



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

RECEIVED
2000 DEC -1 AM 10:50
NORTON TOWN CLERK

Monday, May 22, 2000
7:30 pm

Attendance

Patrick Corcoran (Chairman), Leonard Silvia ,
Bob Medeiros, Julian Kadish, Dana Rappaneau,
Ed Breault, and Jennifer Carlino, Director

Jeff Houde (Vice-Chairman) was absent.

Minutes

The members reviewed the draft minutes of **February 14, 2000**. Dana Rappaneau made a motion, seconded by Ed Breault, to accept the minutes as written. Approved.

The members reviewed the draft minutes of **March 13, 2000**. Dana Rappaneau made a motion, seconded by Leonard Silvia, to accept the minutes as written. Approved.

A motion was made by Julian Kadish, seconded by Dana Rappaneau, to add the draft minutes of **March 27, 2000** to the agenda. Approved. Dana Rappaneau made a motion, seconded by Julian Kadish, to accept the minutes as written. Approved.

The members reviewed the Bills Payable Sheet. Dana Rappaneau made a motion, seconded by Ed Breault, to pay the bills. 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. The Director stated that the engineer for this project, Jack Vance, Jr. indicated to her that he would like to continue this project to a later date in order to conduct the spotted turtle survey. Dana Rappaneau made a motion, seconded by Ed Breault, to continue the public hearing until Monday, June 12, 2000 at 7:40 pm. Approved.

The members reviewed a Notice of Intent – **John Scott Boulevard, LLC – File #250-454 - parcel A, parcel (portion of) 196 (assessors map 31) and Lot 1, parcel 126 (assessors map 32) – Myra's Way– (continued from the May 9, 2000 mtg.)** for proposed plans to construct a driveway, single family house and septic system within the 100 foot buffer zone of a bordering vegetated wetland. Approximately 4,320 sq. ft. will be filled and 5,014 sq. ft. will be replicated. Fred Bottomley was present at the public hearing. Patrick Corcoran read a letter, dated May 18, 2000, received from the Natural Heritage and Endangered Species Program (NHESP) stating that a rare species, the spotted turtle, has been found on this property and that this project would adversely affect the habitat of the spotted turtle. NHESP required Mr. Bottomley to conduct a spotted turtle survey before they could grant approval of the project. Much discussion ensued regarding spotted turtles. Julian Kadish noted a wetland crossing at the front of the property and Mr. Bottomley stated that this was the only wetland crossing on the property to allow access to uplands. Mr. Bottomley explained that he had investigated

Norton Conservation Commission

Monday, May 22, 2000

Minutes, page 2.

other entrances to the property but they are not feasible. Mr. Bottomley further stated that he had complied to an enforcement order for the roadwork and drainage on this property. After further discussion regarding spotted turtles, Dana Rappaneau made a motion, seconded by Bob Medeiros, to continue the public hearing until Monday, June 26, 2000 at 7:40 pm. Approved.

The members reviewed a Request for a Determination of Applicability – **File DET. #716 - Patricia Cotterill – parcel 102 (assessors map 3) 21 Hickory Road** – for proposed plans to fill and re-grade the side yard and rear yard and to install a fence within 100 feet of wetlands. Patricia Cotterill represented herself at the public hearing. Jennifer explained that she and Patricia had been to the site together and presented Patricia with options for a fence and vegetative plantings. Patricia chose the option on the current plan. After a discussion on where the fence was going to be placed on the property, Bob Medeiros made a motion, seconded by Leonard Silvia, to close the public hearing. Approved. Bob Medeiros made a motion, seconded by Leonard Silvia, to issue a negative Determination of Applicability. Approved.

The members reviewed a Request for a Determination of Applicability – **File DET. #715 – Mammoth Acquisition Company, LLC – parcel 126 (assessors map 16) & parcels 35 & 35-1 (assessors map 23) (rear) 33 West Main Street** – for proposed plans to clean and repair an existing drainage system within 100 feet of wetlands. Brian Murphy of VHB Engineering represented the applicant at the public hearing and explained to the Commission members that the existing drainage system has collapsed and must be repaired to handle stormwater from the new CVS store. An Operations and Maintenance Plan has been submitted. The Director inspected the site with Mr. Murphy and had no comments. Bob Medeiros made a motion, seconded by Dana Rappaneau, to close the public hearing. Approved. Bob Medeiros made a motion, seconded by Ed Breault, to issue a negative Determination of Applicability as long as the work was done according to the submitted plans. Approved.

The members reviewed a Modification to Plans for **File #250-385 – “Lester Gray Estates” – John G. Walsh and Boro Sand & Stone Corp. – lot 139 (assessors map 17) east side of Pine Street**. Chris Yarworth of Yarworth Engineering represented the applicant at the public hearing. The subdivision has been reduced to three lots rather than five due to a settlement with the Planning Board. A culvert will also be added to the area of Bordering Land Subject to Flooding that will be filled for the road. Dana Rappaneau made a motion, seconded by Ed Breault, to close the public hearing. Approved. Dana Rappaneau made a motion, seconded by Ed Breault, to accept the modifications as submitted. Approved.

The Director presented the members with the Purchase and Sales and the Acceptance of the Deed for Johnson Acres. Patrick Corcoran asked if the Commission had already voted to sign these documents and Jennifer Carlino replied that they had.

The Director stated that she was working on an Urban Self-Help grant for the Subon property on East Main Street. Discussion ensued regarding the progress of the grant.

Discussion - Flatley Company violation and Enforcement Order. Discussion ensued regarding the compliance to the Enforcement Order. The Director stated that nothing has been done to date. Julian Kadish made a motion, seconded by Dana Rappaneau, to have Jennifer Carlino send a letter to the Flatley Company with a copy also sent to the Army Corp of Engineers requesting that a time table be submitted to the Conservation Office verifying the schedule of remedial action to the Enforcement Order. Approved.

Norton Conservation Commission

Monday, May 22, 2000

Minutes, page 3.

The Director mentioned that Frances Shirley was looking for someone that might be interested in installing the sign for Johnson Acres, but unfortunately none of the members could assist with the installation.

Jennifer Carlino noted that there would be a meeting on Thursday, May 25, 2000 at 7:00 pm in regards to the Biodiversity Days (June 9th – June 11th). Locations and times for site walks to identify wildlife and plant species would be designated at this meeting.

Jennifer Carlino stated that the Pesticide Board would like a letter from the Norton Conservation Commission in support of a grant that they are writing for a public outreach campaign for the Canoe River. It was the consensus of the Commission to have a letter of support sent.

Bob Medeiros made a motion, seconded by Dana Rappaneau, to adjourn the public hearing at 8:19 pm. Approved.

Respectfully Submitted,

A handwritten signature in dark ink, appearing to read "Jennifer Carlino", written in a cursive style.

Jennifer Carlino
Conservation Director

JC/pmb