



CONSERVATION COMMISSION
70 EAST MAIN STREET
NORTON, MASSACHUSETTS 02766-2320
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RECEIVED

JUN 23 1998

NORTON TOWN CLERK

Monday, April 13, 1998
7:30 pm

Attendance

Jeff Houde (Chairman), Julian Kadish, Dana Rappaneau,
Patrick Corcoran, Carlos Fragata, Director

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

Minutes

The members reviewed the Bills Payable Sheet (misc.). Dana Rappaneau made a motion, seconded by Patrick Corcoran, to pay the bills. Approved.

The members reviewed the draft minutes of the regular meeting and the draft minutes of the Executive Session of March 9, 1998. Patrick Corcoran made a motion, seconded by Dana Rappaneau, to table the minutes until the April 28, 1998 meeting. Approved.

The members reviewed a Request for a Determination of Applicability – **David W. Smith and Stacy L. Smith – lot 7-04 (assessors map 35) 60 West Hodges Street** for proposed plans to add a two car attached garage, mud room and deck in the buffer zone of a wetland. Patrick Corcoran made a motion, seconded by Dana Rappaneau, to close the public meeting. Approved. Patrick Corcoran made a motion, seconded by Dana Rappaneau, to issue a negative Determination of Applicability with conditions. Approved.

The members reviewed a Request for a Determination of Applicability – **Mark and Robyn O'Connell – lot 46 (assessors map 17) 8 Miller Terrace** – for proposed plans to construct an 18' x 20' family room and moving of an existing septic tank 10-12 feet within the buffer zone of a wetland resource. Robyn O'Connell represented herself at the meeting. Dana Rappaneau made a motion, seconded by Julian Kadish, to close the public meeting. Approved. Julian Kadish made a motion, seconded by Patrick Corcoran, to issue a negative Determination of Applicability with conditions as long as erosion control specified by the Director is applied. Approved.

The members reviewed a Request for a Determination of Applicability – **John Dubuc – parcels 125 & 126 (assessors map 26) – 320 West Main Street** – to complete soil testing and to remove any contaminated soils within the buffer zone of a wetland. John Dubuc represented himself at the meeting. Dana Rappaneau made a motion, seconded by Patrick Corcoran, to close the public meeting. Approved. Julian Kadish made a motion, seconded by Dana Rappaneau, to issue a negative Determination of Applicability with conditions. Approved.

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The members reviewed a Request for a Determination of Applicability – **Guy & Laura Keene – part of lot 3 (new lot 1) (assessors map 33) – Eddy Street** for proposed construction of a single family dwelling, garage, sanitary disposal system, driveway, playground area and associated amenities within the 100 foot buffer zone of a wetland. Jack Vance represented the applicants. Julian Kadish made a motion, seconded by Dana Rappaneau, to close the public meeting. Approved. Dana Rappaneau made a motion, seconded by Julian Kadish, to issue a negative Determination of Applicability with conditions, including one that requires additional siltation barriers at the garage corner.

The members reviewed a request for a partial Certificate of Compliance filed by **Teddy Realty Trust – lot 19A, p. 175 (m. 17) 11 Talbot Drive (DET. #546)**. Julian Kadish made a motion, seconded by Patrick Corcoran, to issue the partial Certificate of Compliance with the condition that the applicant post a \$500 bond with the Norton Town Treasurer. Approved.

The members reviewed a request for a full Certificate of Compliance – **Lester Epstein, Jr., c/o Ron Webster – 65 King Philip Road (#250-159)**. Dana Rappaneau made a motion, seconded by Patrick Corcoran, to issue the Certificate of Compliance. Approved.

The members reviewed a request for a duplicate Certificate of Compliance – **DET. #116 – Anthony Defillippo – lot 2 Susan Circle** filed by Henry Sousa. Patrick Corcoran made a motion, seconded by Julian Kadish, to issue the duplicate Certificate of Compliance. Approved.

The members reviewed a request for a duplicate Certificate of Compliance – **#250-189 – Lester Epstein – 65 King Philip Road** filed by Ron Webster. Patrick Corcoran made a motion, seconded by Julian Kadish, to issue the duplicate Certificate of Compliance. Approved.

The members reviewed a request for an Extension Permit filed by **Wheaton College – Peacock Pond – lot 14 (m. 17) East Main Street (#250-286)**. Dana Rappaneau made a motion, seconded by Julian Kadish, to issue an Extension Permit for 2 years. Approved.

The members reviewed a request for an Extension Permit filed by **The Flatley Company – Norton Industrial Park – South Washington Street (#250-90)**. Dana Rappaneau made a motion, seconded by Julian Kadish, to issue an Extension Permit for 3 years. Approved.

Set conditions for #250-412 – Joseph P. DiFiore, Jr., Tr. of Key Realty Trust – lots 10, 10-01 & 195 (assessors map 35) East Hodges Street. Julian Kadish made a motion, seconded by Patrick Corcoran, to approve the Order of Conditions which include revised plans stamped by a Professional Engineer showing additional wetlands. Approved.

Signing of Conservation Restriction #23 – Stone Run Way Subdivision – off Plain Street (assessors map 12) parcel 55 – Ray Passenti. Dana Rappaneau made a motion, seconded by Patrick Corcoran, to sign the Conservation Restriction. Approved.

A letter from Paul Fogerty requesting a Jurisdictional Opinion was read into the record. It was the Commission's consensus to send a letter to Mr. Fogerty re: the ditch dug to drain the ponding area from the lot into the wetland replication area off Route 140, stating that the work is within the Commission's jurisdiction, but no permit is needed.

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Dana Rappaneau made a motion, seconded by Julian Kadish, to put Charles & Donna Carpinella on the agenda for a vote per a letter from Town Counsel. Approved. Julian Kadish made a motion, seconded by Dana Rappaneau, not to take action re: Charles & Donna Carpinella's Enforcement Order as long as the septic system is tied into the Town sewer system by July 31, 1998.

Land Donation – Althier Pino – Mansfield Avenue/Smith Street. Julian Kadish made a motion, seconded by Dana Rappaneau, to have a letter sent to the Town Manager stating that the land should be accepted without a title search because it is under water and liability issues are minimal. Approved.

Land Purchase – North Washington Street – portion of parcel 487 (assessors map 10). Dana Rappaneau made a motion, seconded by Patrick Corcoran, to sign the Purchase and Sales Agreement and to ask the appraisers to do appraisals only if the Purchase and Sales Agreement is signed by all the sellers by Thursday, April 16, 1998 at 4:30 pm. Approved.

The Director stated that the Finance Committee has scheduled a meeting to discuss the above land purchase on April 22, 1998 at 7:40 pm. The Director and Chairman have been asked to attend.

No Executive Session was entered into by the Conservation Commission for the above project.

The Director stated that he would be doing the Floodplain Workshop (sponsored by the Conservation Commission) on May 4, 1998 from 7 – 9 pm at the Norton Public Library.

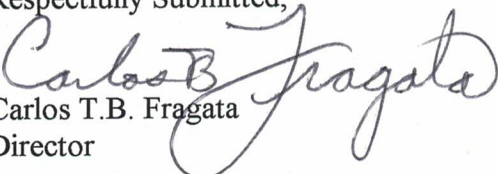
The Director stated that the Department of Environmental Management hadn't responded to phone inquiries made re: permits needed and assistance in reviewing the Chartley Pond Dam status. Discussion ensued.

The Director stated that he was waiting for a Department of Environmental Management (DEM) Dam report of the Norton Reservoir, based on a recent site inspection with DEM's consultant. Discussion ensued. The Director stated that the dam embankment needs to have trees removed from it (via cutting). The sink hole is probably not a sink hole and the small cracks may not be serious, according to the DEM consultant.

The Director stated that he received and investigated a complaint re: Manuel Teixeira's cow farm on Elm Street. Discussion ensued and it was the consensus of the Commission to investigate possible solutions to correct the erosion problems, etc.

Dana Rappaneau made a motion, seconded by Patrick Corcoran, to adjourn the meeting at 8:55 pm. Approved.

Respectfully Submitted,


Carlos T.B. Fragata
Director

CF/pmb