



CONSERVATION COMMISSION
70 EAST MAIN STREET
NORTON, MASSACHUSETTS 02766-2320
(508) 285-0275
Fax (508) 285- 0297

Monday, October 26, 1998
7:30 pm

RECEIVED

DEC 02 1998

NORTON TOWN CLERK

Attendance

Patrick Corcoran (Vice-Chairman), Jeff Houde, Bob Medeiros,
Dana Rappaneau, Leonard Silvia, Carlos Fragata, Director

Ed Breault (Chairman) and Julian Kadish arrived late.

Minutes

Bob Medeiros made a motion, seconded by Dana Rappaneau, to pay the bills. Approved.

The members reviewed the draft minutes of **August 24, 1998** (continued from the September 14, 1998 and September 28, 1998 mtgs.). Jeff Houde made a motion, seconded by Bob Medeiros, to accept the minutes as written. Bob Medeiros and Patrick Corcoran abstained from voting. Approved.

The members reviewed the draft minutes of **September 28, 1998**. Bob Medeiros made a motion, seconded by Dana Rappaneau, to accept the minutes as written. Leonard Silvia abstained from voting. Approved.

The members reviewed the draft minutes of **October 13, 1998**. Jeff Houde made a motion, seconded by Leonard Silvia to accept the minutes as amended. Bob Medeiros abstained from voting. Approved.

The members reviewed a Notice of Intent - **Poquoy Development Corp. - Parcel 31 (assessors map 30) Maple Street (cont. from the 9/14/98 mtg.)** - for proposed plans for construction of stormwater facilities, for a 20 single family house lot subdivision within the discretionary 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 of Hayward-Boynton and Williams represented the applicant. Jeff Houde made a motion, seconded by Dana Rappaneau, to have the Director send a letter to the Planning Board stating that the bordering vegetated wetlands pursuant to the Order of Conditions were ok (series "D" #18 - #65, series "C" #1 - #18 and series "A & "B"). Jeff Houde made a motion, seconded by Bob Medeiros, to continue the public hearing until December 14, 1998 at 8:00 pm in order to get Planning Board approval. Approved.

The members reviewed a of Intent Notice of Intent – **Wayne P. Southworth, Easton Water Division – parcel 94 (assessors map 5) Newland Street, East and West side of Canoe River, Norton, MA, (con't. from the October 13, 1998 mtg.)** - for proposed plans to install two (2) 2-1/2-in. wells for monitoring prolonged pumping test on an existing 8-in. well within wetlands bordering Canoe River. Brian Giovanoni of Amory Engineers represented the applicant. Bob Medeiros made a motion, seconded by Jeff Houde, to close the public hearing, subject to a DEP number and a favorable DEP response. Approved. Jeff Houde made a motion, seconded by Bob Medeiros, to approve the Order of Conditions as drafted (boiler plate conditions). Approved.

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The members reviewed a Request for a Determination of Applicability – **Mark Gershman – Lot 77 (assessors map 24) 131 South Washington Street** – for proposed plans to construct a 22' x 28' two-car garage with a second story family room above to be attached to an existing house within the buffer zone of a wetland. Mr. Gershman represented himself at the meeting. Jeff Houde made a motion, seconded by Dana Rappaneau, to close the public meeting. Approved. Jeff Houde made a motion, seconded by Bob Medeiros, to issue a negative Determination of Applicability with conditions. Approved.

The members reviewed a Request for a Determination of Applicability – **David V. Welch, Fralo Corp. – bldrs. lot 71, parcel 103 (assessors map 28) 4 Garret Drive** – for proposed plans to construct a 24' x 26' attached garage and farmers porch to the existing dwelling and associated grading within the buffer zone of a wetland. Mr. Welch represented himself at the meeting. Bob Medeiros made a motion, seconded by Jeff Houde, to close the public meeting. Approved. Jeff Houde made a motion, seconded by Bob Medeiros, to issue a negative Determination of Applicability with conditions. Approved.

The members reviewed a request for a Certificate of Compliance - **DET. #259 - P & A Construction bldrs. lot 71, parcel 103 (map 28) 4 Garret Drive**. Bob Medeiros made a motion, seconded by Dana Rappaneau, to issue the Certificate. Jeff Houde abstained from voting. Approved.

The members reviewed a request for an Extension Permit - **#250-269 - Paul Precourt parcels 38, 39, 49, & 50 (map 21) Walker Street**. Jeff Houde made a motion, seconded by Bob Medeiros, to issue a two year Extension Permit. Approved. The Director was asked to keep Mr. Paul Precourt informed of other project particulars, such as this one.

Set conditions for Notice of Intent – file #250-419 - Dominic Texeira – lot 1, parcel 31 (assessors map 17) Elm Street. Bob Medeiros abstained from voting and left the room. Jeff Houde made a motion, seconded by Leonard Silvia, to re-open the public hearing for this project because no abutters were present at the October 13, 1998 Conservation Commission meeting. Approved. Discussion ensued re: revised plans that were submitted showing less impacts to the wetlands (less filling of wetlands). Jeff Houde made a motion, seconded by Leonard Silvia, to close the public hearing and include the revised plans dated October 16, 1998. Approved. Jeff Houde made a motion, seconded by Dana Rappaneau, to approve the project and accept the drafted Order of Conditions. Approved.

Signing of Conservation Restriction #15 – Larson Farm. Paul Folkman of Folkman and Zola Builders explained the project stating that he explored the possibility of additional access points from the subdivision in lieu of, or in addition to, the Conservation Restriction's stated Richardson Avenue access. Jeff Houde made a motion, seconded by Dana Rappaneau, to approve of, and sign, Conservation Restriction #15 for Larson Farm as written. Approved.

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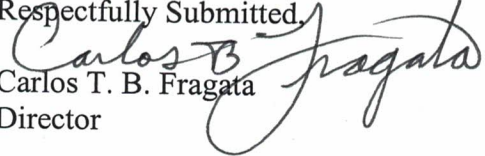
Other Business:

The Director updated the Commission and presented New Business for discussion as follows:

- The Director handed out a letter that he had sent to the Town Manager, Chris McCabe, regarding the conversion of the 5 acres of Conservation land at Rose Farm back to Passive Recreation.
- The Director updated the Commission stating that the Jackson Nursery Norton Middle School agricultural mitigation site would most likely be the Barrows Street land owned by the School Department.
- The Dioxin threat re: not eating fish from the Norton Reservoir per Mass. Health Department was discussed and the Conservation Commission asked the Director to send a letter to them asking where the Dioxin was located and its concentration.
- A Proposed Wetland Violation Mitigation Policy caused by unpermitted vehicular disturbances was presented to the Commission members by the Director. No action was taken, but one member stated that the developers should work out things with the Director and not the Conservation Commission members.
- The Director asked the Conservation Commission's opinion on opening catch basins in subdivisions vs. keeping them sealed until the entire site is stabilized. The consensus of the Commission was to have the Director send a letter to the Planning Board requesting that they consider keeping the catch basins closed.
- The Director stated that he had passed a course on Soil Site Evaluation.
- The Director stated that the Selectmen had asked if he would need to go for the week (\$75.00 all inclusive) to the FEMA NFIP CRS classes . (Tabled for further discussion)
- The EOEa project list request letter was discussed and the Director stated that he had included dams at Norton Reservoir and Chartley Pond as well as the Norton Reservoir Dredging project.
- The Director stated that a Bordering Vegetated Wetland Restoration Plan was submitted for the IRA at Babs Foundry AKA Salbee Farms.
- The members reviewed a letter from the Town Manager, Chris McCabe, stating that any Conservation Commission members who work for the Town should see him regarding The State Ethics Conflict of Interest Law.

Dana Rappaneau made a motion, seconded by Leonard Silvia, to adjourn the meeting at 8:56 pm.
Approved.

Respectfully Submitted,


Carlos T. B. Fragata
Director

CF/pmb