



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

Monday, December 13, 1999
7:30 pm

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NORTON TOWN CLERK

Attendance

Patrick Corcoran (Chairman), Jeff Houde (Vice-Chairman),
Leonard Silvia, Bob Medeiros, Julian Kadish,
Jennifer Carlino, Director

Dana Rappaneau and Ed Breault were absent

Minutes

The members reviewed the draft minutes of **November 22, 1999**. Jeff Houde made a motion, seconded by Bob Medeiros, to accept the minutes. Approved.

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

Flatley Company – **Discussion of Enforcement Order**. Rick Ellis, Joe McFarland and Tim Toomey of the Flatley Company were present at the meeting and presented a plan of the area which had been re-surveyed. The plan shows the wetland fill permitted with the Notice of Intent and the violation. Mr. Ellis proposed that the fill at Area E be removed as opposed to the other options he had presented at the last hearing of November 22, 1999. The board agreed that the fill should be removed from Area E. Jennifer Carlino asked that an outline of the work schedule and time line for the replicating be submitted to her before any work started. Jeff Houde made a motion, seconded by Bob Medeiros, to accept the removal plan. Approved.

The members reviewed a **Notice of Intent – Gregory Mills – parcels 168, 170 & 175-01 (assessors map 4) Newcomb Street – (continued from the 9/28/99, 10/12/99 & 10/25/99 meetings)** - for proposed plans to construct a subdivision roadway with associated infrastructure, stormwater management system, site grading and utilities within the buffer zone of a bordering vegetated wetland. No one was present at the public hearing to represent the applicant. Jeff Houde made a motion, seconded by Bob Medeiros, to continue the public hearing until the January 10, 2000 meeting at 7:40 pm. Approved.

The members reviewed a Request for a Determination of Applicability – **Hallsmith-Sysco Food Services – parcels 18, 18-1, 18-2, 24 & 25 (assessors map 32) 380 South Worcester Street** – to hear the proposal to install a 12" pipe into the existing drainage ditch, install three catch basins and pave a parking area approximately 60' x 720'. Byron Holmes of Holmes Engineering represented the applicant and explained the project to the members. The members asked the Director if she had gone out to check this site and she stated that she had. The Director had questions for Mr. Holmes regarding the Operations & Maintenance Plan. She asked how often the catch basins would be cleaned? Mr. Holmes stated approximately every 6 months if needed. Discussion ensued regarding the use of erosion control for this project and it was decided that the Jennifer Carlino would check the area after

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the work is started to see if the use of haybales was necessary. Jeff Houde made a motion, seconded by Bob Medeiros, to close the public meeting. Approved. Jeff Houde 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 Notice of Intent – **File #250-437 - Maplewood LLC, c/o Fred Bottomley – parcel 67 (assessors map 30) Bullock Drive (Wildwood Estates)** – for proposed plans for 1.) drainage improvements for “Wildwood Estates” subdivision including driveway access to a proposed culvert and Lot 3) and 2.) side yard clearing and well construction for Lot 2 within the buffer zone of a wetland. Christopher Yarworth of Yarworth Engineering represented the applicant for this subdivision off of Maple Street. The majority of the project is outside the buffer zone. The wetlands were verified in a previous Request for a Determination of Applicability RDA. The isolated pockets did not qualify as Isolated Land Subject to Flooding in the previous RDA so one of them was incorporated into the stormwater management system. The Director asked if the 12” RCP was necessary in the middle of the infiltration trench. Mr. Yarworth stated it was necessary in order to retain the flow. The Director also requested that the driveway be relocated around the other isolated pocket to preserve the area in case it was a vernal pool even though it did not meet the calculations. Mr. Bottomley agreed to relocate it. Jeff Houde made a motion, seconded by Julian Kadish, to close the public hearing. Approved. Jeff Houde made a motion, seconded by Leonard Silvia, to accept the Order of Conditions as written. Approved.

The members reviewed a Notice of Intent – **File #250-438 - Mansfield Municipal Airport Commission – lot 428 (assessors map 3) Norton, Mansfield Municipal Airport to the southwest of North Washington Street** – for proposed vegetation removal and maintenance limited project under a Vegetation Management Plan (VMP) prepared according to 310CMR 10.53(3)(n) and 310CMR 10.24(7)(c)(5). Sharon LePorte of William C. Finn Associates, Inc. represented the applicant and explained that the FAA requires the air space and protected zones to be clear of obstructions for safe flying conditions. Ms. LaPorte described the areas in Norton to be cleared and the pesticide applications to be used. The clearing will all be done according to the Five Year Vegetative Management Plan and Yearly Operational Plans. Jeff Houde made a motion, seconded by Julian Kadish, to continue the public hearing until the January 10, 2000 at 7:43 pm in order to receive a DEP file number along with any comments or concerns which may have to be addressed by the Commission. Approved.

Modification to a **Notice of Intent (#250-435) – Plymouth Bay Girl Scout Council – parcel 47 (assessors map 21) North Worcester Street** – for the proposed removal in late spring each year of Vegetation in a small portion of the Wading riverbed. Removal is accomplished by means of a mechanical device. It was requested by the Plymouth Bay Girl Scout Council that the public hearing for this project be re-opened in order to re-design the project to meet performance standards after discussions with the Department of Environmental Protection. Jeff Houde made a motion, seconded by Julian Kadish, to re-open the public hearing and continue it until the February 14, 2000 meeting at 7:40 pm. Approved.

Jeff Houde started discussion regarding a filing by **Timothy Garipey for lot 33 (assessors map 28) 204 Old Taunton Avenue**. Mr. Houde asked that the applicant be allowed to put in the foundation before a permit is issued, which is on the agenda for the **Monday, January 10, 2000 meeting**. There was much discussion and the consensus of the members was that it would be environmentally better to allow the applicant to put the foundation in before the ground freezes. It was also mentioned that as

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long as the work was done according to the applicant's submitted plans, there would be no problem and that the work could be halted at anytime by the Director. The Director stated her reservations about allowing work without a permit and reminded the members of the Regulations regarding the permits.

Modification to Plans – File #250-434 – John & Ruth Schneider – lot 135 (assessors map 32) 381 So. Worcester Street. Jennifer Carlino stated that lot 1 is in the buffer zone of a wetland and the regrading and site work for this home can be included as part of the filing for the detention basin. The modification is minor and does not require a new Order of Conditions. Jeff Houde made a motion, seconded by Bob Medeiros, to accept the changes to the plan. Approved.

Tax Title Land – East Main Street & Newland Street (assessors map 5, parcel 34). The Director stated that Chris McCabe asked in a memo if the Commission still intended to acquire the Care and Control of this property or if they only wanted the portions near the Canoe River. Bob Medeiros suggested that the Conservation Commission be in charge of the whole parcel, but to allow the Norton Women of Today to build a tot play area. Jeff Houde made a motion, seconded by Bob Medeiros, to accept the property. Approved.

Land Donation – Signing of deed – Newcomb Street – parcel 169 (assessors map 4) – George Covett. The Director stated that the Commission had already accepted this 3 acre parcel at their meeting of November 8, 1999 and that they only had to sign the deed so that it could be recorded at the Registry of Deeds. Jeff Houde made a motion, seconded by Bob Medeiros, to sign the deed. Approved.

Re: The appeal by Frances Shirley and Leonard Flynn of the Great Brook determination at the proposed PGA Golf Course site on Mansfield Avenue is nearing a close. The Director stated that the Commission was asked by DEP to sign the agreement between all parties or to withdraw from the appeal. The Commission's acceptance or withdrawal does not affect the outcome of the agreement. It would be less complicated for the Commission to withdraw rather than sign the agreement and have it reviewed by Town Counsel. Bob Medeiros made a motion, seconded by Jeff Houde, to withdraw from the appeal. Approved.

The Town Planner has hired a consultant to review the PGA Golf Course filing and asked if the Commission would like the consultant to review the plans for nutrient loading of the wetlands, Great Brook and the Reservoir. The Commission agreed it was a good idea.

The Director mentioned that she had several boxes of old meeting cassette tapes and wanted to dispose of them. After a brief discussion, Bob Medeiros made a motion, seconded by Leonard Silvia, to get rid of the tapes. Jeff Houde abstained from voting. Approved.

Respectfully Submitted,



Jennifer Carlino
Conservation Director