



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

Monday, July 26, 1999
7:30 pm

RECEIVED
SEP 15 1999
NORTON TOWN CLERK

Attendance

Edward Breault (Chairman), Patrick Corcoran (Vice-Chairman),
Leonard Silvia, Julian Kadish, Dana Rappaneau
Jeff Houde, Jennifer Carlino, Director

Bob Medeiros was absent

Minutes

The members reviewed the draft minutes of **July 12, 1999**. Patrick Corcoran made a motion, seconded by Dana Rappaneau, to table the minutes until the August 9, 1999 meeting. Approved.

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

Ed Breault, Chairman, made note of an invitation to attend the Mansfield Airport Open House on July 24, 1999 and asked the Director if she had attended this Open House. Jennifer Carlino stated that she did not attend, but had already gone out to the airport before the meeting.

A memo from the Town Manager regarding the date and time of the 1999 Fall Annual Town Meeting was read by Ed Breault, Chairman. The memo stated that the deadline for submission of articles to be included on the Fall Annual Town Meeting Warrant is Thursday, August 12, 1999 at 4:30 pm. The Director asked the members if there were any articles to be put on the warrant, and the response was that there were no articles.

The members reviewed a memo sent by the Town Manager regarding the future use of the Old Barrowsville Fire Station asking for any suggestions as to the future use of this property. It was the consensus of the Commission to restore this property as a satellite fire station as in the past. Jennifer Carlino stated that she would send a response to this memo stating the Commission's suggestion.

Ed Breault, Chairman, read a letter that was sent to Jennifer Carlino, Conservation Director, by Lincoln A. DeMoura, Ed. D., Superintendent of Schools in regards to a Two-day future search conference re: the development of a strategic plan for the Norton Public School System by the Norton District Action Reform Team to be held at the Norton Country Club 8:30 am to 5:00 pm on Thursday, August 26, 1999 and Friday, August 27, 1999. Mr. DeMoura asked if she or any of the Conservation members would be able to attend this conference. The Director responded with a letter stating that she would not be able to attend the conference and asked at tonight's Conservation meeting if any of the members would be able to attend.

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Discussion ensued regarding **Highway Department permit filings**. The Director stated that it was her opinion that the Highway Department should file for a permit for all limited projects. The Commission members agreed with the Director that unless the project is an emergency, the Highway Department should apply for a permit with the Conservation Department.

The Director stated that she was asked if swimming was allowed in the Norton Reservoir and if the water was tested regularly. Julian Kadish stated that there were no health hazards associated with swimming in the Norton Reservoir and the water is not tested, but sometime during the summer months, the Reservoir would turn color and would not be too inviting.

Jennifer Carlino, Director, stated a request she received asking as to what type of controls or gates were used at the Norton Reservoir dam and what is the volume of water during the summer months. Discussion ensued and it was stated by the members that this information was documented in the Norton Reservoir files.

Discussion ensued regarding whether or not it was the Director's responsibility to assist in flagging wetlands for applicants who were filing for a permit. The members stated that it would be advisable to help out homeowners with their boundaries, but developers should have their projects flagged by professionals that do this type of work.

The Director stated that she had spoken with the Town Planner regarding what department was responsible for stormwater management. It was her consensus that each project would have to abide by the stormwater management policies written by the Commonwealth of Mass and given to the Conservation Department. If there were any conflicts with the Planning Department, the applicant would then go back to the Planning Department for revisions. Julian Kadish asked what would happen if both Conservation and Planning Departments were in conflict as to the jurisdiction of a project. He suggested that a memo be sent to the Town Manager requesting that some type of uniform policy be created to assist in this jurisdiction problem. Jennifer Carlino suggested waiting awhile before sending a memo to the Town Manager to see how the Potter's Circle Subdivision was finalized. She stated that the Conservation Commission and Planning Board are working in a new system of operations, and to involve the Selectmen and Town Manger was premature.

The members reviewed a Notice of Intent – **Briarwood Construction, Ray Ferrone, – parcels 57, 67 & 177 (assessors map 31) East Hodges Street, Fieldcrest Estates (continued from the July 12, 1999 meeting)** – for a proposed subdivision which includes construction of single family houses, driveways, sewage disposal systems and related grading within the 100 foot discretionary zone. Ralph Maloon of RIM Engineering represented the applicant. It was suggested to Mr. Maloon that the filing consist only of the road and drainage and not for individual house lots. Mr. Maloon stated that the project has not been accepted by the State as yet. Discussion ensued regarding an isolated wetland that is in the roadway. The Director stated that she was asked by Pat Huckery of the Natural Heritage and Endangered Species Program to check this area to see if it is a vernal pool. She did find species that would indicate that it is a vernal pool, but she is waiting to hear from Pat Huckery as to whether or not this is a jurisdictional area. Mr. Maloon and Ms. Huckery were discussing this matter, and Mr. Maloon will inform the Commission if groundwater was included in his Isolated Land Subject to Flooding calculations. Jeff Houde made a motion, seconded by Dana Rappaneau, to close the public hearing. Approved. Jeff Houde made a motion, seconded by Leonard Silvia, to delete the individual houses from this filing and to have the applicant submit separate filings for the individual houses. He also

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stated that the conditions would be set at the next meeting of Monday, August 9, 1999. Approved. An abutter to this project, Diane Smith had concerns with getting water on her property and the cutting of trees within the wetlands. Mr. Maloon assured her that they did not intend to cut wetland trees to the rear of her property. The Director asked Mr. Maloon if he calculated the 100 year floodplain as requested at the last hearing. He had not. Jeff Houde made a motion, seconded by Dana Rappaneau, to review and set the conditions at the continued hearing, pending information from the Natural Heritage and Endangered Species Program. Approved. The Commission members requested to have a draft copy of the conditions mailed to their homes and also a copy sent to Ralph I. Maloon, the representative for the project to review before the next meeting.

The members reviewed a Request for a Determination of Applicability – **P & A Construction – bldrs. lot 7, parcel 16 (assessors map 6) – 203 Bay Road** – for proposed plans to construct a single family dwelling, driveway, sewage disposal system and well within the 100 foot discretionary zone. Siltation control will be established prior to any movement of earth and maintained until lawn and other landscaping features are established. Jeff Houde removed himself as a board member at the public hearing. Ralph Maloon of RIM Engineering represented the applicant at the public hearing. The Director stated that she had added extra conditions to this permit and read them aloud to the Commission and also stated that she had added the extra conditions because of a violation by the applicant at lot 9 and hoped to avoid another violation on this lot. A motion was made by Leonard Silvia, and seconded by Patrick Corcoran, to close the public hearing. Approved. Patrick Corcoran made a motion, seconded by Julian Kadish, to issue a negative Determination of Applicability as long as the work was done according to the submitted plans. Jeff Houde and Ed Breault abstained from voting. Approved.

The members reviewed a Request for a Determination of Applicability – **Shari MacGray – bldrs. lot 12, parcel 100 (assessors map 8) 24 Strawstone Lane** – for proposed plans to install a round 28 foot above-ground pool within 100 feet of wetlands. Ms. MacGray represented herself at the public hearing. The Director stated that she had inspected the property and found that installation of a pool would not adversely affect the wetland located within 30 feet of the proposed pool location. Patrick Corcoran made a motion, seconded by Julian Kadish, to close the public hearing. Approved. Patrick Corcoran made a motion, seconded by Julian Kadish, to issue a negative Determination of Applicability as long as the work is done according to the submitted plans. Approved.

Patrick Corcoran made a motion, seconded by Dana Rappaneau, to adjourn the meeting at 8:30 pm.

Respectfully Submitted,



Jennifer Carlino
Conservation Director

JC/pmb