



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

RECEIVED  
2001 MAY 18 AM 8:56  
NORTON TOWN CLERK

Monday, February 12, 2001  
7:30 pm

### Attendance

Jeff Houde (Chairman), Patrick Corcoran, Julian Kadish,  
Dana Rappaneau, Ed Breault, Jennifer Carlino, Director

Bob Medeiros (Vice-Chairman) and Leonard Silvia and were absent.

### Minutes

The members reviewed the draft minutes of **April 25, 2000**. Patrick Corcoran made a motion, seconded by Ed Breault, to table the minutes until the next regular meeting on Monday, February 26, 2001. Approved.

The members reviewed the draft minutes of **June 27, 2000**. Patrick Corcoran made a motion, seconded by Ed Breault, to table the minutes until the next regular meeting on Monday, February 26, 2001. Approved.

The members reviewed the draft minutes of **August 14, 2000**. Patrick Corcoran made a motion, seconded by Ed Breault, to table the minutes until the next regular meeting on Monday, February 26, 2001. Approved.

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

The members reviewed a Notice of Intent – **(File #250- ) - Town of Norton – Norton Reservoir and Chartley Pond (con't. from the December 11, 2000, January 8, 2001 & January 22, 2001 meetings)** – for proposed plans to conduct soil borings at Chartley Pond and Norton Reservoir for the Hydrologic and Hydraulic Studies and to obtain permits for the dredging project. The Director suggested that this Notice of Intent be withdrawn until the contract for the permitting process has been awarded to Baystate Environmental Consultants, Inc. by the Selectmen. She suggested to have the soil borings be added into their permit and combine the two. Patrick Corcoran made a motion, seconded by Ed Breault, to withdraw this Notice of Intent and have the soil borings combined with Baystate Environmental, Inc.'s other permits. Approved.

The members reviewed a Notice of Intent – **L & M Custom Builders/Brian Mulligan – (#250-471) parcel 5 (assessors map 1 – Newland Street (con't. from the January 8, 2001 & January 22, 2001 meetings)** – for proposed plans to install a stormwater management system for a 9-lot subdivision. Treated stormwater is proposed to be discharged to an existing pond through parcels 8 & 9 of Assessor's Map 2, and then discharged to a wetland. The Director stated that Ralph Maloon could not be present at this time to represent the applicant and requested to have the public hearing later this

**Norton Conservation Commission**  
**Monday, February 12, 2001**  
**Minutes, page 2.**

evening or continued until the next regular meeting. Patrick Corcoran made a motion, seconded by Julian Kadish, to continue the public hearing until later or until the next meeting. Approved.

The members reviewed a Notice of Intent – **K.G.M. Custom Homes, Inc. – parcel 170 (assessors map 4) 8 Wetherell Way (con't. from the January 22, 2001 meeting)** – for proposed plans to construct an access driveway for a single family dwelling with associated septic system, private well site grading and landscaping, portions of which will occur within the 100 foot buffer zone of a bordering vegetated wetland and certified vernal pool. Jennifer Carlino stated that the applicant requested that the public hearing be continued until the meeting of Monday, February 26, 2001. Dana Rappaneau made a motion, seconded by Patrick Corcoran, to continue the public hearing until the next regular meeting on Monday, February 26, 2001 at 7:50 pm. Approved.

The members reviewed a Request for a Determination of Applicability – **(DET. #737) - Robert & Gloria Alves –Parcel 523 (assessors map 10) 29 Newcomb Street** – for proposed plans for septic repairs within 100 feet of wetlands and 200 feet of Tucker Brook. The Director stated that she had a revised plan and could not see any problems with this project. The system was in place before August, 1996 and is exempt from Riverfront Area regulations. The proposal will not alter a wetland area. Patrick Corcoran made a motion, seconded by Ed Breault, to close the public hearing. Approved. Patrick Corcoran made a motion, seconded by Julian Kadish, to issue a negative Determination of Applicability (#3) as long as the work is done according to the revised plans. Approved.

The members reviewed a Notice of Intent – **Worldwide Development Corp. – “Longwood Estates” (#250-472) Parcels 43, 44, 45 & 48 (assessors map 15) Oak Street** – for proposed construction of a 28 lot cluster, residential subdivision with a detention basin and point source discharge to a bordering vegetated wetland. Christopher Yarworth of Yarworth Engineering represented the applicant at the public hearing. He explained where the houses were going and what areas would be open space. He stated there would be 2 Form A lots off of Walker Street. He further explained that the rest of the lots were 40 sq. ft. lots but the frontage was cut down in order to put in the septic systems and wells in the correct areas. Approximately 50% of the area would be left as open space. He continued to state that most of the drainage would be directed toward the back of the properties to only one basin with the outlets raised about one half foot. This would be a wet basin and he noted that blueberry bushes would be planted. Julian Kadish asked if this Notice of Intent was for the roadwork and drainage only and Mr. Yarworth replied that it was and that new filings for the houselots would be filed later. An abutter, Mr. Polk of 138 Oak Street had concerns with drainage being close to his house and causing water problems. Mr. Yarworth assured him that the water would not be directed onto his property. Jennifer Carlino mentioned that she added the condition to the Order that would require the owner of the subdivision to give a copy of the Order of Conditions to each new homeowner. The Director asked that markers be placed showing where the restricted areas were so that homeowners would not be cutting or clearing vegetation on the restricted parcels. The applicant was in the audience and did not have a problem with that provision. Patrick Corcoran made a motion, seconded by Dana Rappaneau, to close the public hearing. Approved. Patrick Corcoran made a motion, seconded by Dana Rappaneau, to sign and issue the Order of Conditions as written. Ed Breault abstained from voting. Approved.



**Norton Conservation Commission**  
**Monday, February 12, 2001**  
**Minutes, page 3.**

The members reviewed a Notice of Intent – **Brian M. Clark & Elizabeth A. Brown – (#250-470) - parcel 90 (assessors map 28) 26 Margaret Drive** – for proposed construction of a garage addition to a single family house, a driveway and associated grading within the 100 foot buffer zone of a bordering vegetated wetland. Christopher Yarworth of Yarworth Engineering represented the applicant at the public hearing and pointed out where the wetlands and small pond were. The members asked the Director if she had any comments or problems with this project. She replied that the wetland boundary looked fine. She also stated that she had inspected this property last summer and thought that the small pond did have the potential to be a vernal pool so she put a condition in the Order of Conditions to have the hay bales staggered in order to allow the amphibians to migrate. She also put in a reminder that the area in the back of the property is a deeded restricted area. Patrick Corcoran made a motion, seconded by Julian Kadish, to close the public hearing. Approved. Patrick Corcoran made a motion, seconded by Julian Kadish to sign and issue the Order of Conditions. Approved.

**Tom Godfrey – Modification to Plans for File #250-398 (amended) – Leggat McCall Retirement Properties – lot 271 (assessors map 9) Smith Street.**

Tom Godfrey of Atlantic Development and Dave Estrich were at the public hearing. He stated that the independent living building would be eliminated which is located on lot 2 and replace it with 35 cottages. He further stated that all the primary erosion control measures were in place. The limit of work would remain the same. Jeff Houde stated that the Planning Board had requested that Walter Amory, Engineer, check the drainage calculations to assure that they have remained the same and he requested that a copy of Mr. Amory's report be given to the Conservation Commission. It was the consensus of the Commission to continue the modification approval until the next regular meeting of Monday, February 26, 2001.

**Dorothy Freeman – Discussion – Community Preservation Act**

Dorothy Freeman was present to briefly explain the Community Preservation Act to the board. She stated the CPA had been voted at the Spring 2000 Town Meeting for a transfer tax but Governor Cellucci did not sign this bill. She stated she would be going to the Spring 2001 Town Meeting to propose the property tax.

**Mark Nogueira - Modification to Plans for File #250-445 – The Park at Great Woods Corp./David Caron – Route 140, Mansfield Avenue.**

Mark Nogueira and David Pickart of Vanasse-Hangen & Brustlin were present at the public hearing. The modification is a minor modification to the 8<sup>th</sup> hole which involves wetland alteration of 4,600 sq. ft. Dana Rappaneau made a motion, seconded by Patrick Corcoran, to accept the modification to the plans for for File #250-445 with no added conditions. Approved.

Jennifer Carlino stated that she met with an official of the Office of Dam Safety and Pare Engineering a couple of months ago. The official from the Office of Dam Safety did not think that the stability analysis for the Chartley Pond would be necessary because it is a road and the road is not going to move and would not be touched by this project. He then suggested that the Commission ask Pare

**Norton Conservation Commission**  
**Monday, February 12, 2001**  
**Minutes, page 4.**

Engineering to do additional work on the Norton Reservoir dam, such as overseeing the clearing of the trees along the embankment of the dam to make sure it remains stable or to have them actually do the clearing. It was the consensus of the Commission not have the stability analysis done but to still have the hydrology analysis of the dam completed. The Director would be sending a letter stating this to Pare Engineering and ask for a revision to the contract.

Jennifer Carlino gave the Purchase and Sales Agreement for the Subon property to the members to sign.

Jeff Houde announced that the Zoning Board of Appeals would be meeting at the Norton Public Library on Tuesday, February 13, 2001 regarding the Woodland Green/Poquoy comprehensive permit for the project on Maple Street. If the Conservation Commission has any comments, they would have to be submitted by February 12, 2001 (today). Jennifer Carlino stated that she had sent a letter to the Zoning Board of Appeals as requested by the Commission at a previous meeting. The letter reviewed the concerns written in two letters given to the Conservation Commission by abutters to this project.

Patrick Corcoran made a motion, seconded by Dana Rappaneau, to adjourn the meeting at 8:53 pm. Approved.

Respectfully Submitted,



Jennifer Carlino  
Conservation Director

JC/pmb