



CONSERVATION COMMISSION  
70 EAST MAIN STREET  
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Monday, November 23, 1998  
7:30 pm

### Attendance

Ed Breault (Chairman), Patrick Corcoran (Vice-Chairman),  
Jeff Houde, Bob Medeiros, Julian Kadish, Dana Rappaneau  
Carlos Fragata, Director

Leonard Silvia, was absent.

### Minutes

The members reviewed the Bills Payable Sheet for Baystate Environmental Consultants, Inc. for Invoice #16 for Norton Reservoir Dredging Project. Bob Medeiros made a motion, seconded by Patrick Corcoran, to hold off on payment for this invoice until the FEIRs are received and also to have Baystate Environmental Consultants, Inc. come in to the Norton Conservation Commission to discuss other steps needed to finish the project. Approved.

The members reviewed the draft minutes of October 26, 1998. Bob Medeiros made a motion, seconded by Jeff Houde, to accept the minutes as written. Approved.

The members reviewed the draft minutes of November 9, 1998. Bob Medeiros made a motion, seconded by Jeff Houde, to accept the minutes as written. Approved.

The members reviewed a Request for a Determination of Applicability – **Tammy Parham – lot 186-03 (assessors map 19) 8 River Road** – for proposed plans to lift an existing house and constructing a new foundation beneath it within the buffer zone of a wetland. The applicants represented themselves at the meeting. Bob Medeiros made a motion, seconded by Jeff Houde, to close the public meeting. Approved. Bob Medeiros made a motion, seconded by Jeff Houde, to issue a negative Determination of Applicability with conditions. Approved.

The members reviewed a Request for a Determination of Applicability – **Eli & Heather Mulligan – lot A, parcel 139 (assessors map 14) 81 Richardson Avenue** – for proposed grading for a single family house and installation of a well within the buffer zone of a wetland. The applicants represented themselves at the meeting. Julian Kadish made a motion, seconded by Jeff Houde, to close the public meeting. Bob Medeiros abstained from voting and left the room. Approved. Julian Kadish made a motion, seconded by Jeff Houde, to issue a negative Determination of Applicability with conditions. Bob Medeiros abstained from voting and left the room. Approved.

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Jeff Houde made a motion, seconded by Bob Medeiros, to **re-open** the public hearing for the 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)** - 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. This project was advertised on October 5, 1998 for the October 13, 1998 meeting, but no abutters were notified. The project was continued to the October 26, 1998 meeting for a DEP #. This meeting was for abutter's comments, if any, because abutters were not notified during the October 13, 1998 and subsequent meetings. Jeff Houde made a motion, seconded by Bob Medeiros, to re-open the public hearing to receive abutter's comments. Approved. Brian Giovanni of Amory Engineering represented the applicant. The Director stated that the Norton Water Department had sent a letter requesting that they receive the results of the water testing for well #7. Jeff Houde made a motion, seconded by Bob Medeiros, to close the public hearing and approve the project subject to the Order of Conditions requesting that test results for well #7 be submitted to the Norton Water Department and also that a DEP # be received. Approved.

Land Purchase – North Washington Street – portion of parcel 487 (assessors map 10).

Leslie Harlor, Arlene Cox, Ruth Church, Laurie Greene and Suzanne Erikson were present for the discussion. Discussion ensued regarding why the Purchase and Sales Agreement was not signed when the offer was \$225,000 for the 50 acre parcel. This new offer was put forth as \$400,000 and included a 4.12 acre parcel and the 4.62 acre across the street. Bob Medeiros made a motion, seconded by Jeff Houde, to purchase the land, subject to a Self-Help reimbursement for the \$400,000, to add \$40,000 from the Conservation Commission funds, to put the land before a Town Meeting, and to have Town Counsel present at the December 14, 1998 Norton Conservation Commission meeting. Approved. It was suggested that the 4.12 acre parcel and the 4.62 acre parcel of land across the street (parcel 486), be added to the Purchase and Sales Agreement for a total purchase price of the property known as "Johnson Acres" at \$400,000. Approved. No action was taken relative to the **Executive Session**.

Discussion ensued regarding the FEMA CRS Program class to be held in Maryland. Jeff Houde made a motion, seconded by Bob Medeiros, to rescind the November 9, 1998 meeting vote and to allow the Director to attend the class on Town time and for the Conservation Commission to pay the \$75.00 for the same. This motion was made when it became known that the Director was planning to attend on his own time. Approved.

Discussion ensued regarding the recording of Determination of Applicability conditions. Jeff Houde made a motion, seconded by Bob Medeiros, to rescind the motion of the February 9, 1998 meeting and to allow Determination of Applicability conditions to be recorded on a case by case basis. The consensus was that recordable projects would usually require siltation barriers and/or be within 50 ft. of a wetland. Approved.

Arthur Amaral came before the Conservation Commission informally to request permission to clean out material from the ditch/brook at 147 and 145 East Main Street. The Director stated that Bristol Mosquito Control would get back to him on whether or not they will do the work. Jeff Houde made a motion, seconded by Bob Medeiros, to have Mr. Amaral file a Request for a Determination of Applicability for the project, to submit letters from both abutters allowing the work to occur, and to show the proposed work on a plan prior to any work being performed.

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The Director stated that no response was received from the Mass. Health Department yet regarding Dioxin in the Norton Reservoir and that signs were received by the Norton Board of Health.

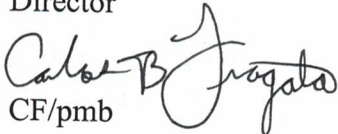
The Director stated that at the January 23, 1998 COLAP meeting, the topic of discussions would be "Exotic Aquatic plant species Control Legislation".

The Director stated that the DEM Chartley Pond Dam Report was received and the recommended cost to satisfy the recommendations was \$200,000 (approximately).

Bob Medeiros made a motion, seconded by Jeff Houde, to adjourn the meeting at 8:20 pm. Approved.

Respectfully Submitted,

Carlos T. B. Fragata  
Director

  
CF/pmb