

**CONSERVATION COMMISSION MEETING
MONDAY, MAY 16, 2022
RESOURCE ROOM**

Attendance: Chair Tracy Sharkey, Vice-Chair Katiegrace Dudley, Eric Harris, Art Montminy, Mike Greco, Mark Mungeam, Steve Zisk Conservation Agent.

Chair Tracy Sharkey called meeting to order at 7:00 PM.

Discussion:

1. **(7:00 PM) (0:30) Orders to be signed**
 - **DEP #143-0985 Certificate of Compliance, 24 Shady Lane**
 - **RDA 31 North Street**
2. **(7:00 PM) (0:40) Meeting Minutes: August 2, 2121 & March 7, 2022**

The August 2, 2021, meeting minutes Art Montminy stated that the amendments have not been done that he requested last meeting, Steve Zisk is going to look into that.

(7:04 PM) (4:03) Motion to approve the March 7, 2022, meeting minutes as amended made by Art Montminy, seconded by Mike Greco. Roll call vote – Eric Harris, Art Montminy, Mike Greco, Mark Mungeam, Katiegrace Dudley all in favor.
3. **(7:04 PM) (4:32) 55 Lakeshore Drive DEP # 143-1026 – Changes to approved plan.**

Mr. Federico representing applicant presented plan changes that he feels falls under minor plan changes. The applicant does not want to put a structure up anymore and instead would like to extend the driveway. Also, instead of doing the proposed gravel driveway he would like to do asphalt millings instead. The commission has a concern about the majority of the driveway being in the buffer zone and may not meet the minor change. The commission wants to make sure there is no sediment carrying to the wetland edge from the pipe that was installed. Mr. Mungeam would like the area size the pipe is collecting and just generally more detail with the pipe and asphalt regrind plan.
4. **(7:22 PM) (22:13) Request for a Certificate of Compliance, (COC-DEP #143-1006) 19 Gilboa Ct. – Erik Martinsen – Possible Votes.**

The applicant never did the proposed work from a year ago and now they want to sell the house and are looking to clear up the order of conditions in order to do so.

(7:27 PM) (27:33) Motion to grant the certificate of compliance due to no work being completed on #19 Gilboa Ct. made by Art Montminy, seconded by Mark Mungeam. Roll call vote - Eric Harris, Art Montminy, Mike Greco, Mark Mungeam, Katiegrace Dudley all in favor.
5. **Request for a Certificate of Compliance, (COC-DEP #143-0774) 17 Gilboa Ct. – Michael Martinsen – Possible Votes**

The commission would like to see the as built and a letter from the engineer.

(7:33 PM) (33:15) Motion to issue the certificate of compliance with the condition the commission receives a substantial compliance from the engineer made by Katiegrace Dudley, seconded by Mike Greco. Roll call vote - Eric Harris, Art Montminy, Mike Greco, Mark Mungeam, Katiegrace Dudley all in favor.
6. **(7:34 PM) (34:28) Sleepy Hollow Lots 20-23, small wall install to increase backyard.**

Commission asked for more information last meeting, Mr. Federico presented the plans to the commission, they are not intending to change any grading near the area and no erosion control is being proposed so the wetlands should be protected same way as originally approved. The contractor is looking to do a four-foot boulder wall that would be placed at the toe of the slope

which would allow for approximately ten additional feet of backyard area. They discussed what to cover the slope with, the commission wanted a conservation mix and not grass.

(7:44 PM) (44:45) Motion to approve the modification to lots 20-23 as a minor plan change with the condition that the wall will be no higher than four feet made by Art Montminy, seconded by Mike Greco. Roll call vote - Eric Harris, Art Montminy, Mike Greco, Mark Mungeam, Katiegrace Dudley all in favor.

New Business:

7. **(7:45 PM) (45:45) (RDA) Public Meeting: Request for Determination of Applicability, Gilboa Court Extension Lot #5, Driveway Install. Carol Gogolinski & William Cogley – Possible Votes**
Jude Gauvin presenting the plans to the commission, there is an existing order of conditions on this site and on the approved order of conditions there is a note that reads “any further work on individual lots shall come before the conservation commission” and the basins have been built, the erosion controls are already in and the driveways and houses were shown on the original subdivision plan.
(8:00 PM) (1:00:50) Motion to issue a negative RDA made by Art Montminy, seconded by Mike Greco. Roll call vote - Eric Harris, Art Montminy, Mike Greco, Katiegrace Dudley all in favor, Mark Mungeam not in favor.
8. **(8:02 PM) (1:01:35) (RDA) Public Meeting: Request for Determination of Applicability, Gilboa Court, Extension Lot #6 – Driveway Install. Carol Gogolinski & William Cogley – Possible Votes**
Jude Gauvin presenting plans to the commission. Ms. Dudley’s commented if he considered moving the house back to reduce the amount of impervious surface inside of the 100-foot buffer zone. Mr. Gauvin responded that they moved the house back slightly to get it closer to the septic system. The commission would just like to specify that the commission would be voting on an asphalt driveway and the water service. Mr. Mungeam would like to see that the area between the driveway and the rip rap and the 50-foot buffer be a conservation mix, and also a marker to hold the 75 feet and driveway.
(8:07 PM) (1:07:39) Motion to issue a negative RDA for Lot 6 with the commissions requested conditions and have a revised plan submitted to Mr. Zisk for the RDA filing made by Art Montminy, seconded by Mike Greco. Roll call vote - Eric Harris, Art Montminy, Mike Greco, Mark Mungeam, Katiegrace Dudley all in favor.
9. **(8:05 PM) (1:08:50) (RDA) Public Meeting: Request for Determination of Applicability, 424 Northeast Main Street, Septic Repair, Wendy Lubas – Possible Votes**
The engineer for the project is presenting the plans to the commission, there is an existing cesspool that is failed.
(8:12 PM) (1:12:36) Motion to issue a negative RDA made by Art Montminy, seconded by Mike Greco. Roll call vote - Eric Harris, Art Montminy, Mike Greco, Mark Mungeam, Katiegrace Dudley all in favor.
10. **(8:12 PM) (1:12:57) (RDA) Public Meeting: Request for Determination of Applicability, 251 Southwest Main Street, Bathroom Addition. Brent & Carolyn Dorval – Possible Votes**
Applicant is requesting to build an addition of approximately 41 square feet and reconfigure a bedroom to add a bathroom. The applicant would prefer to do piling to minimize the excavation, the commission would like to see erosion controls put in.
(8:20 PM) (1:20:23) Motion to issue a negative RDA with the conditions of the downspout rerouted, erosion controls, and no machinery parking overnight made by Katiegrace Dudley, seconded by Eric Harris. Roll call vote - Eric Harris, Art Montminy, Mike Greco, Mark Mungeam, Katiegrace Dudley all in favor.

11. (8:21 PM) (1:21:10) (ANRAD DEP #143-10xx) Public Hearing: Abbreviated Notice of Resource Delineation, 100 Davis Street, Peter Michael Business Park – Possible Votes

Tom McIntyre with McIntyre Loam the applicant and presenting will be Michael Dryden Senior project manager with Allen Engineering. Applicant is seeking confirmation of the resource areas for the western bank to the west. The commission has an estimate of \$2,900.00 from Art Allen to do the peer review.

(8:26 PM) (1:26:32) Motion to accept the proposal of \$2,900.00 for Echo Tech, Art Allen to peer review on behalf of the commission made by Art Montminy, seconded by Eric Harris. Roll call vote - Eric Harris, Art Montminy, Mike Greco, Mark Mungeam, Katiegrace Dudley all in favor.

Peter Kelleher 45 Kathy Trail in Uxbridge was concerned with flagging he saw near his property, Mr. Dryden responded that they are not addressing that eastern side of the property at this time. Jeremy Flansburg 63 Monroe Street has a concern that there is a right of way going through his property. Ms. Flansburg 53 Monroe Street was confused with the letter she received as to what was being discussed tonight and asked for some explanation. Chair Tracy Sharkey stated the purpose of the filing is to confirm the resource areas on the parcel shown, and she recommended that Ms. Flansburg come to the town hall and review the plans up close with Mr. Zisk and concerns she has.

(8:41 PM) (1:41:28) Motion to continue public hearing to June 6, 2022 at 7:00 PM made by Art Montminy, seconded by Eric Harris. Roll call vote - Eric Harris, Art Montminy, Mike Greco, Mark Mungeam, Katiegrace Dudley all in favor.

Old Business:

12. (NOI-DEP #143-1042) Public Hearing Continued: Notice of Intent: 105 & 123 Gilboa Street – CRG Services Management, LLC – The Construction of a distribution warehouse with a footprint and gross square footage of 1,102,500 sf. Access provided from Gilboa Street via a bridge crossing the Mumford River and from Northeast Main Street. Other improvements include vehicle parking, loading docks, and trailer spaces. – Possible votes

Todd Morey Beals Associates to go over peer review comments. One comment was the excess parking, they reduced the parking from 651 to 611 parking spots, which took it out of the floodplain as well. Mr. Morey discussed the remaining comments with the commission, he is revising the plantings with spruce trees, snow storage plans. The commission would like to see the draft order of conditions being actively prepared for review by the applicant before the June 6, 2022, meeting. Mr. Morey went over some stormwater plans and explanations for Mr. Mungeam's concerns and questions.

(9:15 PM) (2:15:19) Motion to continue public hearing to June 6, 2022 at 7:00 PM made by Art Montminy, seconded by Mike Greco. Roll call vote - Eric Harris, Art Montminy, Mike Greco, Mark Mungeam, Katiegrace Dudley all in favor.

13. (9:15 PM) (2:15:38) (NOI-DEP #143-1038) Public Hearing Continued: Notice of Intent: Whitin Reservoir Dam Operation & Maintenance Manual: Whitin Reservoir Watershed District – Possible Votes

Lauren Gluck with Pare Corporation joined remotely to present with colleague Ryan Dutra and Paul Collette with the Whitin Watershed District, they are waiting for Natural Heritage to review and approve the survey submission so they can go ahead a schedule during June or July time frame. Ryan Dutra went over the commission's questions and concerns from last meeting about the grouting and repointing maintenance and the term "hot balling". Which is the heat generated when they mix the hydraulic cement into a ball to use to fill in any voids by the divers. The applicant would like to get approval from the commission to go forward with the following

repairs before the issuance of the order: Repair of the mortar joints at the intake structure, the maintenance of vegetation along the downstream slope of the dam and saddle dyke, and the maintenance of the trash rack at the intake structure.

(9:23 PM) (2:23:00) Motion to allow the maintenance of the dam pointing repairs, the mowing of the saddle dyke and along the downstream slope and the maintenance to the trash rack made by Katiegrace Dudley, seconded by Eric Harris. Roll call vote - Eric Harris, Art Montminy, Mike Greco, Mark Mungeam, Katiegrace Dudley all in favor.

(9:25 PM) (2:25:20) Motion to continue public hearing to June 27, 2022, at 7:00 PM made by Art Montminy, seconded by Mike Greco. Roll call vote - Eric Harris, Art Montminy, Mike Greco, Mark Mungeam, Katiegrace Dudley all in favor.

- 14. (9:26 PM) (2:25:45) (NOI-DEP #143-1043) Public Hearing Continued: Notice of Intent: 0 Mumford Road & 5 Forest Street, Definitive Subdivision Plan Sutton Douglas Development, LLC.**

Wayne Belec with Land Design Collaborative and Tim Flynn with Flynn Build and Develop, along with Attorney Henry Lane with Lane and Hamer. The peer review consultant Mr. Walsh is present, and Mr. Belec will update commission with concerns. The soil testing was done and was good, the rest of the comments were addressed and looking to have plans ready for Sutton and Douglas next week. Jeff Walsh with Graves Engineering peer review consultant for the Douglas Planning Board and Conservation Commission stated there were no serious concerns he is just waiting on the revised plans. The commission asked Mr. Walsh if he would be willing to prepare the special conditions for the order and coordinate with the applicant, and Mr. Walsh said he would be willing to do that. The commission requests that the concerns they voiced at the last meeting for the swailing and the planned stormwater structures for the long-term maintenance for the town. Mr. Walsh did respond to DEP's comments about the 50-foot offset. Mr. Flynn responded to the long-term maintenance to the town and said that the 29 homes proposed in Douglas will more than offset that cost. The commission scheduled a site walk to review the resource areas and roadways.

(9:49 PM) (2:49:40) Motion to schedule a site walk for May 22, 2022, at 11:00 AM made by Art Montminy, seconded by Eric Harris. Roll call vote - Eric Harris, Art Montminy, Mike Greco, Mark Mungeam, Katiegrace Dudley all in favor.

(9:51 PM) (2:51:50) Motion to continue public hearing to June 6, 2022 at 7:00 PM made by Katiegrace Dudley, seconded by Eric Harris. Roll call vote - Eric Harris, Mike Greco, Mark Mungeam, Katiegrace Dudley all in favor.

- 15. (9:52 PM) (2:52:19) (NOI-DEP #143-1030) Public Hearing Continued: Notice of Intent 148 Shore Road (New Single-Family Dwelling). Joseph & Pamela Perrone – Possible Votes**

Margaret Bacon with Civil Site Engineering presenting plans, she went out to the lot and did additional topography around where the driveway culvert was and along Shore Road, because of all the drainage concern on Shore Road. Ms. Bacon went over and responded to the comments to the stormwater. The commission voiced their concern for the ongoing maintenance of the rain gardens. Mr. Walsh suggested an annual reporting by the facility owner on what they inspected and maintained for larger structures than a single-family home. He suggested for single-family homes maybe the commission could include a condition in the certificate of compliance that the landowner is responsible for maintenance and repair of the rain gardens.

(10:04 PM) (3:04:50) Motion to close the public hearing made by Katiegrace Dudley, seconded by Eric Harris. Roll call vote - Eric Harris, Mike Greco, Mark Mungeam, Katiegrace Dudley all in favor.

The last revised plan date was May 6, 2022.

(10:05 PM) (3:05:04) Motion to issue the order of conditions with the special conditions that the driveway culvert is completed and a partial as built is submitted to the commission prior to vertical construction made by Mike Greco, seconded by Eric Harris. Roll call vote - Eric Harris, Mike Greco, Mark Mungeam, Katiegrace Dudley all in favor.

16. (10:07 PM) (3:07:39) (NOI-DEP #143-1024) Public Hearing Continued: Notice of Intent: Shore Road Lot 299 Parcel 7.16 – Cliff Van Reed – Possible Votes

*(10:10 PM) (3:10:00) Steve Zisk asked the board to move July 11, 2022, meeting to July 18, 2022 Motion to revise July 11, 2022, meeting to July 18, 2022, made by Mark Mungeam, seconded by Eric Harris. Roll call vote - Eric Harris, Mike Greco, Mark Mungeam, Katiegrace Dudley all in favor.

(10:010 PM) (3:010:49) Motion to continue public hearing to July 18, 2022, at 7:00 PM made by Mike Greco, seconded by Eric Harris. Roll call vote - Eric Harris, Mike Greco, Mark Mungeam, Katiegrace Dudley all in favor.

17. (10:11 PM) (3:25:20) (NOI-DEP #143-10xx) Public Hearing: Notice of Intent: 22 Conservation Drive – New Dwelling – Lackey Dam Properties Inc. – Possible Votes

They requested a continuance to June 6, 2022, at 7:00.

(10:11 PM) (3:11:30) Motion to continue public hearing to June 6, 2022, at 7:00 PM made by Katiegrace Dudley, seconded by Mike Greco. Roll call vote - Eric Harris, Mike Greco, Mark Mungeam, Katiegrace Dudley all in favor.

Chair Tracy Sharkey is excusing herself from the rest of the meeting and handing over the meeting to the Vice-Chair Katiegrace Dudley at (10:14 PM) (3:14:10)

New Business:

18. (NOI-DEP #143-10xx) Public Hearing: Notice of Intent: 84 Webster Street: New Single-Family Dwelling-William Nelson Jr. – Possible Votes

William Drexel designed the plan presented to the commission, he has not received the DEP number yet and the proposed dwelling is within 50-foot buffer, four-bedroom dwelling. Commission was concerned about the water on the driveway, Mr. Drexel will try and come up with options for that issue. He would like to request a continuance.

(10:24 PM) (3:24:27) Motion to continue the public hearing to June 27, 2022, at 7:00 PM made by Mark Mungeam, seconded by Eric Mungeam. Roll call vote - Eric Harris, Mike Greco, Mark Mungeam, Katiegrace Dudley all in favor.

Upcoming Meetings: June 6, 2022, June 27, 2022, July 18, 2022

(10:25 PM) (3:25:00) Motion to adjourn meeting made by Mike Greco, seconded by Eric Harris. Roll call vote - Eric Harris, Mike Greco, Mark Mungeam, Katiegrace Dudley all in favor.

Respectfully submitted,

Stephenie Gosselin, Recording secretary