



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

OCT 14 1998

NORTON TOWN CLERK

Monday, September 14, 1998
7:30 pm

Attendance

Jeff Houde (Chairman), Ed Breault (Vice-Chairman)
Julian Kadish, Leonard Silvia, Patrick Corcoran,
Bob Medeiros, Dana Rappaneau (arrived during the meeting)
Carlos Fragata, Director

Minutes

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

The members reviewed the Bills Payable Sheet (Baystate Environmental Consultants, Inc. Invoice #14 for the Norton Reservoir Dredging Project). Julian Kadish made a motion, seconded by Ed Breault, to pay the bill. Approved.

The members reviewed the minutes of August 10, 1998. Patrick Corcoran made a motion, seconded by Bob Medeiros, to accept the minutes as written. Ed Breault and Jeff Houde abstained from voting. Approved.

The members reviewed the minutes of August 24, 1998. Ed Breault made a motion, seconded by Bob Medeiros, to table the minutes until the September 28, 1998 meeting. Approved.

The members reviewed a Notice of Intent - **Poquoy Development Corp. - Parcel 31 (assessors map 30) Maple Street** - for proposed plans for construction of stormwater facilities, for a 20 single family house lot subdivision within the descretionary 100 foot buffer zone of a bordering vegetated wetland and site grading for a shared septic system within an isolated land subject to flooding. Phil McNulty represented the applicant, and stated that silt barriers would be installed upland of the two Isolated Wetlands and two other wetlands. A composite plan was submitted. Phil Rafini asked where the stormwater flow would go. Phil McNulty stated that it flowed across Maple Street. Bill Jenkins, owner of Poquoy Development Corp., explained that less water would be leaving the site than presently does. He also added that the definitive plan would be before the Planning Board next week. Jeff Houde made a motion, seconded by Julian Kadish, to continue the public hearing until the October 26, 1998 meeting at 8:00 pm. Approved.

The members reviewed a Request for a Determination of Applicability - **David Harju et ux - lot 19 (assessors map 19) 58 Charlotte Avenue** - for proposed plans to repair a sanitary disposal system within the buffer zone of a wetland. Jack Vance represented the applicant. Jeff Houde made a motion, seconded by Patrick Corcoran, to close the public meeting. Approved. Jeff Houde made a motion,

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seconded by Julian Kadish, to issue a negative Determination of Applicability with conditions. Approved.

The members reviewed a Request for a Determination of Applicability - **O'Brien & Meeks Construction Co., Inc. - lot 6 (assessors map 15) 10 Country Club Way** - for proposed plans to construct a single family house, septic system and associated grading and utilities within the 100 foot buffer zone of a bordering vegetated wetland. Chris Yarworth of Yarworth Engineering represented the applicant. Approved. Betty Kolt stated she was concerned with water flooding and passed the question to the Board, what would happen once more houses were built. Julian Kadish explained that the Conservation Commission had limits on development and couldn't prohibit it. Tim Donovan asked questions about the septic system, where the house was supposed to be and why did applicants even need to come before the Conservation Commission if their houses were being built before the meeting. Jeff Houde made a motion, seconded by Patrick Corcoran, to continue the public meeting until the September 28, 1998 meeting at 8:15 pm. Approved. The Director was asked to have the applicant Cease and Desist from any further work.

The members reviewed a Request for a Determination of Applicability - **Louis L. Yurek - lots 172 & 173 (assessors map 19) 113 King Philip Road** - for proposed construction of a dining room and den area and bedroom extension to an existing house in the buffer zone of a wetland. All construction is to be supported by 12" x 6' poured concrete tubes. Louis Yurek represented himself. Jeff Houde made a motion, seconded by Dana Rappaneau, to close the public meeting. Approved. Jeff Houde made a motion, seconded by Dana Rappaneau, to issue a negative Determination of Applicability with conditions. Approved. The Director and Julian Kadish excused themselves from the meeting in order to attend the Finance Committee meeting to discuss the two Articles on the October 5, 1998 Town Meeting warrant(s).

The members reviewed a Request for a Determination of Applicability - **World Wide Development Corp. - parcel 43, bldrs. lot 2 (assessors map 15) Oak Street** - for proposed plans to construct a single family house with associated amenities within the 100 foot buffer zone of a bordering vegetated wetland. The members discussed the fact that the Street name was omitted from the agenda and that the lot numbers differed from the Legal Notice and the agenda. Concerned citizens were unaware of the project. Scott Fuller represented World Wide Development Corp. Leonard Silvia made a motion, seconded by Jeff Houde, to continue the public meeting until the September 28, 1998 meeting at 8:05 pm. Approved.

The members reviewed a Notice of Intent - **Dominic Texeira - lot 1, parcel 31 (assessors map 17) Elm Street** - for a limited project consisting of a driveway crossing [310 CMR10.53 (3E)] of a wetland and an intermittent stream for a single family house. The proposed wetland alteration is 1,070 sq. ft. and the proposed wetland replication is 1,140 sq. ft. (original filing - #250-410). Jeff Houde made a motion, seconded by Ed Breault, to waive the reading of the Legal Notice. Bob Medeiros abstained from voting and left the meeting. Approved. Otis Dyer, Jr. represented the applicant. The applicant has a previous filing for this property for a common driveway. The Building Inspector requires separate driveways for each lot and did not approve the common driveway. Jeff Houde made a motion, seconded by Patrick Corcoran, to continue the public hearing until the September 28, 1998 meeting at 8:10 pm. Approved. Jeff Houde made a motion, seconded by Patrick Corcoran, to have the

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Director send a letter to the Building Inspector for approval of a private way serving each lot to limit the work to be done in the wetlands. Approved.

The members reviewed a request for a full Certificate of Compliance and bond release filed by **William J. Devine, c/o Alan Brown for lot 3 (part of lot 4) assessors map 33, 26 Eddy Street (#250-403)**. Patrick Corcoran made a motion, seconded by Julian Kadish, to issue the Certificate of Compliance and bond release letter. Approved.

The members reviewed a request for a full Certificate of Compliance filed by **Timothy O'Sullivan – lot 288 (assessors map 4) 24 Kingsley Road (DET. #549)**. Ed Breault made a motion, seconded by Julian Kadish, to table issuing the Certificate until the soils are stabilized. Approved.

The members reviewed a request for a partial Certificate of Compliance filed by **Sher-Corp., Ltd. – parcel 60 (assessors map 28) lot 8, Furnace Pond Way (#250-264)**. Ed Breault made a motion, seconded by Patrick Corcoran, to table issuing the Certificate until the soils are stabilized. Approved.

The members reviewed a request for a partial Certificate of Compliance filed by **Welch Bldg. Corp. – lot 4, parcel 330 (assessors map 4) Keith Drive (DET. #568)**. Ed Breault 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 filed by **Welch Bldg. Corp. – lot 6, parcel 332 (assessors map 4) Keith Drive (DET. #570)**. Ed Breault made a motion, seconded by Patrick Corcoran, to issue the Certificate of Compliance. Approved.

The members reviewed a request for a duplicate Determination of Applicability for file **DET. #542 – Ed Breault – lot 64, assessors map 19 – Lincoln Street**. Ed Breault represented himself. Bob Medeiros made a motion, seconded by Julian Kadish, to issue the duplicate Determination of Applicability with the amendment to not require the recording of the Determination. Ed Breault abstained from voting. Approved.

Leonard Silvia made a motion, seconded by Bob Medeiros, to rescind the prior motion to wait for a full Board to discuss the changing of the Chairman of the Board. Approved. Mr. Silvia stated that he wanted the Board to consider having other members have a turn at being the Chairman of the Board. Leonard Silvia made a motion, seconded by Bob Medeiros, to vote Ed Breault to be the Chairman. Julian Kadish and Ed Breault abstained from voting. Bob Medeiros, Leonard Silvia, Patrick Corcoran and Jeff Houde voted in favor. Approved. Bob Medeiros made a motion, seconded by Julian Kadish, to vote Patrick Corcoran to be Vice-Chairman. Patrick Corcoran abstained from voting. Approved. Jeff Houde made a motion, seconded by Julian Kadish, that Ed Breault would be authorized to sign all Payroll Sheets and that in his absence, Patrick Corcoran would be authorized to sign. Approved.

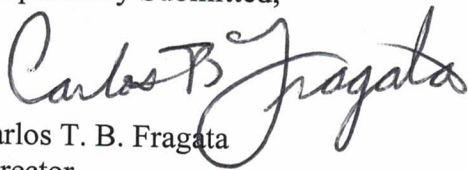
All the members commended and thanked Jeff Houde for being the Chairman all these past years.

Jeff Houde made a motion, seconded by Bob Medeiros, to close the agenda on the Wednesday at 4:00 pm before each meeting instead of the Thursday at 4:00 pm before each meeting in order to allow an extra day for the mail to be delivered to the members. Approved.

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Bob Medeiros made a motion, seconded by Leonard Silvia, to adjourn the meeting at 9:25 pm.
Approved.

Respectfully Submitted,

A handwritten signature in cursive script, reading "Carlos T. B. Fragata". The signature is written in dark ink and is positioned above the printed name and title.

Carlos T. B. Fragata
Director

CF/pmb