



**CONSERVATION COMMISSION**  
**70 EAST MAIN STREET**  
**NORTON, MASSACHUSETTS 02766-2320**  
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NORTON TOWN CLERK

Monday, February 11, 2002  
7:30 pm

**Attendance**

Bob Medeiros (Chairman), Jeff Houde,  
Neil Linehan, Ed Breault, Dana Rappaneau,  
Jennifer Carlino, Director

Julian Kadish (Vice-Chairman) & Kathleen Giblin,  
were absent.

**Minutes**

The members reviewed the draft minutes of October 15, 2001. Neil Linehan made a motion, seconded by Dana Rappaneau, to accept the minutes as written. Approved.

The members reviewed the Bills Payable Sheet. Jeff Houde made a motion, seconded by Neil Linehan, to pay the bills. Approved.

The members reviewed a Request for Determination of Applicability - **(DET. #763) – Fred Bottomley & Allen Riley – lot 7, parcel 20 (assessors map 30) Maple Street** – for proposed plans to construct a driveway for a single family house within the 100 ft. buffer zone of a bordering vegetated wetland. Chris Yarworth of Yarworth Engineering represented the applicant at the public hearing and presented the project to the board. He explained that a common driveway was first proposed but was denied by the Planning Board, therefore a single driveway for each lot was proposed. This lot has a driveway with only a portion within 100 feet of the wetlands. Jeff Houde made a motion, seconded by Neil Linehan, to close the public hearing. Approved. Jeff Houde made a motion, seconded by Dana Rappaneau, to issue a negative Determination of Applicability as long as the work is done according to the submitted plans. Approved.

The members reviewed a Notice of Intent – **Shamrock Realty Trust – (#250-510) - parcel 33 (assessors map 21) Walker Street – (cont. from the January 14, 2002 mtg.)** - for proposed plans to fill wetlands and floodplain for a driveway and for construction of a dwelling, septic system and grading within the 100 foot buffer of a bordering vegetated wetland, 100-year floodplain and riverfront area. No one was at the public hearing to present the project to the members. Discussion ensued regarding past flood situations for this property. Bob Medeiros stated that a request was made by the applicant, in writing, to continue this project until Monday, March 11, 2002 at 7:40 pm.

**Norton Conservation Commission**  
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The members reviewed a request for a full Certificate of Compliance – **File #250-269 – Paul Precourt – parcels 38, 39, 49 & 50 (assessors map 21) Walker Street (Chartley Acres)**. Dana Rappaneau made a motion, seconded by Ed Breault, to issue the Certificate of Compliance. Approved.

The members reviewed a request for a full Certificate of Compliance – **File #250-414 – Creative Homes, Inc. - Parcels 21 & 25 (assessors map 5) Burt Street (Rosewood Estates)**. Jeff Houde made a motion, seconded by Dana Rappaneau, to issue the Certificate of Compliance. Approved.

Other Business

Jennifer Carlino stated that on the same day that she received the appeal by Mass Highway, they were in Norton in violation. She said that she had called DEP and talked to Chris Ross who told her he would call Mass Highway to stop any other activity in Norton until after the appeal was settled. One week later Mass Highway was working in Norton and she stated she stopped again and told them they were in violation of the appeal. They said they had no knowledge of the appeal and were just cleaning out catch basins in front of the high school and wanted to do work on the headwall which was under approximately three feet of water. At that point Mass Highway called DEP. DEP called Jennifer Carlino and asked her to allow the work because Mass Highway said the work was imperative to prevent flooding. Jennifer Carlino said she told them to do the work on the catch basins only until after the appeal was decided. Jennifer Carlino said that she received a letter from DEP with a date for the appeal hearing. She further suggested to the board members that since Mass Highway has been violating the appeal period, conditions set by the Conservation Commission for the project should be upheld as much as possible. The members agreed. She explained to the members the basic information contained in an appeal. She said that Mass Highway was trying to insist on having a five-year permit instead of a three-year permit. It was the opinion of the members that after three years, Mass Highway could have their permit extended provided the work was satisfactory to the Conservation Commission. Bob Medeiros said that he would be present at the appeal meeting. Jeff Houde made a motion, seconded by Ed Breault, to ask DEP to keep and enforce the conditions as written by the Norton Conservation Commission if they issue a Superceding Order of Conditions for the Mass Highway project (File #250-507). Approved.

Jeff Houde made a motion, seconded by Neil Linehan, to adjourn the meeting at 7:55 pm. Approved.

Respectfully Submitted,



Jennifer Carlino  
Conservation Director