



**CONSERVATION COMMISSION**  
**70 EAST MAIN STREET**  
**NORTON, MASSACHUSETTS 02766-2320**  
(508) 285-0275  
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NORTON TOWN CLERK

Monday, April 23, 2001  
7:30 pm

**Attendance**

Jeff Houde (Chairman), Dana Rappaneau,  
Ed Breault, Julian Kadish, Leonard Silvia  
Jennifer Carlino, Director

Bob Medeiros (Vice-Chairman) was absent.

**Minutes**

The members reviewed the draft minutes of **April 25, 2000**. Dana Rappaneau made a motion, seconded by Leonard Silvia, to continue the minutes until the next regular meeting of Monday, May 14, 2001. Approved.

The members reviewed the draft minutes of **June 27, 2000**. Dana Rappaneau made a motion, seconded by Leonard Silvia, to continue the minutes until the next regular meeting of Monday, May 14, 2001. Approved.

The members reviewed the draft minutes of **August 14, 2000**. Dana Rappaneau made a motion, seconded by Leonard Silvia, to continue the minutes until the next regular meeting of Monday, May 14, 2001. Approved.

The members reviewed the draft minutes of **September 11, 2000**. Dana Rappaneau made a motion, seconded by Leonard Silvia, to continue the minutes until the next regular meeting of Monday, May 14, 2001. Approved.

The members reviewed the draft minutes of **October 23, 2000**. Dana Rappaneau made a motion, seconded by Leonard Silvia, to continue the minutes until the next regular meeting of Monday, May 14, 2001. Approved.

The members reviewed the draft minutes of **November 13, 2000**. Dana Rappaneau made a motion, seconded by Leonard Silvia, to continue the minutes until the next regular meeting of Monday, May 14, 2001. Approved.

The members reviewed the draft minutes of **November 27, 2000**. Dana Rappaneau made a motion, seconded by Leonard Silvia, to continue the minutes until the next regular meeting of Monday, May 14, 2001. Approved.

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The members reviewed the draft minutes of **January 8, 2001**. Dana Rappaneau made a motion, seconded by Leonard Silvia, to continue the minutes until the next regular meeting of Monday, May 14, 2001. Approved.

The members reviewed the draft minutes of **January 22, 2001**. Dana Rappaneau made a motion, seconded by Leonard Silvia, to continue the minutes until the next regular meeting of Monday, May 14, 2001. Approved.

The members reviewed the draft minutes of **February 12, 2001**. Dana Rappaneau made a motion, seconded by Leonard Silvia, to continue the minutes until the next regular meeting of Monday, May 14, 2001. Approved.

The members reviewed the draft minutes of **February 26, 2001**. Dana Rappaneau made a motion, seconded by Leonard Silvia, to continue the minutes until the next regular meeting of Monday, May 14, 2001. Approved.

The members reviewed the draft minutes of **March 12, 2001**. Dana Rappaneau made a motion, seconded by Leonard Silvia, to continue the minutes until the next regular meeting of Monday, May 14, 2001. Approved.

The members reviewed the Bills Payable Sheet. Dana Rappaneau made a motion, seconded by Julian Kadish, to pay the bills. 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, February 12, 2001, February 26, 2001, March 12, 2001, March 26, 2001 & April 9, 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 she had called the Natural Heritage and Endangered Species Program and had not heard back from them as yet. She further stated that Ralph Maloon, engineer for this project, had sent photos and a new plan. A letter requesting a continuance of this project was received by the applicant. Dana Rappaneau, made a motion, seconded by Julian Kadish, to continue the public hearing until the next regular meeting of Monday, May 14, 2001 at 7:40 pm. Approved.**

The members reviewed a Notice of Intent - Notice of Intent – **(#250-475) - Dan Andrade Construction Co., Inc. – parcel 162-11 (assessors map 4) 8 Bryson Drive – (con't. from the March 26, 2001 & April 9, 2001 mtgs. ) - for proposed plans to construct an 18' x 14' addition to the rear of an existing dwelling within the 100 ft. buffer zone of a bordering vegetated wetland. Richard Madsen of Arthur F. Borden & Associates, Inc. represented the applicant at the public hearing. The members asked Mr. Madsen if the applicant would be using existing footings and he replied that he would be. Julian Kadish made a motion, seconded by Dana Rappaneau, to close the public hearing. Approved. Julian Kadish made a motion, seconded by Leonard Silvia, to accept the Order of Conditions as written. Approved.**

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The members reviewed a Notice of Intent – (#250-477) - **Barry P. & Kimberly Aranjo – Parcel 46-14 (assessors map 15) 6 Taylor Court – (con't. from the March 26, 2001 & April 9, 2001 mtgs.)** - for proposed plans to construct a single-family dwelling, septic system, well and driveway within the 100-foot buffer zone of a bordering vegetated wetland. The Director stated that she had re-inspected the project and that the boundary was changed as she had requested. She further stated that she had not received any information on two specific areas such as the soil and vegetation documentation as requested by her in a letter to the engineer for this project. Barry Aranjo was present at the public hearing and submitted revised plans for one of the areas but not the other. Dana Rappaneau made a motion, seconded by Julian Kadish, to continue the public hearing until the next regular meeting of Monday, May 14, 2001 at 7:45 pm in order to receive the requested information. Approved.

The members reviewed a Request for a Determination of Applicability – (**DET. #740**) - **Tricia DaSilva – Parcel 60-03 (assessors map 28) 183 Taunton Avenue – (con't. from the April 9, 2001 mtg.)** - for proposed plans to construct a garage on an existing foundation within the 100-foot buffer zone of a bordering vegetated wetland and 200 feet of Wading River. Tricia DaSilva was present at the public hearing. The foundation was installed at the time of house construction but never built. Construction of the garage will not cause any additional clearing or regrading. Julian Kadish made a motion, seconded by Dana Rappaneau, to close the public hearing. Approved. Julian Kadish made a motion, seconded by Leonard Silvia, to issue a negative (#2) Determination of Applicability as long as the work is done according to the submitted plans. Approved.

The members reviewed a Request for a Determination of Applicability – (**DET. #741**) – **Chester Ashley – Parcel 32 (assessors map 27) 35 Power Street – (con't. from the April 9, 2001 mtg.)** - for proposed plans to install a sanitary disposal system, within the 100 foot buffer zone of a bordering vegetated wetland. John F. Vance, Jr. represented the applicant at the public hearing. The Director stated that even though this project is within 200 feet of a river, it is exempt from the riverfront act because it is a repair to a system rather than a new system and a Notice of Intent filing would not be necessary. Julian Kadish made a motion, seconded by Dana Rappaneau, to close the public hearing. Approved. Julian Kadish made a motion, seconded by Dana Rappaneau to issue a negative (#2) Determination of Applicability as long as the work is done according to the submitted plans. Approved.

Notice of Intent – (**File #250-468**) - **Town of Norton/Water and Sewer Commissioners River Road, Bay Road, Maplewood Avenue, Charlotte Avenue, Samoset Road and King Phillip Road – (con't. from the November 13, 2000, December 11, 2000, January 8, 2001 & April 9, 2001 mtgs.)** - for proposed plans to install 12,930 linear feet of sewer line along River Road, Maplewood Avenue, Charlotte Avenue, Samoset Road, King Phillip Road and a portion of Bay Road and to construct a pump station on Bay Road within 100 feet of wetlands and the 200-foot Riverfront Area. Tim Sullivan of Earth Tech represented the applicant at the public hearing. He stated that there was a problem with the FEMA line that was depicted on the original submitted plans and submitted revised plans. He further stated that he had to redesign the pumphouse and locate an area for replication of the area that would be used to construct the pumphouse. He said that an area for the replication had been located on Maplewood Street and noted that no trees would have to be removed. It would be graded and planted

in a way that it would not look like a big hole. He said that the size of the pumphouse had changed but the facilities for pumping inside had not. He stated that the contractor is aware of an existing plaque on the property and will take caution not to damage it. Ed Breault noted that there might be an area between an existing fence around the pumphouse to re-locate the plaque and tree. 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 revised plans. Approved.

Presentation by the Envirothon – Nonpoint Source Pollution at the Canoe River.

Karen Silvi, of the Norton Middle School and coach for the Envirothon at the high school, introduced herself to the Commission members. She stated that Norton was in competition with approximately 60 towns. She submitted water testing reports that were compiled by the students since January. Several of the students gave a presentations of comparisons of the water quality of Canoe River in the 70's and in 2000.

Matt Bellisle of **Pare Engineering** presented the draft **H & H Studies** for the Norton Reservoir and Chartley Pond dams. Jennifer Carlino stated that they could not get the gatehouse open last week at the Reservoir. Members discussed options for repairing both dams, opting to repair rather than replace the whole mechanism.

The members reviewed a request for an Extension Permit filed by **The Flatley Company – File #250-90 – Norton Commerce Center**. It was the opinion of the Director that a new Notice of Intent be filed in order to complete the replication and restoration and complete the remaining roadwork. She stated that 3 out of 4 criteria was met in order not to extend the project. Rick Ellis said that he would submit revised plans with a description. Jennifer Carlino stated that she left a message with the Army Corp of Engineers.

The members reviewed a request for a partial Certificate of Compliance for **File #250-456 – John Scott Blvd., LLC for parcel 44 (map 36) 11 Gilbert's Way**. The Director inspected the lot. It has not been seeded and the replication area has not been started yet. Dana Rappaneau made a motion, seconded by Julian Kadish, to issue a partial Certificate of Compliance with the condition that the applicant post a \$1,500 bond with the Town Treasurer to ensure that replication will be done and to ensure the final stabilization of exposed soils on this parcel. Approved.

The members reviewed a request for a partial Certificate of Compliance for **File #250-460 – K.G.M. Custom Homes, Inc. for lot 3, parcel 170 (map 4) 7 Wetherell Way**. The Director inspected the property and it is almost complete. The yard has not been seeded yet. Dana Rappaneau made a motion, seconded by Julian Kadish, to issue the partial Certificate of Compliance with the condition that the applicant post a \$500 bond to ensure final vegetated stabilization of exposed soil on this parcel. Approved.

The members reviewed a Request for a Duplicate Certificate of Compliance for **File DET. #227 – Leonard Soncrant – bldrs. lot 14, parcel 260 (assessors map 27) 23 Fordham Drive**. The Director stated that an As-Built Plan for the Estates at Norton File #250-169 has not yet been received in order to issue a Certificate of Compliance for the subdivision. She stated that a Certificate of Compliance had already been issued for this lot and that this was just a request for a duplicate. Julian Kadish made a motion, seconded by Dana Rappaneau, to issue the duplicate Certificate of Compliance. Approved.

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**Other Business:**

Minor modification to the Order of Conditions for **File #250-469 – Wheaton College – Parcels 93 & 100 (assessors map 17) East Main Street – Conduit line. The Director stated that the modification would be along the existing trail. Julian Kadish made a motion, seconded by Dana Rappaneau, to accept the minor modification as submitted. Approved.**

Discussion – Comprehensive Water Resource Management Plan – Water Department. The Director stated that there would be an Article on the next Town Meeting warrant to obtain \$350,000 for this project. The plan includes a study for sewer options and the town's requirements for EPA Phase II.

Signing of the Conservation Restriction for The Park at Great Woods. Dana Rappaneau made a motion, seconded by Julian Kadish, to sign the Restriction. Approved.

Jennifer Carlino stated that she was asked to compile a list of contractors who had the proper equipment to handle an emergency situation or problem that might arise at either one of the dams in town. A few of the contractors mentioned were the Highway Department, Bob Medeiros, Jeff Houde, Marshall Martin, Bruce Hicks & Jim Prosser. Pare Engineering will include them in the Emergency Action Plan for the Reservoir and Chartley Pond.

Alan Fracalosi of the Hometown Shopper newspaper was present at the meeting and asked the Commission members if they would consider advertising the legal notices for upcoming projects in the Hometown Shopper instead of the Sun Chronicle. The consensus of the Commission was that the legal notices have been published in the Sun Chronicle for so many years and that they did not want to change this.

Jeff Houde noted that there would be an All Boards and Committees meeting on April 26, 2001 at 7:00 pm at the Norton Middle School cafeteria.

Dana Rappaneau made a motion, seconded by Ed Breault, to adjourn the meeting at 9:48 pm. Approved.

Respectfully Submitted,



Jennifer Carlino  
Conservation Director

JC/pmb.