



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

Tuesday, June 27, 2000  
7:30 pm

Attendance

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

Ed Breault, Julian Kadish, Dana Rappaneau were absent.

Minutes

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

The members reviewed 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 & May 22, 2000 mtgs.)** – for fill of 2,160 sq. ft. of wetlands for a proposed driveway from Dean Street and replication. John F. Vance, Jr., Engineer, was present at the public hearing and stated that he had met with Brian Butler, Oxbow Associates, at the site and went in through East Hodges Street, favored by The Natural Heritage and Endangered Species Program (NHESP) and the state to be the access route onto the lot. He also stated that Mr. Butler did see three spotted turtles in the pool at Dean Street. Mr. Vance stated that he thought the turtles could travel along the existing brook to go from one side of the parcel to the other. He further stated that Mr. Butler was recommending that a bridge be built rather than a culvert in order to allow the turtles to travel from one side to the other. If a bridge were to be built, the location would be changed as the area where the culvert was to be placed was a little steeper. Mr. Butler wanted the brook to be left alone in its natural state. Mr. Vance stated that a bridge would be much more expensive for Mr. Hoyle to build than a culvert, but Mr. Butler claimed that NHESP would prefer this method. Jennifer Carlino mentioned that NHESP has not received anything as yet regarding this issue. Mr. Vance had not sent the information to them and asked the Director if she or he would be notifying them. The Director told Mr. Vance that it was his responsibility to notify NHESP and the state. An abutter, Debra Demers, also received a copy of Mr. Butler's letter and had put a call into her surveyor and has not heard back from them as yet. Bob Medeiros made a motion, seconded by Patrick Corcoran to continue the public hearing until the July 24, 2000 meeting. Approved.

The members reviewed 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 & May 22, 2000 mtgs.)** 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. He presented the board with a Habitat Evaluation prepared by Jerome B. Carr, Ph. D of Carr Research Laboratory, Inc. and stated that he had mailed a copy to The Natural Heritage and Endangered Species Program (NHESP). Mr. Bottomley requested a continuance of this public hearing until a response was received from Pat Huckery of NHESP. Bob

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Medeiros made a motion, seconded by Leonard Silvia, to continue the public hearing until the July 24, 2000 meeting at 7:50 pm. Approved.

The members reviewed a Notice of Intent – **(#250-455) John Scott Boulevard, LLC – Lot X, parcel 140 (assessors map 36), Lot Y, parcel 133 (assessors map 32) & Lot Z, parcel 111 (assessors map 36), 3, 5 & 7 Gilbert's Way** – for proposed plans to construct driveways within 100 ft. of a buffer zone bordering vegetated wetlands. Fred Bottomley was present at the public hearing and stated that instead of creating a road on part of East Hodges Estates subdivision, 5 large single-family house lots were created with portions of the driveways for lots X, Y & Z being within the buffer zone of a wetland. The Director stated that one condition would be to re-vegetate the slope at the edges of the vernal pools at lots Y-A and Lot Y. Mr. Bottomley agreed that this would be done. Bob Medeiros made a motion, seconded by Leonard Silvia, to close the public hearing. Approved. Bob Medeiros made a motion, to accept the conditions as written and to sign the Order of Conditions. Approved. The Director noted that some plans referred to lot Y and some plans referred to lot Y-A. Mr. Bottomley stated that his Engineer would correct any mistakes on the approved plans.

The members reviewed Notice of Intent – **John Scott Boulevard, LLC – parcel 44 (assessors map 36) 11 Gilbert's Way** – for proposed plans to construct a single family house, septic tank, leach field, associated front/side grading with a limited project crossing of 579 sq. ft. of wetlands with a 1:1 replication for a driveway and utilities. Bob Medeiros made a motion, seconded by Leonard Silvia, to waive the reading of the legal notice. Approved. Fred Bottomley was present at the public hearing. Bob Medeiros asked Mr. Bottomley if he intended on using re-enforced concrete and he replied that his Engineer, Chris Yarworth, had suggested this. Bob Medeiros made a motion, seconded by Leonard Silvia, to amend the submitted plans to reflect the use of plastic pipe instead of re-enforced concrete. Approved. Jennifer Carlino asked if there were any elevations for the replication areas. Mr. Bottomley suggested that his Engineer was probably going to be laying just one grade. Discussion ensued regarding replication and elevations. 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 accept the conditions as written and to sign the Order of Conditions. Approved.

The members reviewed a Request for a Determination of Applicability – **(DET. #717) John Scott Boulevard LLC – Lot W, parcel 141 (assessors map 36) 9 Gilbert's Way** – for proposed construction of a portion of a rear yard for a single family house within the 100' buffer zone of a bordering vegetated wetland, and associated grading. Bob Medeiros made a motion, seconded by Leonard Silvia, to waive the reading of the legal notice. Approved. Fred Bottomley was present at the public hearing. The Director stated that she did not have any questions for the applicant for this project. 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 as long as the work was done according to the submitted plans. Approved.

The members reviewed a Request for a Determination of Applicability – **Thomas J. Flatley – lot 1 (assessors map 25) South Washington Street** – for verification of the wetland boundaries. Bob Medeiros made a motion, seconded by Leonard Silvia, to waive the reading of the legal notice. Approved. Joe McFarland of the Flatley Company was present at the public hearing along with Wayne Tavares of Tavares Land Design. He stated that he had corrected the replication violation and that the



Director had inspected the wetland boundary in this area. Jennifer Carlino advised Mr. McFarland to send a copy of the plans and revision letters to Michelle Abbott of the Army Corp of Engineers. Mr. McFarland agreed to send her this information. 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 positive Determination of Applicability. Approved.

The members reviewed a request for a partial Certificate of Compliance for **DET. #622 - O'Brien & Meeks Construction Co., Inc. for bldrs. lot 6, parcel 119 (assessors map 15) 10 Country Club Way**. The members asked the Director if this parcel was ready for a full Certificate of Compliance and she stated that it was. Bob Medeiros made a motion, seconded by Leonard Silvia, to issue a full Certificate of Compliance. Approved.

The members reviewed a request for a partial Certificate of Compliance for file **#250-441 - O'Brien & Meeks Construction Co., Inc. for bldrs. lot 13, parcel 121 (assessors map 15) 24 Country Club Way**. Bob Medeiros made a motion, seconded by Leonard Silvia, to issue a partial Certificate of Compliance with the condition that the applicant post a \$500.00 bond with the Town Treasurer to ensure final vegetative stabilization of exposed soils at 24 Country Club Way. Approved.

The members reviewed a request for a partial Certificate of Compliance filed for **DET. #569 - Welch Building Corp., c/o Steven M. Rines, Esq. - for bldrs. lot 5, parcel 331 (assessors map 4) 10 Keith Drive**. Jennifer Carlino stated that this parcel was ready for a full Certificate of Compliance. Bob Medeiros made a motion, seconded by Leonard Silvia, to issue a full Certificate of Compliance. Approved.

The Director stated that part of the grant for Johnson Acres was to do a Management Plan and part of the Management Plan was, that if a large number of people were going to Johnson Acres at the same time, to let the Director know ahead of time in order that she may notify the neighbors. Bob Medeiros made a motion, seconded by Leonard Silvia, to notify neighbors to Johnson Acres prior large numbers of people entering onto the property. Approved.

The Director noted that two parcels of property were offered to the Conservation Commission. The first is **parcel 184 (assessors map 26) off of Maple Street**. Bob Medeiros asked Jennifer Carlino if either of these two parcels would benefit the Conservation Commission. She stated that neither of the parcels connected to any other Conservation property. Bob Medeiros made a motion, seconded by Leonard Silvia, not to accept **parcel 184 (assessors map 26) off of Maple Street**. The second is **parcel 260/260-5 (assessors map 26) on Decal Drive (Rt. 123)**. Bob Medeiros made a motion, seconded by Leonard Silvia, not to accept **parcel 260/260-5 (assessors map 26) on Decal Drive (Rt. 123)**. Approved.

The Director stated that the Pesticide Board had requested a letter of recommendation for a grant for a public Outreach project. She presented the board with a draft letter. It was the consensus of the Commission that the letter was ok to send.

Jennifer Carlino stated that Marcia Starkey called from The Department of Agriculture regarding the Stewardship Plan for the Barrows Street Agriculture Preservation Restriction to replicate the Jackson Nursery land. Ms. Starkey requests a letter describing how the Conservation Commission intends on

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implementing the Stewardship Plan. Jennifer Carlino passed out copies of the draft letter to Ms. Starkey.

Bob Medeiros made a motion, seconded by Leonard Silvia, to adjourn the meeting at 8:33 pm. Approved.

Respectfully Submitted,

A handwritten signature in dark ink, appearing to read "Jennifer Carlino". The signature is fluid and cursive, with the first name "Jennifer" written in a larger, more prominent script than the last name "Carlino".

Jennifer Carlino  
Conservation Director

JC/pmb