

CONSERVATION COMMISSION  
MONDAY, SEPTEMBER 12, 2022  
RESOURCE ROOM

Attendance: Chair Tracy Sharkey, Vice chair Katiegrace Dudley, Eric Harris, Joseph Fitzpatrick, Mike Greco, Mark Mungeam, Steve Zisk Conservation Agent

Chair Tracy Sharkey calls meeting to order at 7:03 PM.

Discussion:

1. (7:03 PM) (0:15) Orders to be signed: Will pass around at the end of the meeting.
2. (7:03 PM) (0:19) Meeting Minutes: June 27, 2022 & July 18, 2022  
(7:03 PM) (0:40) Motion to approve minutes for June 27, 2022, as written made by Mike Greco, seconded by Eric Harris. Roll call vote – KG Dudley, Joe Fitzpatrick, Eric Harris, Mike Greco, Mark Mungeam all in favor.
3. (7:04 PM) (1:17) Uxbridge /Douglas New Gas Main-Notification Letter Lackey Dam Road, Gilboa Street, and North Street, Douglas MA.  
The representative for Eversource joined remotely and stated that the town had approached Eversource for a potential extension of an existing natural gas main that currently ends just short of the Douglas line in Uxbridge. It is a total of 8,950 linear feet of natural gas main, which 6,213 linear feet will be located in Douglas. All the work is in the existing paved roads. The goal is 6-8 weeks for the project.
4. (7:13 PM) (10:35) Request for Certificate of Compliance, (COC-DEP #143-0740) 121 Webster Street – Joseph Vecchione – Possible Votes  
There is no new information and Steve Zisk stated he would take them off the agenda completely.
5. (7:13 PM) (10:45) Request for Certificate of Compliance, (COC-DEP #143-0999) 36 Davis Street – James Fitzpatrick – Possible Votes  
**Joe Fitzpatrick is recusing himself from discussion.**  
The applicant James Fitzpatrick is present to discuss plans and Mr. Zisk is showing the board video of the property, and the board was given the as built. All the planting are in and is well stabilized.  
(7:17 PM) (14:15) Motion to close the public hearing then issue the certificate of compliance made by Mark Mungeam, seconded by Katiegrace Dudley. Roll call vote – KG Dudley, Eric Harris, Mike Greco, Mark Mungeam all in favor.
6. (7:17 PM) (14:37) Request for Certificate of Compliance, (COC-DEP #143-1046) 80 Locust Street – John & Kathleen Newbury – Possible Votes  
Margaret Bacon with Civil Site Engineering present to discuss plans and Mr. Zisk is showing the board the site walk video and provided the board with the as built for a septic repair.  
(7:19 PM) (16:09) Motion to issue the certificate of compliance made by Katiegrace Dudley, seconded by Mike Greco. Roll call vote - KG Dudley, Joe Fitzpatrick, Eric Harris, Mike Greco, Mark Mungeam all in favor.
7. (7:19 PM) (16:30) Request for Replication Modifications (DEP #143-1014), 34 Grove Street – Margaret Bacon – Possible Votes  
Margaret Bacon with Civil Site Engineering representing Dale Bagma, this is a single-family retreat lot with a driveway through the wetlands with wetlands impact of about 2000 square

feet and designed a replication area on both sides of the driveway of about 2700 square feet. The board's consensus is in favor of the presented plan.

**8. (7:25 PM) (22:23) Request for Certificate of Compliance, (COC-DEP #143-1031) 32 Cottage Colony – Dave Brown – Possible Votes**

This item is on hold.

**New Business:**

**9. (7:25 PM) (22:35) 7:00 PM (NOI-DEP #143-1061) Public Hearing: Notice of Intent: Southwest Main Street, Assessors Map 257 Parcel 3 & 4 (New Single-Family Dwelling) – Barbi Family Trust – Possible Votes**

Proposed work consists of construction of a gravel driveway within the buffer zone to an isolated wetlands and the riverfront area to a perennial stream. Joe Marquedant with Marquedant Associates is heading the design team representing the applicants Barbi and Rich Armstrong. They have received street numbers for the parcels, and they are 502 and 504 Southwest Main Street, the lot is a 15.84-acre site, and proposing a single-family home. There has been soil testing done, the septic design is before the Board of Health for review, and at the request of Mr. Zisk, there was a wildlife habitat prepared.

**(7:38 PM) (35:50) Motion to close the public hearing made by Mike Greco, seconded by Joe Fitzpatrick. Roll call vote - KG Dudley, Joe Fitzpatrick, Eric Harris, Mike Greco, Mark Mungeam all in favor.**

**(7:39 PM) (36:10) Motion to issue the order with the standard conditions made by Mark Mungeam, seconded by Joe Fitzpatrick. Roll call vote - KG Dudley, Joe Fitzpatrick, Eric Harris, Mike Greco, Mark Mungeam all in favor.**

**10. (7:39 PM) (36:37) 7:00 PM (NOI-DEP #143-1060) Public Hearing: Notice of Intent: 54 Yew Street, Assessors Map 197 Parcel 5-1 (Driveway for Single-Family Dwelling) – Orbison Corp – Possible Votes**

The proposed work involves construction of a single-family house with a proposed driveway is within the 100-foot buffer. Margaret Bacon with Civil Site Engineering representing Dan Heney to discuss the plans. Plans include a 12-foot-wide paved driveway, a 12-inch culvert, and a couple 2-foot retaining walls to keep the grading down

**(7:53 PM) (50:29) Motion to close the public hearing made by Joe Fitzpatrick, seconded by Mike Greco. Roll call vote - KG Dudley, Joe Fitzpatrick, Eric Harris, Mike Greco, Mark Mungeam all in favor.**

**(7:53 PM) (50:49) Motion to issue the order of conditions made by Mike Greco, seconded by Joe Fitzpatrick. Roll call vote - KG Dudley, Joe Fitzpatrick, Eric Harris, Mike Greco, Tracy Sharkey all in favor, Mark Mungeam opposed.**

**11. (7:54 PM) (51:20) 7:00 PM (RDA) Public Meeting: Request for Determination of Applicability, 105 Shore Road, (Patio & Driveway Installation) Carol Bylinski – Possible Votes**

Applicant is requesting permission to add a paver car pad and patio. The applicant's daughter joined remotely to discuss the plan, the patio area is about 30 feet from the wetlands and is 28 x 13 and four feet away from the tree, driveway paver area is 12 x 21. Conditions being receiving a revised plan showing silt fence and straw bales, no stockpiling on site, no tree clearing, no machinery parked overnight, and removal of excavated materials from the site.

**(8:07 PM) (1:04:15) Motion to issue a negative determination with the conditions previously mentioned made by Katiegrace Dudley, seconded by Joe Fitzpatrick. Roll call vote - KG Dudley, Joe Fitzpatrick, Eric Harris, Mike Greco, Mark Mungeam all in favor.**

**Old Business:**

**12. (8:09 PM) (1:06:40) 7:00 PM (NOI-DEP #143-0914) Public Hearing Continued: Amend Notice of Intent: 115 Shore Road – Robert & Diane Miller – Possible Votes**

Attorney Winner's updated and understanding at this time is that the Millers are willing to purchase the pipe and install it. Mr. Zisk stated that Jeanne Lawrence sent an email regarding the project and Mr. Zisk distributed a copy of that to the board.

Letter from Law offices Howard J. Potash RE: 115 Shore Road Robert and Diane Miller dated August 18, 2022 – Possible Votes

Letter sent to Robert and Diane Miller on the Emergency Certification from issued on July 3, 2021 for Shore Road – Possible Votes

Peer Review estimate by Graves Engineering, Inc. for 115 Shore Road - Possible Votes

Mr. Bentley stated that they would all like to see a guarantee that the water is flowing through the pipe after it is installed to ensure proper flow so there is no flooding.

**(8:19 PM) (1:16:40) Motion to continue the public hearing to October 3, 2022, made by Katiegrace Dudley, seconded by Joe Fitzpatrick. Roll call vote - KG Dudley, Joe Fitzpatrick, Eric Harris, Mike Greco, Mark Mungeam all in favor.**

Attorney Winner stated that he would iron out details with Attorney Potash and have a plan ready to present for October 3<sup>rd</sup>.

**13. (8:21 PM) (1:18:10) 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**

Letter sent to Douglas Properties, LLC on the Emergency Certification Form issued July 3, 2021, for Shore Road, Parcel 299-7.161 – Possible Votes

Peer Review estimate by Graves Engineering, Inc. for Shore Road Lot 299 Parcel 7.16 – Possible Votes

**(8:21 PM) (1:18:30) Motion to continue the public hearing to October 3, 2022, made by Mike Greco, seconded by Katiegrace Dudley. Roll call vote - KG Dudley, Joe Fitzpatrick, Eric Harris, Mike Greco, Mark Mungeam all in favor.**

**14. (8:22 PM) (1:19:00) 7:00 PM (NOI-DEP #143-1058) Public Hearing Continued: Notice of Intent: 38 Hemlock Street, (New Single-Family Dwelling) – James Silva – Possible Votes**

The board did the site walk and they have the wildlife habitat review for the riverfront area. The applicants engineer went over plan changes with the board. The board is asking to see some more drainage for the driveway; the engineer said he would do a drainage diverter. The board will add a condition that if there are any issues with run off that the applicant will remedy them.

**(8:42 PM) (1:39:05) Motion to close the public hearing made by Katiegrace Dudley, seconded by Mike Greco. Roll call vote - KG Dudley, Joe Fitzpatrick, Eric Harris, Mike Greco, Mark Mungeam all in favor.**

**(8:42 PM) (1:39:23) Motion to issue the order of conditions with the standard conditions as well as the drainage diverter added, and drywell optional, and stabilize the driveway base coat prior to construction of the house and the removal of soil built up behind the catch basins**

made by Mark Mungeam, seconded by Eric Harris. Roll call vote - KG Dudley, Joe Fitzpatrick, Eric Harris, Mike Greco, Mark Mungeam all in favor.

15. (8:43 PM) (1:40:57) 7:00 PM (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 with updates for the board on the study they had, and the species that are living in the area have not been affected by the draw down. She hopes to get in touch with Natural Heritage before the next hearing so they can have the fall drawn down done in time.

(8:47 PM) (1:44:25) Motion to continue public hearing to October 3, 2022, made by Joe Fitzpatrick, seconded by Eric Harris. Roll call vote - KG Dudley, Joe Fitzpatrick, Eric Harris, Mike Greco, Mark Mungeam all in favor.

16. (8:47 PM) (1:44:57) Walnut Street Conditions for the Deed Restriction, that would be implemented before the lots are sold.

Upcoming Meeting: October 3, 2022, October 17, 2022 & November 7, 2022

(8:49 PM) (1:46:17) Motion to adjourn the meeting made by Mike Greco, seconded by Mark Mungeam. Roll call vote - KG Dudley, Joe Fitzpatrick, Eric Harris, Mike Greco, Mark Mungeam all in favor.

Respectfully submitted,

Stephenie Gosselin, recording secretary