

CONSERVATION COMMISSION
MONDAY, MAY 22, 2023
RESOURCE ROOM

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

Absent: Joe Fitzpatrick

Chair Tracy Sharkey called the meeting to order at 7:01 PM.

Discussion:

1. (0:30 TS) Mail & Orders to be signed:

- Concerned abutter letter – Legacy Place

Ms. Sharkey would request that the resident come in and talk to the commission in person about their concerns. Steve Zisk stated that this project is being monitored and there was a site walk with three commission members, there were comments from the consultant and there was a follow site walk from the engineer and it is on tonight's agenda to be continued.

Old Business:

2. (2:33 TS) 7:00 PM (NOI – DEP #143-1076) Public Hearing Continued: Notice of Intent: Legacy Circle, Map 166 Lot 15 (Site Access Drive), Peter Michael Business Park, McIntyre Loam, Inc. – Possible Votes

(3:25 TS) Motion to continue the public hearing to June 5, 2023, at 7 PM made by Eric Harris, 2nd by Mike Greco. Roll call vote – Eric Harris, Mike Greco, Mark Mungeam, KG Dudley all in favor.

Discussion:

(4:05 TS) Continue with Mail & Orders to be signed:

Mr. Zisk stated that there was mail regarding the Brian Keegan property (41 Pine St) to discuss. At the last meeting, it was decided that the members on the open space committee are going to work with the Highway superintendent about the parking area and the commission will look into making the sign. Mr. Zisk spoke to Will Anderson, and he is still able to make the sign. Mr. Zisk will put it on PowerPoint for the next meeting.

(7:05 TS) Mr. Mungeam would like to know who maintains it and what the access is to the other conservation properties. Mr. Zisk stated the commission hired a landscaper the few times the properties were mowed and maintained. The commission discussed how they would like to have them continually maintained. Mr. Mungeam asked if could go and cut to make access to these properties and he was told that he would just have to fill out the form or permission slip for liability purposes.

3. (12:20 TS) Meeting Minutes: March 20, 2023 – Possible Votes

The commission has not reviewed the meeting minutes yet so they will hold them until next meeting.

4. (12:45 TS) Potential Member Applicant – Possible Votes

Ms. Sharkey stated that she spoke to the applicant about joining the conservation commission and stated interest in joining other boards and commissions.

(15:10 TS) Motion to recommend Mr. James Foran for membership on the Conservation Commission made by Mark Mungeam, 2nd by Eric Harris. Roll call vote – Eric Harris, Mike Greco, Mark Mungeam, KG Dudley all in favor.

5. Discussion – Barbara Van Essendelft, (DEP #143-1066), 83 Island Road
Jack Kemper with Kemper Associates Architects in Farmington Connecticut representing the applicant who has also joined the meeting remotely. The commission asked that they submit the terrace shape on a plan which they have tonight, and they have made an adjustment with the curving and was under the impression from the commission that as long as they stayed under the original square footage approved (718 sq. ft) that they would have some leeway in the shape and what they are proposing tonight is 714 sq. ft.
(21:30 TS) Motion to consider this a minor plan change made by Mark Mungeam, 2nd by Mike Greco. Roll call vote – Eric Harris, Mike Greco, Mark Mungeam, KG Dudley all in favor.

6. (22:00 TS) Review/Update – CRG, 105 & 123 Gilboa St (DEP #143-1042)
Art Allen joined remotely, peer review consultant for the commission and has been monitoring the project. He went to the site on May 10 and again on May 18 and submitted his report today; he was waiting for the contractor to get back to him regarding the final seeding that they finished this morning. They have made some significant progress since that last discussion with the commission, the slope grading has been finished and hydro seeded, and replace the compost tubes. Mr. Allen did not recommend the stop work order because of the progress made immediately after the last meeting and is back into compliance.

7. (25:50 TS) Review/Update – BWC Whitin Reservoir, 45 Oak Street (DEP #143-0989)
Art Allen stated that he was out to this site last Thursday and in addition to having the stabilized construction entrance in from last meeting they are prepping the staging and parking area and the lower stormwater basin and keeping with their approved construction sequence.

Old Business:

8. 7:00 PM (RDA) Public Meeting Continued: Request for Determination of Applicability, 45 Martin Road, Southwick Brook (Intermittent Stream Determination) Map 169 Lot 12 – Possible Votes
Mitch Masslanka offices in Northborough and he has submitted additional information on the determination and Art Allen wanted to know they were planning on submitting stream stats. The applicant is looking for the commission to accept the documentation that had been previously accepted by the commission for the intermittent stream determination. Mr. Allen stated that there is technically no expiration on the documentation and that it would be up to the commission. Mr. Allen suggested providing stream stats analysis because it would be a form of up-to-date documentation. Mr. Masslanka stated that they would be willing to submit the current stream stats and stated that he has the previously done stream stats as well and read them to commission.
(41:00 TS) Motion to continue public meeting to June 5, 2023, at 7PM made by Mike Greco, 2nd by Mark Mungeam. Roll call vote – Eric Harris, Mike Greco, Mark Mungeam, KG Dudley all in favor.

9. (41:35 TS) Request for Certificate of Compliance, 42 Chestnut Street (DEP #143-0577) Work never started under (DEP #143-0577). A new DEP number was issued under DEP #143-1016 that the current project is being constructed under.
Les Stevens, 31 Brookside Dr, stated that there was one order of conditions filed back in 2007 along with an extension that was recorded with the registry of deeds for the old DEP #.

(43:20 TS) Motion to issue the order of conditions for 42 Chestnut St DEP #143-0577 made by Mark Mungeam, 2nd by Eric Harris. Roll call vote – Eric Harris, Mike Greco, Mark Mungeam, KG Dudley all in favor.

10. (43:50 TS) Review/Discussion on culvert plan for 115 Shore Road

- a. Supplemental Documentation Submitted to the Conservation Commission
 - Email and documents from Cliff Van Reed
 - Emails and documents from Madeline Meyers
 - Emails and documents from Jeanne Lawrence
 - Letters from Robert and Diane Miller
 - Emails and documents from Glenn Krevosky
 - Peer review report from Graves Engineering, Inc.

Mr. Zisk showed the commission the plan, the engineer with Alpha Engineering stated that they don't have the road elevation numbers because they took this over from another engineering firm nine years ago that had the septic design partially in the road and what they did with it was move the septic out of the road. Since then, they haven't done anything except the as built on the property and they haven't done any topography in the road. He also provided pictures to the commission to show the flow of water and they graded and pitched the driveway for the runoff to on the applicant's property. There was discussion about the flow of water from the street and where it is coming from and the history of the grading and water flow. They stated that they would be there with transit shooting grades ensuring that they divide the water to the south, north and east. Jeff Walsh summarized the comments which were: the plans submitted need to be signed and stamped by a professional engineer, the comment about the filter sock down by the lake that he thought was permanent but is on the plan as temporary during the construction phase and he is fine with that, and finally the issue around the historical grading and his concern is with the depression on the north side of Shore Road from time to time will overflow because it not only receives water from Shore Road but from the upper areas and all the way from Wallum Lake Road. His concern is the topography that the 2/10 of a foot contour interval shows him that the depression at the inlet of the culvert if it overflows that water from that overflow is going to go to the east along Shore Road, and whether this has always occurred or only since the development of the lot. The contractor responding that has been long-term water running this road in the southern direction from the gradient dumping to the eastern side and they can demonstrate that from photos and the depth of the sediments that are over there and stated that he would come up with more documentation for the peer reviewer's satisfaction. He will also show documentation and photos for the Birch Hill Road water flow. The commission and contractor and the applicants discussed the pipe and the knowledge of other pipes. Ms. Miller asked if it was possible to take down the silt fence along the water, the contractor stated to the commission that he has photos, and the area is stabilized and showed them the photos.

(1:17:55 TS) Motion to allow the silt fence to be removed made by Mark Mungeam, 2nd by Mike Greco. Roll call vote – Eric Harris, Mike Greco, Mark Mungeam, KG Dudley all in favor.

New Business:

11. (1:20:10 TS) 7:00 PM (RDA) Public Meeting: Request for Determination of Applicability, Town of Douglas Water/Sewer Department, 29 Charles Street, Waste Water Treatment Plant (Gas Line Installation) – Possible Votes

The applicant is requesting permission to install natural gas lines to the buildings. Bob Minarik Economic Development Director stated that Eversource has now finished installing 9000 feet of the main trunk line along Gilboa Street, North Street and ending at Main Street and are now installing all the laterals. They did Hayward Landing last week and what is before the commission tonight is the visual display of supplying the wastewater treatment plant and he showed the commission the plan of the proposed gas lines. It is within the riverfront area and the 100-foot buffer of the entire way they are doing the erosion controls only on the riverside between trench and the river. Mr. Minarik also stated that Eversource has gone above and beyond regarding erosion controls.

(1:31:30 TS) Motion to issue a negative determination of applicability with the regular conditions of no tree removal, no heavy machinery parking overnight and notifying Steve Zisk before work commences made by Katiegrace Dudley, 2nd by Mark Mungeam. Roll call vote – Eric Harris, Mike Greco, Mark Mungeam, KG Dudley all in favor.

Upcoming Meetings: June 5, 2023 & June 26, 2023

(1:32:40 TS) Motion to adjourn the meeting made by Mark Mungeam, 2nd by Mike Greco. Roll call vote – Eric Harris, Mike Greco, Mark Mungeam, KG Dudley all in favor.

Respectfully submitted,

Stephenie Gosselin