

CONSERVATION COMMISSION MEETING
MONDAY, JULY 18, 2022
RESOURCE ROOM

Attendance: Chair Tracy Sharkey, Vice-chair Katiegrace Dudley (remotely), Eric Harris, Mike Greco

Chair Tracy Sharkey calls meeting to order at 7:11 PM

(0:09) (7:11 PM) A moment of silence for the passing of Selectman David Cortese.

Discussion:

1. (0:24) (7:11 PM) Orders to be signed.
2. (0:26) (7:11 PM) Meeting minutes: March 21, 2022
Meeting minutes were not reviewed by members, so they will hold off till next meeting.
3. (0:41) (7:11 PM) Request for Certificate of Compliance, (COC-DEP #143-0740) 121 Webster Street – Joseph Vecchione – Possible Votes
The commission has not received any new information.
4. (0:53) (7:11 PM) Request for Certificate of Compliance, (COC-DEP # 143-1022) 36 Maple Street – Kevin Hart – Possible Votes
Steve Zisk shared the site walk video to the members and stated that everything is well established, and everything looks like it was done according to the plan, the board has the as built.
(3:43) (7:14 PM) Motion to issue the certificate of compliance made by Mike Greco, seconded by Eric Harris. Roll call vote – Mike Greco, Eric Harris, Tracy Sharkey all in favor.
5. (4:03) (7:15 PM) Request for Certificate of Compliance, (COC-DEP #143-0774) 17 Gilboa Court – Michael Martinsen – Possible Votes
Commission already took care of this item.
6. (4:07) (7:15 PM) 161 Maple Street – Denise Davis – Minor Field Change – Possible Votes
This item was the three dead trees marked in the field. A consultant from Goddard Consulting present remotely to go over the agenda item. Mr. Zisk has a site walk video and the trees are very close to the homeowner's driveway and she is going to build a barn and doesn't want the trees falling on the future barn or cars in the driveway. She will be willing to cut the trees anyway the commission will allow her to do. The commission stated that she can cut them down to the stump but no stumping.
(5:35) (7:16 PM) Motion to allow the three dead tree removal with no stumping for a minor field change made by Eric Harris, seconded by Mike Greco. Roll call vote – Mike Greco, Eric Harris, Tracy Sharkey all in favor.
7. (6:02) (7:17 PM) 75 Old Farm Road – Zachary
Mr. Zisk state that this item should be omitted, it was procedural thing that Mr. Zisk took care of outside of meeting. The site had an old order of conditions, and they must refile.
8. (6:25) (7:17 PM) 73 Manchaug Road – Tim Hare – Demo
There was an old order on conditions that expired, and they are within the 100, and Ms. Sharkey believes they must file an RDA.
9. (7:24) (7:18 PM) Potential member application – Possible Votes
Mr. Fitzpatrick would like to join the conservation commission.

(8:32) (7:19 PM) Motion to recommend Mr. Fitzpatrick to the board of selectmen for a full member of the conservation commission committee. Roll call vote – Mike Greco, Eric Harris, Tracy Sharkey all in favor.

7. (9:07) (7:20 PM) Zachary Reid from Old Farm Road has a question on the property. Mr. Reid would like to know if he submits the same plan that has expired is the commission going to be ok with that, if the lines are a little closer than what today's standards are, or does it have to be all redesigned. Ms. Sharkey asked what the date on the previous plan was and the applicant responded 2005. Ms. Sharkey stated that if the plan was previously approved then he shouldn't have any issues. Everything would need to be refreshed and staked out in the field. The applicants engineer is present and stated that there is one issue that there is some work at the edge of the wetlands. The commission has previously encouraged people to go to ZBA to move that front setback for new construction.

New Business:

10. (16:37) (7:27 PM) 7:00 PM (NOI-DEP #143-1052) Public Hearing: Notice of Intent: 56 Bigelow Road, (New Single-Family Dwelling) – Brian Specyalski – Possible Votes

The applicant's engineer is presenting the plan to the commission, there is an existing house (about 38 feet away from the pond) and existing cesspool (inside the 50-foot buffer), and a well. They are proposing to build a septic system completely outside buffer zone, and a new well closer to the water, the new house will be about 41 feet away from the pond, and ZBA and BOH has approved the plan already. For the erosion control they are doing straw waddles and Ms. Sharkey asked to have an extra row of straw waddles around the well pit, and stockpiling outside the 100, no machinery parked within the 100

(21:24) (7:32 PM) Vice Chair Katiegrace Dudley has joined the meeting remotely.

(22:47) (7:33 PM) Motion to close the public hearing made by Mike Greco, seconded by Eric Harris. Roll call vote – Mike Greco, Eric Harris, and KG Dudley all in favor.

(23:04) (7:34 PM) Motion to issue the order of conditions with the special conditions previously mentioned made by Mike Greco, seconded by Eric Harris. Roll call vote – Mike Greco, Eric Harris, and KG Dudley all in favor.

11. (23:32) (7:43 PM) 7:00 PM (NOI-DEP #143-1053) Public Hearing: Notice of Intent: 1 Pilgrim Court – Jason & Jennifer Walsh (aboveground pool) – Possible Votes

Reconstruction of an aboveground pool, the engineer is present to go over the plans with the commission. There is no digging only fixing the pool due to a tree falling in the pool, and the area will be surrounded by erosion control, the footprint is staying the same and it is 15-20 feet away from the wetlands.

(27:53) (7:38 PM) Motion to close the public hearing made by Eric Harris, seconded by Mike Greco. Roll call vote – Mike Greco, Eric Harris, and KG Dudley all in favor.

(28:09) Motion to issue the order of conditions made by Eric Harris, seconded by Mike Greco. Roll call vote – Mike Greco, Eric Harris, and KG Dudley all in favor.

12. (28:35) (7:39 PM) 7:00 PM (RDA) Public Meeting: Request for Determination of Applicability, Oak Street, (Pole Installation) Massachusetts Electric – Possible Votes

Applicant is looking to install two utility poles and relocate one utility pole along Oak Street. Carolyn Gorss a wetland scientist with the BST Group joined remotely to present plans. There is a total of 7 tree removals for the installation of pole #550, a total of 10 tree removals for pole #8, and 3 tree removals required for the installation of pole # 10-50. These trees were identified by forestry crews and will be necessary to maintain sufficient clearance for the overhead electrical lines, and ground disturbance will be limited to the footprints of the pole installations

possibly two square feet per pole. The applicant is requesting a negative determination for this work.

(36:25) (7:47 PM) Motion to issue a negative determination of applicability with the conditions of no greater than 20 trees removed, no parking of equipment within the buffer and removal of wood chips made by Eric Harris, seconded by Mike Greco. Roll call vote – Mike Greco, Eric Harris, and KG Dudley all in favor.

Old Business:

13. **(37:29) (7:48 PM) 7:00 PM (NOI-DEP #143-1048) Public Hearing Continued: Notice of Intent: 84 Webster Street: New Single-Family Dwelling – William Nelson Jr. – Possible Votes**

The last meeting the commission did not have a corium for the vote, the plan was all take care of with the changes last meeting.

(38:35) (7:49 PM) Motion to close the public hearing made by Eric Harris, seconded by Mike Greco. Roll call vote – Eric Harris, Mike Greco, KG Dudley all in favor.

(39:37) (7:50 PM) Motion to issue made by Mike Greco, seconded by Eric Harris. Roll call vote – Eric Harris, Mike Greco, KG Dudley all in favor.

14. **(40:10) (7:51 PM) 7:00 PM (NOI-DEP #143-1024) Public Hearing Continued: Notice of Intent: Shore Road Lot 299 Parcel 7.16 – Cliff Van Reed – Possible Votes**

Margaret Bacon requested a continuance; they are still waiting for the reports from the Wallum Lake Solar Farm.

(41:30) (7:52 PM) Motion to continue hearing to August 1, 2022, at 7:00 PM made by Eric Harris, seconded by Mike Greco. Roll call vote – Eric Harris, Mike Greco, KG Dudley all in favor.

15. **(42:00) (7:53 PM) 7:00 PM (NOI-DEP #143-1050) Public Hearing Continued: Notice of Intent: 80 West Street: Septic Repair. Brian Cammuso – Possible Votes**

(42:20) (7:53 PM) Motion to close the public hearing made by Eric Harris, seconded by Mike Greco. Roll call vote – Eric Harris, Mike Greco, KG Dudley all in favor.

(42:35) (7:53 PM) Motion to issue the order of conditions made by Mike Greco, seconded by Eric Harris. Roll call vote – Eric Harris, Mike Greco, KG Dudley all in favor.

16. **(42:55) (7:53 PM) 7:00 PM (NOI-DEP #143-0914) Public Hearing Continued: Amended Notice of Intent: 115 Shore Road, Robert & Diane Miller – Possible Votes**

The engineer went over the revisions to the plan since the last meeting. They are changing the grading and adding retaining wall, so the runoff does not go to the neighbor's yard but is graded toward the applicant's house or the water. The commission was concerned about the runoff, the engineer stated that this area has a very high groundwater level. Evangeline Sutter at 117 Shore Road joined remotely for comments about a staircase that was in the site walk that Mr. Zisk showed the commission she stated was not there anymore, and she suggested that Mr. Zisk go back and check out the site to see any current changes done. The client and their engineer has stated that the staircase in fact is still there. Ms. Sutter is also concerned about the runoff to her and her mother's property and stated how upset she is that this work was done without getting it approved by the town first and a year later is trying to get approval for existing work. Jeanne Lawrence 119 Shore Road she wants to voice her concerns about the runoff, and the grading of the road now, and is claiming that the water that used to go to Ms. Sutter's property now comes into her property. Ms. Lawrence would like to know if there could be a peer review of this property so that they can get a final report of how the neighboring properties can stop the flooding coming into their yards. The engineer stated that there were no changes to the elevation or grading of the road or the front yard. Gregory Bentley 119 Shore Road joined remotely and stated that the he is certain that this house frontage has been built up in such a way that it diverts water around the house to the neighboring houses, and asked that the 8 inch

pipe that is there be replace with a 12 inch pipe across the road that was replaced when the road was washed out, and he believes that the elevation is higher than it was previously, and believes that the grading done will not be forcing the water to the applicants property but to Ms. Sutter's property. Mr. Bentley asks that a survey be done down the southern property line near the Miller's and Ms. Sutter's property and across the whole frontage and really find out what the issues are. Ms. Sharkey asked Steve Zisk to get the information on when the pipe in the road was replaced and who did the work. Attorney Howard Potash representing the Miller's stated that when the pipe in the road burst the responsibility to replace the pipe fell on Douglas Properties and they hired someone to do the work and the work was reviewed and approved by the building inspector, and the Miller's did not have anything to do with the replacing of the pipe. The Miller's stated that Douglas Properties hired Michael Naduchian did the actual work. Mr. Zisk suggests that they talk with Douglas Properties at the next August meeting about replacing the pipe with a 12-inch pipe. With all the discrepancies with the property and the grading and elevation the commission feels that a peer review should be done for the applicant's work done on the property and would like to see an as built of the roadway work.

(1:39:20) (8:50 PM) Motion to request peer review for this notice of intent as well as Douglas Properties to be separately reviewed and to see if there is any adverse connection between the two, and the enforcement of the certificate made by Mike Greco, seconded by Eric Harris. Roll call vote – Eric Harris, Mike Greco, KG Dudley all in favor.

(1:40:30) (8:51 PM) Motion to continue hearing to August 1, 2022 at 7:00 PM made by Eric Harris, seconded by Mike Greco. Roll call vote – Eric Harris, Mike Greco, KG Dudley all in favor.

17. (1:40:51) (8:51 PM) 7:00 PM (NOI-DEP #143-1051) Public Hearing Continued: Notice of Intent: 92 Marin Road, (New Single-family Dwelling) John Mshooshian – Possible Votes

Nicole Hayes a professional wetlands scientist with Goddard Consulting present to go over changes to the plan. At the request of the commission, she added a 25-foot buffer, also the way the buffers were coming off the wetlands were fixed, the question about moving the house closer to the road they cannot do because of the slope of the driveway and to mitigate that the applicant will put signage up for the wetland, and the drainage coming off the driveway has been mitigated with a vegetative swale. The commission would rather see a split rail fence put up instead of signage.

(1:47:10) (8:58 PM) Motion to close the public hearing made by Eric Harris, seconded by Mike Greco. Roll call vote – Eric Harris, Mike Greco, KG Dudley all in favor.

(1:47:26) (8:58 PM) Motion to issue the order of conditions with one change with adding split rail fencing as an anti-creep barrier made by Eric Harris, seconded by Mike Greco. Roll call vote – Eric Harris, Mike Greco, KG Dudley all in favor.

(1:48:00) (8:59 PM) Motion to adjourn the meeting made by Mike Greco, seconded by Eric Harris. Roll call vote – Eric Harris, Mike Greco, KG Dudley all in favor.

Upcoming Meetings: August 1, 2022, August 15, 2022 & September 12, 2022

Respectfully submitted,

Stephenie Gosselin, Recording secretary