



CONSERVATION COMMISSION  
70 EAST MAIN STREET  
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NORTON TOWN CLERK

Tuesday, April 25, 2000  
7:30 pm

**Attendance**

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

Ed Breault, Bob Medeiros and Dana Rappaneau were absent.

**Minutes**

The members reviewed the draft minutes of **February 14, 2000** (con't. from the 3/27/00 & 4/10/00 mtgs.). Jeff Houde made a motion, seconded by Leonard Silvia, to table the minutes until the next regular meeting of Tuesday, May 9, 2000. Approved.

The members reviewed the draft minutes of **March 13, 2000**. Julian Kadish made a motion, seconded by Jeff Houde, to accept the minutes as written. Approved.

The members reviewed a Notice of Intent – **Mark Hoyle, Sr. – lot 15 (assessors map 35) Dean Street (#250-440) (continued from the January 10, 2000, January 24, 2000 & April 10, 2000 mtgs.)** – for fill of 2,160 sq. ft. of wetlands for a proposed driveway from Dean Street and replication. John F. Vance, Jr. represented the applicant at the public hearing. Mr. Vance stated that he had received a letter from The Natural Heritage and Endangered Species Program requesting a spotted turtle survey. Mr. Vance agreed to have a wildlife biologist check out this project site. An abutter asked if the driveway was going to come in off of Dean Street or East Hodges Street. Mr. Vance stated that the state wanted the driveway to come in off of East Hodges St. because there would be less wetlands impact. Jeff Houde made a motion, seconded by Leonard Silvia to continue the public hearing until the meeting of Monday, May 22, 2000 at 7:40 pm. Approved.

The members reviewed a Notice of Intent – **File #250-449 - Briarwood Construction Corp./Ray Ferrone – Bldrs. lot 3, Parcel 57 (assessors map 31) 4 Dion's Way (continued from the April 10, 2000 mtg.)** – for proposed plans to construct a single family house, driveway, subsurface sewage disposal system and related grading within 100 feet of wetlands. Ralph Maloon of RIM Engineering Co. represented the applicant at the public hearing. Ralph Maloon of RIM Engineering was present at the public hearing along with Ray Ferrone, the applicant. Mr. Maloon submitted revised plans moving further away from the wetland line. Jennifer Carlino stated that a letter was received from the Natural Heritage and Endangered Species Program stating that this project would not adversely affect the wetlands. Ms. Prudencio stated that she was now getting water in her cellar for the first time since she has lived in her house and wondered if it is because of the projects going on in her area. It was then noted that the water table was very high this year. Much discussion ensued regarding water run-off and reasons why water might be running towards existing houses. Julian Kadish made a motion,



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seconded by Leonard Silvia, to close the public hearing. Approved. Jennifer Carlino stated that a condition would be added to the Order of Conditions to require an inspection before any work was started near the existing vernal pool. Julian Kadish made a motion, seconded by Leonard Silvia, to accept the Order of Conditions as amended. Approved.

The members reviewed a Notice of Intent – **File #250-448 - Briarwood Construction Corp./Ray Ferrone – Bldrs. lot 6, Parcel 57 (assessors map 31) 5 Dion's Way (continued from the April 10, 2000 mtg.)** – for proposed plans to construct a single family house, driveway, subsurface sewage disposal system and related grading within 100 feet of wetlands. Ralph Maloon of RIM Engineering was present at the public hearing along with Ray Ferrone, the applicant and submitted revised plans. The director stated that the reason for having the applicant file a Notice of Intent for this project instead of a Request for a Determination of Applicability was that this is a rare habitat area. She further stated that a letter was received from the Natural Heritage and Endangered Species Program stating that this project would not adversely affect the wetlands. Julian Kadish made a motion, seconded by Leonard Silvia, to close the public hearing. Approved. Julian Kadish made a motion, seconded by Leonard Silvia, to accept the Order of Conditions as written. Approved.

The members reviewed a Notice of Intent – **File #250-447- Briarwood Construction Corp./Ray Ferrone – Bldrs. lot 4, Parcel 57 (assessors map 31) 6 Dion's Way (continued from the April 10, 2000 mtg.)** – for proposed plans to construct a single family house, driveway, subsurface disposal system and related grading within 100 feet of wetlands. Ralph Maloon of RIM Engineering was present at the public hearing along with Ray Ferrone, the applicant and submitted revised plans moving the house. Jennifer Carlino stated that a letter was received from the Natural Heritage and Endangered Species Program stating that this project would not adversely affect the wetlands. Julian Kadish made a motion, seconded by Leonard Silvia, to close the public hearing. Approved. The director stated that a condition would be added to the Order of Conditions to require an inspection before any work was started near the vernal pool. Julian Kadish made a motion, seconded by Leonard Silvia, to accept the Order of Conditions as amended. Approved.

The members reviewed a Notice of Intent – **File #250-450 - Briarwood Construction Corp./Ray Ferrone – Bldrs. lot 5, Parcel 57 (assessors map 31) 7 Dion's Way (continued from the April 10, 2000 mtg.)** – for proposed plans to construct a single family house, driveway, subsurface sewage disposal system and related grading within 100 feet of wetlands. Ralph Maloon of RIM Engineering was present at the public hearing along with Ray Ferrone, the applicant and submitted revised plans moving the house. Jennifer Carlino stated that a letter was received from the Natural Heritage and Endangered Species Program stating that this project would not adversely affect the wetlands. Julian Kadish made a motion, seconded by Leonard Silvia, to close the public hearing. Approved. Julian Kadish made a motion, seconded by Leonard Silvia, to accept the Order of Conditions as written.

The members reviewed a Notice of Intent – **David Gravel – parcel 41 (assessors map 19) – 10 Maplewood Avenue** - for proposed plans to construct a 16' x 16' addition and a 23' x 16' deck including installation of 240 sq.ft. of rip rap at Lake Winnecunnet shoreline, removing stumps and yard grading within 100 feet of Lake Winnecunnet. Kim Gravel was present at the public hearing. Julian Kadish made a motion, seconded by Leonard Silvia, to close the public hearing. Approved. Julian Kadish made a motion, seconded by Leonard Silvia, to accept the Order of Conditions as written.



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The members reviewed a Notice of Intent – **Zack Pike et ux – parcel 12 (assessors map 12) 115 Burt Street** – for proposed plans to construct a 32' x 32' addition and sanitary system within 100 ft. of a bordering vegetated wetland. The applicant, Zack Pike was present at the public hearing along with his engineer, John F. Vance, Jr. Leonard Silvia made a motion, seconded by Julian Kadish, to close the public hearing. Approved. Julian Kadish made a motion, seconded by Leonard Silvia, to accept the Order of Conditions as written. Approved.

The members reviewed a Request for a Determination of Applicability – **DET. #713 - Harry Minassian – parcel 516 (assessors map 3) & parcel 38 (assessors map 9) – 39 Lantern Lane** – for proposed plans to construct a 21' x 45' deck within 100 feet of Norton Reservoir. Gail Minassian and Harry Minassian were present at the public hearing. Julian Kadish made a motion, seconded by Leonard, to close the public hearing. 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 members reviewed a Modification to Plans for **File #250-398 – Leggat McCall Retirement Properties – lot 271 (assessors map 9) Smith Street**. Mr. Tom French, Project Manager for Daylor Consulting Group presented revised plans that had already been presented before the Fire Chief and Planning Board. Suzanne Erikson, who was representing Frances Shirley, President of The Land Preservation Society of Norton, stated to the Board that after appealing the original decision by the State that Great Brook was an intermittent stream, the state ruled that Great Brook was a perennial stream and would fall under the Rivers Act. Jennifer Carlino stated that the Environmental Impact Report (EIR) for this project was originally for retail development planned for this site and that the slope's aerial extent of the project were significantly altered. The Board decided that through telephone discussions with the applicants & Attorney Souza, the project could proceed as proposed, regardless of environmental concerns raised by the Director. D. J. MacKinnon of Atlantic Development stated that MEPA did not require the applicant to submit a new EIR. Mr. MacKinnon further stated that no building would be within 200 feet of Great Brook, but all of the drainage work would be done within the 200 foot buffer zone of Great Brook. Suzanne Erikson suggested that alternative areas be considered for the drainage, or that a new filing might be necessary for this project rather than just an amendment. Julian Kadish made a motion, seconded by Leonard Silvia, to close the public hearing. Approved.

The members reviewed a Notice of Intent – **Norton Realty Trust I & Fidelity Joint Ventures, Inc. – parcels 507 & 510 (assessors map 10) North Washington Street (continued from the 4/10/00 mtg.)** – for proposed plans for conversion of an abandoned gravel pit into cranberry bogs, including gravel excavation, grading and creation of a reservoir and tailwater pond within the 100 foot buffer zone of a bordering vegetated wetland. Patrick Corcoran read a letter from Coler & Colantonio dated April 18, 2000 requesting a continuation of this project until Tuesday, May 9, 2000 at 7:40 pm. The continuance was requested to allow a ground water study of the property. Leonard Silvia made a motion, seconded by Julian Kadish to continue the project until Tuesday, May 9, 2000 at 7:40 pm. Approved.

**Conservation Restriction #7 – Northeast Golf Properties, Inc.** The members re-signed the Conservation Restriction due to the fact that the original signed copy could not be located.

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Leonard Silvia made a motion, seconded by Julian Kadish, to adjourn the meeting at 9:27 pm.  
Approved.

Respectfully Submitted,

A handwritten signature in cursive script that reads "Jennifer Carlino".

Jennifer Carlino  
Conservation Director

JC/pmb