



CONSERVATION COMMISSION
70 EAST MAIN STREET
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RECEIVED

SEP 15 1999

NORTON TOWN CLERK

Monday, August 23, 1999
7:30 pm

Attendance

Leonard Silvia, Jeff Houde (Vice-Chairman),
Julian Kadish, , Bob Medeiros, Dana Rappaneau (left
before the meeting started) Edward A. Breault,
Jennifer Carlino, Director

Patrick Corcoran (Vice-Chairman) was absent

Minutes

The members reviewed draft minutes of **July 12, 1999 (continued from the 8/9/99 meeting)**. Ed Breault made a motion, seconded by Bob Medeiros, to table the minutes until the September 13, 1999 meeting. Approved.

The members reviewed draft minutes of **July 26, 1999 (continued from the 8/23/99 meeting)**. Bob Medeiros made a motion, seconded by Leonard Silvia, to table the minutes until the September 13, 1999 meeting. Approved.

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

Discussion ensued regarding the **Conflict of Interest Policy re: Municipal Employees**. Jeff Houde stated that Leonard Silvia had received copies of this policy from the State and copies were then sent to each Conservation Commission member. According to this information, any Conservation Commission member, or any member of their family, cannot represent, or act as the agent for, a project that is being reviewed by the Conservation Commission.

The members reviewed a Request for a Determination of Applicability – **Robert & Kimberly McLeod – bldrs. lot 6, parcel 128 (assessors map 32) Gilbert's Way (continued from the 8/9/99 meeting)** – for proposed plans to construct a single family house, septic system, well, driveway and associated utilities within the 100 ft. buffer zone of a bordering vegetated wetland. Fred Bottomley was present at the public meeting and stated to the Commission that he had been complying to all the conditions of his Enforcement Order which pertain to the road that this lot is on and also would be filing a new Notice of Intent for the expired conditions which also pertain to the roadwork and drainage for this lot. The revised plans with the wetland boundary have not been submitted to the Conservation Commission; therefore, verification of the boundary cannot take place yet and the hearing will have to be continued. Mr. Bottomley stated that he gave Jennifer Carlino a letter requesting to change the applicant for this project to John Scott Boulevard LLC. Julian Kadish made a motion, seconded by Bob Medeiros, to continue this project until Monday, September 13, 1999 at 8:00 pm. Approved.

Norton Conservation Commission
Monday, August 23, 1999
Minutes, page 2

The members reviewed a Request for a Determination of Applicability – **Michael Chisholm – bldrs. lot 4, parcel 196 (assessors map 31) Myra's Way (continued from the 8/9/99 meeting)** – for proposed plans to construct a single family house, septic system, well, driveway and associated utilities within the 100 ft. buffer zone of a bordering vegetated wetland. Fred Bottomley represented the applicant at the public meeting. The revised plans with the wetland boundary have not been submitted to the Conservation Commission; therefore, verification of the boundary cannot take place yet and the hearing will have to be continued. Ed Breault made a motion, seconded by Bob Medeiros, to continue the public meeting until Monday, September 13, 1999 at 8:05 pm. Approved.

The members reviewed a Request for a Determination of Applicability – **Meadowbrook Corp., Robert Rodericks, Pres. – bldrs. lot 9, parcel 132 (assessors map 32) 1 Gilbert's Way (continued from the 8/9/99 meeting)** – for proposed plans to construct a single family house, septic system, well, driveway and associated utilities within the 100 ft. buffer zone of a bordering vegetated wetland. Fred Bottomley represented the applicant at the public meeting. The revised plans with the wetland boundary have not been submitted to the Conservation Commission; therefore, verification of the boundary cannot take place yet and the hearing will have to be continued. Bob Medeiros made a motion, seconded by Ed Breault, to continue the public meeting until Monday, September 13, 1999 at 8:10 pm. Approved.

The members reviewed a Request for a Determination of Applicability – **Meadowbrook Corp., Robert Rodericks, Pres. – bldrs. lot 5, parcel 127 (assessors map 32) 10 Myra's Way (continued from the 8/9/99 meeting)** – for proposed plans to construct a single family house, septic system, well, driveway and associated utilities within the 100 ft. buffer zone of a bordering vegetated wetland. The revised plans with the wetland boundary have not been submitted to the Conservation Commission; therefore, verification of the boundary cannot take place yet and the hearing will have to be continued. Ed Breault made a motion, seconded by Julian Kadish, to continue the public meeting until Monday, September 13, 1999 at 8:15 pm. Approved.

The members reviewed a Notice of Intent – **William E. Wilson – parcel 144-01 (assessors map 19) 83 King Phillip Road** – Proposed plans to replace the existing retaining wall with poured concrete within 100 feet of Lake Winnecunnet. The Director requested that a construction sequency plan be submitted to her by the engineer before a permit would be issued. The dock will be part of this filing so that the owner will not have to re-file and the Conservation Commission can review that project with this permit application. Ed Breault made a motion, seconded by Bob Medeiros, to issue an Order of Conditions as long as all requested information be provided to the Director before the work is started. Approved.

The members reviewed a Notice of Intent – **Rosa Fernandes – lot 1, parcel 510-22 (assessors map 32) John Scott Boulevard** – for proposed construction of a dwelling, grading, utilities, driveway and landscaping within the 100 foot buffer of a bordering vegetated weland. Proposed filling of 600 sq. ft. of bordering vegetated wetlands. Replication will be provided. Bob Medeiros asked the project representative, Mr. Trowbridge, to reduce the replication area to 600 sq. ft. Mr. Trowbridge then described changes to the plan as requested by Ms. Carlino. The changes include boundary revisions and completion and the location of the stream. Bob Medeiros made a motion, seconded by Ed Breault, to issue an Order of Conditions after a revised plan mofifying the replication area is submitted to the Director. Approved.

Norton Conservation Commission
Monday, August 23, 1999
Minutes, page 3

The members reviewed a Request for a Determination of Applicability – **Raymond J. Hebert, Jr. – parcel 6-02 (assessors map 23) Barrows Street** – for proposed plans to construct a house, septic system and well within 100 feet of wetlands. Bob Medeiros made a motion, seconded by Leonard Silvia, to close the public meeting. The Director recommended a sign-off sheet for this project. Members discussed options for ensuring prospective homeowners know wetlands are on the property and recording Determinations. The Director emphasized that prospective homeowners should know the wetland limitations of property prior to purchase. Members did not require recording Determinations with the deed or a sign-off sheet for this project but will discuss the matter further later. Approved. Bob Medeiros made a motion, seconded by Leonard Silvia, to issue a negative Determination of Applicability as long as the work is done according to the submitted plans. Approved.

The members reviewed a Request for a Determination of Applicability – **Wheaton college – parcels 14D, E & L (assessors map 17) East Main Street** – for proposed plans for soil test borings for a Geotechnical Survey and installation of underground electrical conduits and associated manholes (post facto) within 100 feet of peacock pond. Members questioned project representative Bob Campbell and asked why he did not get a permit prior to construction and strongly reminded him that all work within 100 feet of the pond requires a permit. An abutter expressed concerns about fill at another location on Wheaton property. Bob Medeiros made a motion, seconded by Julian Kadish, to close the public meeting. Approved. Julian Kadish made a motion, seconded by Leonard Silvia, to issue a negative Determination of Applicability as long as the work is done according to the submitted plans. Approved.

The member reviewed a Request for a Determination of Applicability – **Paul F. Kearns, Jr. – bldrs. lot 9, parcel 95 (assessors map 15) – 4 Larson Farm Drive** – for proposed plans to install an in-ground pool, installation of a wood fence in the front yard and installation of a chain linked fence in the back of the property within 100 feet of wetlands. Discussion ensued regarding the 50 foot deed restriction on this lot because of an existing golf course. The restriction is that a 50 foot area is to be left undisturbed at the rear section of Mr. Kearns's property line. The Director read a letter from Mr. Bottomley from a previous filing describing the reason for the deed restriction and stated no work should be done within the restricted area including the placement of swingsets. The Commission agreed to allow Mr. Kearns to put up a swingset and plant grass and maintain the area within the 50 foot restricted area but not to cut down any trees or brush. 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 as long as the work is done according to the submitted plans. Approved.

The members reviewed a request to modify plans for **DET. #680 – Teddy Realty Trust – bldrs. lot 9, parcel 13 (assessors map 6) 207 Bay Road**. Only three members signed the permit at the last meeting. Julian Kadish made a motion, seconded by Leonard Silvia, to continue this modification until the meeting of Monday, September 13, 1999 at 8:20 pm so that Dana Rappaneau would be able to review the plans. Bob Medeiros and Jeff Houde abstained from voting. Approved.

The members reviewed a request to modify plans for file **#250-412 – Joseph P. DiFiore, Jr., Tr. of Key Realty Trust – lots 10, 10-01 & 195 (assessors map 35) East Hodges Street**. Ed Wood, Jr. represented the applicant at the public meeting. Mr. Wood stated that the reason for this request was to confirm the locations of the electric utility poles which were added to the submitted plans and approval by the Conservation Commission, to install the electric utility poles for this project. Bob Medeiros

Norton Conservation Commission
Monday, August 23, 1999
Minutes, page 4

made a motion, seconded by Julian Kadish, to accept the modifications to the submitted plans. Approved.

The members reviewed a request for an Extension Permit filed by **Neil Young for lot 1, parcel 162 (assessors map 12) 29 Lincoln Street (DET. #485)**. Mr. Young represented himself at the public meeting and stated that the project has not yet been completed because of personal reasons and that he would like to extend his permit. Bob Medeiros made a motion, seconded by Leonard Silvia, to issue a 3-year Extension Permit. Approved.

The members reviewed a request for a full Certificate of Compliance filed by **Guy & Laura Keene for lot 1 (assessors map 33) 14 Eddy Street (DET. #587)**. The Director inspected the property and all was completed according to the plans. Bob Medeiros made a motion, seconded by Leonard Silvia, to issue the full Certificate of Compliance. Approved.

The members reviewed a request for a full Certificate of Compliance filed by **Edward Breault for Lot 64 (assessors map 19) Lincoln Street (DET. #542)**. The Director inspected the property and all was done according to the plans. Leonard Silvia made a motion, seconded by Bob Medeiros, to issue the full Certificate of Compliance. Ed Breault abstained from voting. Approved.

The members reviewed a request for a full Certificate of Compliance filed by **Intoccia Construction Co., Inc., c/o Ronald G. Koback for lot 16 (assessors map 17) Willis Road (DET. #615)**. The Director stated that the house was not completed on this lot and the lawn area was not stabilized. Bob Medeiros made a motion, seconded by Ed Breault, to issue a partial Certificate of Compliance with the condition that the applicant post a \$2,500.00 bond with the Norton Town Treasurer.

The members reviewed a land donation for **Boxberry Street (assessors map 3) parcel 782**. The Director inspected the property and showed the members a map of the area. This property abuts land owned by the Land Preservation Society. Bob Medeiros made a motion, seconded by Ed Breault, to accept the land. Approved.

Respectfully Submitted,



Jennifer Carlino
Conservation Director

JC/pmb