Medeiros made a motion, seconded by Dana Rappaneau, to wait for a Purchase and Sales Agreement to be signed before appraisals are done. Approved;
2. the draft Open Space Plan was available and that there would be a meeting to discuss the Plan on Wednesday, March 24, 1999 from 7 – 9 pm at the Norton Public Library;
3. the Norton Land Acquisition Committee membership memorandum from the Town Manager was discussed. The Conservation Commission representative previously appointed by the Conservation Commission, was Jeffrey Houde;
4. the Industrial Development Commission (IDC) meeting notice was read into the record. The IDC invited the Conservation Commission to a Transportation Workshop, to be held on March 31, 1999 at 7:00 pm at the Norton Public Library;
5. a Tree Grant Request for proposal letter was shown to the members. The members were asked to respond if they wanted to plant trees around town;
6. the Director presented his letter of resignation as Conservation Director, dated March 19, 1999, effective April 24, 1999, but physically on April 9, 1999. The Director stated that he was sorry to leave the employ of the Town of Norton Conservation Commission and would be available to assist in hiring a new Conservation Director and to close various ongoing projects before leaving. Also, a letter to the chairman, dated March 22, 1999 was read into the record, which was more personal;
7. a Town Report photo session was slated to be on Tuesday, April 6, 1999 at 7:45 pm at the Town Hall;
8. color aerial photos purchased from U-Mass Amherst through the EOEA, Wetlands Conservancy Program were presented to the members (for use in planning and enforcement);

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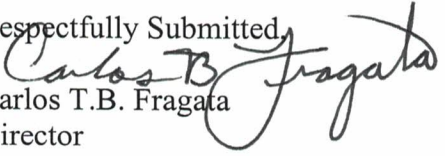
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9. Barbara Hyland's letter on the Water & Conservation Fund Grant request for proposals was shown to the members;
10. a letter and report on the Winnecunnet Sewering Study was made available to the Commission, which stated that the Taunton plant had the capacity to accept the homes from King Philip Road and other areas.

Dana Rappaneau made a motion, seconded by Patrick Corcoran, to adjourn the meeting at 9:15 pm.

Respectfully Submitted,


Carlos T.B. Fragata
Director

CF/pmb