



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

Norton Conservation Commission

Monday, December 12, 1994
7:30 pm

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Attendance

JAN 04 1995

Jeff Houde, Leonard Silvia, Mark Gaboury,
Edd Breault, Bob Medeiros, Julian Kadish

NORTON TOWN CLERK

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Minutes

AUG 14 1995

Members reviewed draft minutes from the Conservation Commission public meeting of November 28, 1994. Mark Gaboury made a motion, seconded by Bob Medeiros, to accept the minutes as presented. Approved.

Members reviewed the Bills Payable Sheet. Bob Medeiros made a motion, seconded by Leonard Silvia, to approve the payment of the bills. Approved.

Members reviewed a \$2100 bill from Baystate Environmental Consultants for professional services provided under contract to date for the Feeney adjudicatory hearing. Leonard Silvia made a motion, seconded by Bob Medeiros, to authorize the payment of the bill and to submit it to the Town Manager for payment from the legal fees account. Approved.

Members opened the Public Hearing for EJM Enterprises' proposed subdivision at Oak & Cottage Streets. The Conservation Director reported that the applicant had failed to provide adequate notice to abutters as required by changes to the Wetlands Protection Act regulations earlier this year. The Director recommended that the Hearing be continued so that the abutters could have appropriate notice. Bob Medeiros made a motion, seconded by Leonard Silvia, to continue the Public Hearing, with the applicant's permission, to Tuesday, December 27, 1994 at 8:00 pm. Approved.

Members reviewed a Request for a Determination of Applicability from Pilaster, Inc. to temporarily cross two wetland/stream areas on lot 28, Burt St. to perform percolation tests. The resource area will be crossed at the point of least alteration and will be restored before the applicant's representative leaves the site. The Conservation Director will be present while the crossing & restoration take place. Bob Medeiros made a motion, seconded by Edd Breault, to close the public review of this proposal. Julian Kadish made a motion, seconded by Leonard Silvia, to issue a negative Determination. Approved.

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Members reviewed a Request for a Determination of Applicability from K. Babanikas for a proposed garage and paved driveway at 113 Taunton Ave. The Conservation Director reported that a Cease & Desist had been issued to the applicant for installing the garage foundation without a permit and for placing fill within an intermittent stream behind the foundation. Leonard Silvia made a motion, seconded by Julian Kadish, to close the public review of this proposal. Approved. Bob Medeiros made a motion, seconded by Leonard Silvia, to issue a negative Determination with a condition that the fill be removed from the stream. Approved.

Members reviewed a request from P & A Construction for a partial Certificate of Compliance for lot 32, Angelina St. (#250-335). The Conservation Director reported that the soils have been successfully stabilized but since there are additional lots conditioned by this Order of Conditions only a partial Certificate of Compliance, acknowledging satisfactory completion of work at lot 32, can be issued at the time. The Conservation Director also reported that a \$500 bond had been posted by the applicant in the past for this lot. Mark Gaboury made a motion, seconded by Leonard Silvia, to issue said document and authorize the release of the bond. Approved.

The members reviewed a request from P & A Construction for a full Certificate of Compliance for lot 33, Angelina St. (Det. #208). The Conservation Director reported that the soils have been satisfactorily stabilized at the lot. Leonard Silvia made a motion, seconded by Edd Breault, to issue said document. Approved.

Members reviewed a request from P & A Construction for a partial Certificate of Compliance for lot 25, Danielle St. (#250-336). The Conservation Director reported that approximately 2000 sq. ft. of soils within the 100 ft. Buffer Zone need to be loamed and seeded. Bob Medeiros made a motion, seconded by Leonard Silvia, to issue a partial Certificate of Compliance if the applicant posts an \$1100 bond with the Norton Town Treasurer to ensure final vegetative stabilization of exposed soils within the 100 ft. Buffer Zone. Approved.

Members reviewed a request from P & A Construction for a full Certificate of Compliance for lot 91, Eileen Rd. (Det. #246). The Conservation Director reported that the soils have been satisfactorily stabilized at the lot. Leonard Silvia made a motion, seconded by Julian Kadish, to issue said document. Approved.

Members received a request from P & A Construction for a full Certificate of Compliance for lot 84, Eileen Rd. (Det. #290). The Conservation Director reported that the soils have been satisfactorily stabilized. Mark Gaboury made a motion, seconded by Edd

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Breault, to issue said document. approved.

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Members reviewed a request from P & A Construction for a partial Certificate of Compliance for lot 74, Garrett Drive (Det. #358). The Conservation Director reported that approximately 1000 sq. ft. of soils within the 100 ft. Buffer Zone need to be loamed and seeded and that the loam is adjacent to the lot. Leonard Silvia made a motion, seconded by Edd Breault, to issue a partial Certificate of Compliance if the applicant posts a \$500 bond with the Norton Town Treasurer to ensure final vegetative stabilization of exposed soils within the 100 ft. Buffer Zone. Approved.

Members reviewed a request from Paul Schulz for a change to the location of the proposed house on lot 1, W. Hodges St. (Det. #362). Bob Medeiros made a motion, seconded by Edd Breault, to approve the minor change. Approved.

Edd Breault reported that the Town's aquatic weed harvester has been removed from Lake Winnecunnet and has been covered.

Chairman Jeff Houde reported that he, Leonard Silvia and Kathy Romero met to review the proposals submitted for the regional Norton Reservoir watershed management workshops. Baystate Environmental Consultants was selected to be recommended to the Commission because of the quantity, quality and detail of work proposed in their plan of action. Mark Gaboury made a motion, seconded by Julian Kadish, to request that the Board of Selectmen award the project to Baystate. Approved. The Conservation Director noted that she will draft a contract for the work.

The Conservation Director reported that the judge has not yet issued a decision regarding the hearing for the appeal of the Enforcement Order for #250-346, Hawthorne Rd.

The Conservation Director reported that surveyor Otis Dyer, Jr.'s inspection of the conservation area on Samoset St. indicated that P. Reilly has taken the necessary steps to fully remove a stockade fence from the town-owned land and to stop using the land as part of his driveway. The inspection also indicated that J. Masse has removed a shed from the property and has moved a horse stable, but that the stable is still located mostly on the conservation land. The Conservation Director will send a letter to the Reillys to confirm compliance with the Commission's orders and will send a letter to the Masses requiring additional efforts at compliance.

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The Conservation Director reported that additional enforcement action may not be needed at lot 89, Eileen Rd. since the Conservation Director received a message that the required erosion control work had been completed. The Director will inspect the work.

The Conservation Director reported that Arline Cox and family submitted an asking price of \$550,000 for lot 487, No. Washington St. The members indicated that the price is cost-prohibitive but that they are still interested in purchasing the property. A letter outlining the Commission's response will be sent to each owner as well as a request for additional information as to how much land would be removed from the lot to remain with the house.

The Conservation Director distributed copies of the Annual Report for the Canoe River Aquifer Advisory Committee.

The Conservation Director reported that the Town Manager has requested \$500 from the Commission's expense account to purchase a new printer for use by another department. The Director noted that the funds are available in the budget and that the Conservation Department had received a new printer, computer and software at no cost to the Commission (from the Town Manager's account) earlier in the fiscal year. Julian Kadish made a motion, seconded by Leonard Silvia, to authorize the expenditure. Approved.

The Conservation Director reported that an approved Forestry Management Plan had been received for a project on Ray Passenti's property at Plain St. and Bay Rd.

Leonard Silvia made a motion, seconded by Edd Breault, to adjourn the meeting at 8:37 pm. Approved.

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