

CONSERVATION COMMISSION
MONDAY, NOVEMBER 7, 2022
RESOURCE ROOM

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

Absent: Chair Tracy Sharkey

Vice chair, Katiegrace called the meeting to order at 7:00 PM

Discussion:

1. (0:40 TS) Orders to be signed:
2. (0:45 TS) Meeting Minutes: August 15, 2022 & September 12, 2022
(1:06 TS) Motion to approve the minutes of August 15, 2022, as written made by Mike Greco, seconded by Joe Fitzpatrick. Roll call vote Eric Harris, Joe Fitzpatrick Mike Greco, and Mark Mungeam all in favor.
3. (1:50 TS) 2023 Meeting Schedule – Possible Votes
Ms. Dudley will circle back to this while the commission reviews the schedule
4. (3:00 TS) Shore Road
The town is still waiting for the peer review from Graves Engineering. Tom Speroni resident of Shore Road stated that he had inquired about the peer review concerning the 12-inch concrete pipe, which was whether the review was going to include a review of the concrete pipe all the way down to the water or is it just within the boundaries of the street. Mr. Speroni is in the process of purchasing the property across the street from the pipe drainage and wants to make sure that he will not have issues from this pipe in the future on this property. Ms. Dudley stated that the peer reviewer is not currently in the meeting to speak to that directly, but she believes that it should be included in it. Mr. Zisk stated that he believes that the peer review involved the integrity of the pipe in the road because the emergency order was only for the road. The commission is going to continue the discussion to December 5, 2022, because the peer review is not completed yet.
5. (7:50 TS) Ecotech Review Proposal for CRG, 105 & 123 Gilboa St (DEP #143-1042) – Possible Votes
The commission has the peer review, proposal and the estimate in their packets; they have to decide what their next steps are in moving forward. Steve Zisk has a meeting with CRG, the Building Inspector and the Community Development Director and will relay that the Commission recommendation and preference is to use Ecotech in accordance with the proposal provided to the commission tonight.
6. (15:56 TS) Request for Certificate of Compliance, (COC-DEP # 143-0926) 134 Southeast Main Street – David L’Heureux – Possible Votes
Steve Zisk stated that is came before the commission about 18 months ago and there is an issue with what is a sort of common driveway for this property, Mr. Zisk showed the video of the site and said that the commission back 18 months ago wanted to the left side of the driveway more stabilized. It was dirt and now there is grinding laid down and stones and on both side, and planted trees along the centerline.
(23:25 TS) Motion to approve the certificate of compliance made by Mark Mungeam, seconded by Mike Greco. Roll call vote Eric Harris, Joe Fitzpatrick Mike Greco, and Mark Mungeam all in favor.

7. (23:48 TS) Request for Certificate of Compliance, (COC-DEP # 143-0969) 149 Southeast Main Street – David Mackenzie – Possible Votes
Margaret Bacon with Civil Site Engineering presented plans to the board requesting a certificate of compliance for a wetland crossing and replication areas that is site stable.
(29:29 TS) Motion to approve the certificate of compliance made by Mark Mungeam, seconded by Mike Greco. Roll call vote Eric Harris, Joe Fitzpatrick Mike Greco, and Mark Mungeam all in favor.
8. (30:00 TS) Request for Certificate of Compliance, (COC-DEP #143-1050) 80 West Street – George & Pamela Cammuso – Possible Votes
Steve Zisk stated to the commission that he does not see any issues with this property that was a septic repair.
(32:07 TS) Motion to approve the septic repair plan for certificate of compliance made by Mark Mungeam, seconded by Mike Greco. Roll call vote Eric Harris, Joe Fitzpatrick Mike Greco, and Mark Mungeam all in favor.
9. (32:34 TS) Request for a Certificate of Compliance, (COC-DEP #143-1019) for Cedar Street Bridge
Jim Noyes from Civil Engineering stated that the surveyors are installing bounds, washers on the guardrails and installing some signs, which are the three punch list items to have been finished, and other than those items, being done the bridge is complete. Steve Zisk showed a site walk video of the bridge to the commission.
(41:30 TS) Motion to approve the certificate of compliance for the Cedar Street Bridge made by Mark Mungeam, seconded by Mike Greco. Roll call vote Eric Harris, Joe Fitzpatrick Mike Greco, and Mark Mungeam all in favor.

New Business:

10. (42:00 TS) 7:00 PM (NOI-DEP #143-1063) Public Hearing: Notice of Intent: 274 Yew Street, Assessors Map 217 Parcel 1.3 (Single-Family Dwelling) Andrew Vargas – Possible Votes
The NOI involves minor construction and clearing activities within the 100-foot buffer zone of bordering vegetative wetlands. Margaret Bacon with Civil Site Engineering with the applicant Andrew Vargas. Mr. Vargas stated that he had work done to remove a fallen broken tree limb and asked the worker (Josh King) about expanding his yard but knows that there are wetlands in the back. Mr. King proceeded to tell Mr. Vargas that he would get approval from the Conservation Commission and get the work done. Mr. King told Mr. Vargas that he received approval, so they had the work done, but later found out that Mr. King did not get such approval. Therefore, they have since moved the shrubs that were planted and stabilized the wetlands area that was disturbed. Ms. Dudley stated that she would really like to see the planting of another shade providing tree in the area that one had come down but also understands that it is close to the house and that that was the reason the other one had to come down. Mr. Vargas is willing to replace that tree with something. Mr. Mungeam suggests requesting more plantings of trees and that he would like to see the pad and the shed moved forward to be outside the 25-foot buffer zone. Ms. Bacon stated that she believes there is room to do that. The commission would like to see six red maple trees planted with one behind the shed and that the pad and the shed be at least 34 feet from the wetlands. Steve Zisk asked that Ms. Bacon submit a revised plan with all the changes the commission stated tonight.
(1:02:50 TS) Motion to close the public hearing made by Mike Greco, seconded by Eric Harris. Roll call vote Eric Harris, Joe Fitzpatrick Mike Greco, and Mark Mungeam all in favor.

(1:03:08 TS) Motion to approve the notice of intent with the added conditions stated above made by Mike Greco, seconded by Eric Harris. Roll call vote Eric Harris, Joe Fitzpatrick Mike Greco, and Mark Mungeam all in favor.

11. (1:03:50 TS) 7:00 PM (NOI-DEP #143-10xx) Public Hearing: Notice of Intent: Lot 2R (21) Birch Street, Assessors Map 146 Parcel 26.1 (New Single-Family Dwelling) Judy Barron – Possible Votes

The work involves developing two lots with single-family houses, septic systems, wells and associated landscaping. Robert Murphy with Murphy Associates Environmental Consultants handed out plans to the committee for review. All structures are outside the 50-foot buffer zone, the driveway goes close to the 25-foot buffer zone but there is no work within the 25. Mr. Murphy talked about the slopes and vegetation involved in the plan. The commission would like to do a site walk, Mr. Murphy stated that they do not have a DEP yet and he is here to give the commission a heads-up of the coming project. Mr. Murphy will have the house staked out and the driveway centerline for both lots for the site walk and will be present with the commission on the site walk. The commission scheduled the site walk for Sunday the 20th at 9 AM.

(1:41:36 TS) Motion to continue public hearing to December 5, 2022, at 7:00 PM made by Mike Greco, seconded by Mark Mungeam. Roll call vote Eric Harris, Joe Fitzpatrick Mike Greco, and Mark Mungeam all in favor.

12. (1:42:15 TS) 7:00 PM (NOI-DEP #143-10xx) Public Hearing: Notice of Intent: Lot 3R Birch Street, Assessors Map 146 Parcel 26.2 (New Single-Family Dwelling) Judy Barron – Possible Votes

Mr. Murphy stated that this lot is a mirror image of the previous lot. Mr. Mungeam stated his concern about the driveway and the flow from the driveway, Mr. Murphy explained the plan of flow off the driveway. Mr. Murphy will add a turnaround on both driveways. Mr. Murphy will add straw balls to places where there will be a lot of construction to replace the straw waddles, and add Caltech drainage to the roof drains.

(1:55:50 TS) Motion to continue public hearing to December 5, 2022, at 7:00 PM made by Mark Mungeam, seconded by Joe Fitzpatrick. Roll call vote Eric Harris, Joe Fitzpatrick Mike Greco, and Mark Mungeam all in favor.

13. (1:56:10 TS) 7:00 PM (RDA) Public Meeting: Request for Determination of Applicability: 170 West Street, Douglas Renewable Solar, (Solar Project) Jeffrey Murphy – Possible Votes
Jeff Murphy with Beals and Thomas and Julie Beauchemin with Nexamp joined remotely. The applicant is requesting permission to do selective tree trimming and removal with stumps to remain. Mr. Murphy updated that the project is substantially completed and constructed, and they are at the final stages of the project where they need to connect to the power grid. The issue with the project is that the access ways are restrained due to wetlands obstacles. They are estimating nine trees needing to be removed to satisfy National Grids requirements for the area around the poles that have been installed. Three of these trees are located within the buffer zone he estimates between 15-25 feet within the wetland line. Steve Zisk does not see any adverse effect to the surrounding resource areas. Mark Mungeam feels like the applicant should refile as a plan change. Mr. Mungeam also would like to propose there be a planting of high bush blueberry or similar shrub be planted along the edge of the driveway to replace the trees that will be taken down and restore some of the shade that will be lost.

(2:21:00 TS) Motion to issue a positive RDA and will be looking at a minor plan change on December 5, 2022, made by Mark Mungeam, seconded by Joe Fitzpatrick. Roll call vote Eric Harris, Joe Fitzpatrick Mike Greco, and Mark Mungeam all in favor.

Old Business:

14. (2:22:45 TS) 7:00 PM (NOI-DEP #143-0914) Public Hearing Continued: Amend Notice of Intent: 115 Shore Road – Robert & Diane Miller – Possible Votes

This order is still active, the Miller's legal was not able to attend tonight's meeting and will be at the next meeting at the December 5 and will give the commission an update of where they stand on the project.

(2:24:47 TS) Motion to continue public hearing to December 5, 2022, at 7 PM made by Joe Fitzpatrick, seconded by Eric Harris. Roll call vote Eric Harris, Joe Fitzpatrick Mike Greco, and Mark Mungeam all in favor.

(2:25:10 TS) Meeting Schedule

(2:27:47 TS) Motion to approve the meeting schedule for 2023 as proposed made by Mike Greco, seconded by Joe Fitzpatrick. Roll call vote Eric Harris, Joe Fitzpatrick Mike Greco, and Mark Mungeam all in favor.

(2:28:35 TS) Motion to adjourn the meeting made by Eric Harris, seconded by Joe Fitzpatrick. Roll call vote Eric Harris, Joe Fitzpatrick Mike Greco, and Mark Mungeam all in favor.

Upcoming Meetings: December 5, 2022

Respectfully submitted,

Stephenie Gosselin, recording secretary