



CONSERVATION COMMISSION
70 EAST MAIN STREET
NORTON, MASSACHUSETTS 02766-2320
(508) 285-0275
Fax (508) 285-3300

RECEIVED
JUN 29 1999
NORTON TOWN CLERK

Tuesday, June 15, 1999
7:30 pm

Attendance

Ed Breault (Chairman), Patrick Corcoran (Vice-Chairman),
Jeff Houde, Dana Rappaneau, Leonard Silvia, Bob Medeiros, Jennifer Carlino, Director

Julian Kadish was absent

Minutes

The members reviewed the draft minutes of **May 24, 1999**. Patrick Corcoran made a motion, seconded by Bob Medeiros, to accept the minutes as written.

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

The members signed the amendment to the Purchase and Sales Agreement for Johnson Acres to be sent along with the Self-Help Grant application.

Dana Rappaneau made a motion, seconded by Patrick Corcoran to put a request for a duplicate Certificate of Compliance for file #440 filed by Elissa Sarnie for lot 34 (assessors map 14) 35 Laura Lane. Approved. Jeff Houde made a motion, seconded by Patrick Corcoran, to issue the duplicate Certificate of Compliance. Bob Medeiros abstained from voting. Approved.

Patrick Corcoran made a motion seconded by Dana Rappaneau to put a request for a Certificate of Compliance on the agenda filed by **Timothy O'Sullivan for lot 288 (assessors map 4) 24 Kingsley Road (DET. #549)**. Approved. Dana Rappaneau 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 **Kelly Pereira for lot 2-04 (assessors map 23) 4 Barrows Street (original filing was for Taunton Avenue) DET. #403**. The Director stated that there was also a Notice of Intent file for this site, but it wasn't found before the Hearing. The plan for the Determination and the actual work done (according to the Notice of Intent) did not concur and another site inspection will be required. Bob Medeiros made a motion, seconded by Leonard Silvia, to continue the request until the next meeting on June 28, 1999. Approved.

It was the consensus of the Commission members to have Leonard Silvia represent the Commission at the continued Town Meeting on June 16, 1999.

The Director stated that Ed Woods, Jr., the Attorney representing **Joseph P. DiFiore, Jr., Tr. of Key Realty Trust**, for the project at **lots 10, 10-01 and 195 (assessors map 35) East Hodges Street (#250-412)** had requested approval to be given to the local Electric Company to install utility poles at this site. Jennifer Carlino stated that she had spoken to Mr. Woods and told him that she wanted him to

Norton Conservation Commission
Tuesday, June 15, 1999
Minutes, page 2

submit to the Commission a revised plan, dated, stamped and signed by the Engineer showing the locations of the utility poles to be installed. She also stated that she requested an update of this project. She asked the Commission members if they wanted to have the applicant file for a **Modification Hearing**. Jeff Houde made a motion, seconded by Dana Rappaneau, to have Jennifer Carlino send a letter to the applicant requesting revised plans to be dated, stamped and signed by the Engineer, a sequency plan detailing the progress of the project to date and to have a representative attend the **Modification Hearing** for the Amended Order of Conditions for file #250-412. The applicant will be notified of the date and time of the scheduled hearing. Approved.

Jennifer Carlino stated the a letter was received from Kathleen M. O'Donnell of Kopelman & Paige, P.C. (Town Counsel) stating that she has been trying to set up a meeting with Joel Lerner, Director of the Division of Conservation Services, to discuss the **Conservation Restriction #24 – Daniel L. and Norma Nelson**. It was mentioned that this site may no longer be listed as a "superfund site". It was the consensus of the Commission to have this information checked into.

Jennifer Carlino stated that she had gone to the Norton Reservoir dam with Julian Kadish and Kevin MacCaffrie of the Fire Department dive team and checked to see if there was anything stuck in the dam. A leak was plugged up in the dam and the sleuth gate was lowered a little.

The members reviewed a Request for a Determination of Applicability – **David Robbins – lot 198 (assessors map 27) 151 South Worcester Street** – for proposed plans to repair a sanitary disposal system in the rear yard with associated loaming and seeding within the 100 ft. buffer zone of a wetland. John F. Vance, Jr. represented the applicant at the public meeting. Bob Medeiros made a motion, seconded by Rappaneau, to close the public meeting. Approved. Bob Medeiros made a motion, seconded by Leonard Silvia, to issue a negative Determination of Applicability with conditions as long as the work is done according to the submitted plans. Approved.

The members reviewed a Request for a Determination of Applicability – **Ralph I. Maloon, RIM Engineering – parcels 12 & 152 (assessors map 31) 17 Harvey Street** – for proposed plans for soil testing for a single family dwelling within the 100 ft. buffer zone of a wetland. Excavation holes will be at least 50 feet from the wetlands and will be backfilled and graded. The machines will not travel in the wetlands. The owner, Ronald Perry and his brother were present at the meeting. Discussion ensued regarding where the driveway would go. The Director stated that removing a few trees to put in the driveway would be preferred rather than going through a wetland. Mr. Perry stated that he would prefer to go through the wetlands rather than cut trees down. It was the consensus of the Commission to have the Director go back to the site to check how many trees would have to be cut down in order to avoid going through the wetlands. The method causing the least impact would be advisable according to the Commission members. After walking the site again, the Director will contact the owner as to what will be needed for the continued meeting. Jeff Houde made a motion, seconded by Patrick Corcoran, to continue the public meeting until June 28, 1999. Approved.

The members reviewed a Notice of Intent – **Poquoy Development – parcel 31 (assessors map 30) Maple Street** – for proposed plans to construct stormwater facilities within the 100 ft. buffer zone of a bordering vegetated wetland and a site grading for a shared septic system within an isolated land subject to flooding. John DeSousa from Hayward-Boynton & Williams, Inc. represented the applicant

Norton Conservation Commission

Tuesday, June 15, 1999

Minutes, page 3

and stated that revisions to the plan had been made. The Director stated that there was other information including an Engineering Review by Walter Amory for the Board of Health, and a DEP File number that needed to be submitted before an Order of Conditions would be issued. Discussion ensued regarding the responsibility of maintaining a large detention basin. Planning Board had approved the responsibility to be on the home owner. Bob Medeiros made a motion, seconded by Dana Rappaneau, to have the Director request advice from Town Counsel as to what department in Town is responsible for stormwater management. Jeff Houde made a motion, seconded by Bob Medeiros, to continue the public hearing until the next meeting of June 28, 1999 at 8:10 pm. Approved.

The members reviewed a Request for a Determination of Applicability – **Bruce Rougeau – parcels 42, 45 & 45-01 (assessors map 26) 399 Old Colony Road** – for proposed plans to install a leaching field, detention basin, catch basin & drainage ditch with associated loaming and seeding within the 100 ft. buffer zone of a bordering vegetated wetland. John F. Vance, Jr. represented the applicant at the public meeting. Jeff Houde made a motion, seconded by Patrick Corcoran, to close the public meeting. Approved. Jeff Houde made a motion, seconded by Bob Medeiros, to issue a negative Determination of Applicability with conditions as long as the work is done according to the submitted plans. Approved.

Bob Medeiros made a motion, seconded by Dana Rappaneau, that all plans and requests be reviewed by the Director and that all pertinent information be submitted to the Director **before** the Conservation Commission meeting is held. Approved.

Jeff Houde made a motion, seconded by Dana Rappaneau, that no plans will be handed out to the Commission members at a meeting **until after** the Legal Notice is read. Approved.

Jeff Houde made a motion, seconded by Patrick Corcoran, that periodical (preferably monthly) updates be submitted to the Commission by the Engineer of the project for most Notices of Intent, especially roadways or major renovations and commercial properties. Approved.

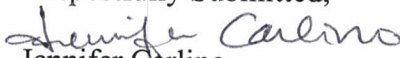
Bob Medeiros made a motion, seconded by Dana Rappaneau, to allow the Director, Jennifer Carlino, to make decisions on site and in the field for small projects such as decks, small backyard projects and single family home projects instead of having the individuals file with the Conservation Commission. Approved.

It was the consensus of the Commission to allow the Director to purchase photography equipment as needed for site inspections.

It was suggested by the Commission that the Director keep a written record of on-site correspondence for future reference if needed.

Bob Medeiros made a motion, seconded by Patrick Corcoran, to adjourn the meeting at 9:05 pm. Approved.

Respectfully Submitted,


Jennifer Carlino
Conservation Director

JC/pmb