

Approved 8/19/2024

CONSERVATION COMMISSION MEETING with
REMOTE ZOOM MEETING OPTION
MONDAY January 22, 2024
RESOURCE ROOM
7:00 PM

Attendance: Joe Fitzpatrick, Mark Mungeam, Eric Harris, Mike Greco, Jim Foran, Brandon Faneuf- Conservation Agent, Matt Benoit- the Director of Community Development, Samantha Carew- assistant to Mr. Faneuf.

(0:09 TS) Chair Joe Fitzpatrick opens the meeting.

Discussion:

(:23 TS) 2024 Violation Meeting Dates – Possible Votes

Mark Mungeam moves to move the discussion items to the end of the meeting. Inaudible as to whom 2nd the motion but there was a 2nd. Roll Call vote Mark Mungeam, Eric Harris, Mike Greco, Jim Foran, Joe Fitzpatrick.

1. Mail/Orders to be signed:

- Water readings for Whittin Reservoir

1. Meeting Minutes: June 26, 2023, July 17, 2023 & August 7, 2023 & August 21, 2023 – Possible Votes

1. 2023 Annual Report – Possible Votes

1. Updates

(:50 TS) Oak Street Solar Project (DEP #143-0989) Chair Joe states that he wants to discuss just updates to save time. Representatives from the Oak Street project give an update on progress made since the last meeting. Greg Morehouse- Mill Creek Renewables, Jason Smith- Blue Wave Solar, Devin Herrick- Certified wetland scientist with Weston and Sampson. Pat Mahan- civil contractor with J. Bates & Son, Jeff Murphy- Beals & Thomas and Steve LaRosa Soil Specialist- Weston & Sampson (remote).

(6:23 TS) Mr. Moorehouse states they received the approved restoration plan from the town on 1/15/24 and the enforcement order on 1/17/24.

(7:14 TS) Chair Fitzpatrick asks about the TOPO maps he requested. Steve LaRosa shows a working plan.

(12:09 TS) Chair Fitzpatrick asks about the sediment clean up.

(14:12 TS) Chair Fitzpatrick comments that the silt fences need to be emptied.

(14:49 TS) Mr. Faneuf states that he updated the Board of Selectman and they suggested that he make a weekly visit to the site, with the site supervisor to get progress reports. Mr. Smith state they would appreciate that.

(17:27 TS) Mr. Faneuf presents the written condition that the board voted on last meeting to check for accuracy.

(20:30 TS) Steve LaRosa with Weston & Sampson speaks about and presents a slide show about PFAS testing. States that PFAS comes from everyday items.

(35:08 TS) Chair Fitzpatrick states that from what he gathered from Steve's presentation that "you're saying we shouldn't check it at all, we should just leave it be." He states the property owners want it checked for PFAS, we should check it.

(36:03 TS) Shirley Mosczynski- 60 Oak St. insists on PFAS testing on the imported materials.

(37:30 TS) Response from Pat "the only materials that have been brought in are from an approved DOT pit.

(40:38 TS) Mr. Mungeam speaks about imported materials and reports that can be provided to show what is in the materials. Pat says he will see what he can get. Mr. Mungeam also talks about a baseline for testing with the undisturbed soils.

(41:26 TS) Mr. Faneuf states the in the order of conditions that the fill be clean fill.

(40:28 TS) Lisa Mosczynski- 60 Oak St. Wants to know if the commission has received copies of the bills of lading that were requested from the imported materials starting January 2023. They have not been received. Pat states that he will get them this week.

(43:51 TS) Steve LaRosa asks what the acceptable levels will be.

(46:44 TS) Darren K. with Weston & Sampson speaks about sampling and results.

(49:18 TS) Phyllis Charpentier- President of the Manchaug Pond Foundation points out that some fertilizers excrete PFAS. She requests Manchaug pond be tested.

(51:00 TS) Lori Hough- 41 Oak St. She is disappointed that Weston & Sampson and Blue Wave are giving reasons that we should not test for PFAS. She also notes that materials have been brought in this week and digging has been done that turns into silt. She is disgusted that something the commission asked of them two weeks ago has not been done.

(53:11 TS) Charla Kroll- 78 Torrey RD Sutton (remote) - She states they have permission to perform testing on her property. She also wants to know why they are burning the stumps. Blue wave says they are not. Brandon tells her if it happens again to let him know. She also asks about water being pumped and if a dye can be put in the pump water to identify, where it is coming out.

(58:41 TS) Chair Fitzpatrick states he plans to visit the property at least once a week.

(59:41 TS) Ms. Kroll gives permission for the interested parties to ignore the no trespassing signs to get access to the property.

(1:00 TS) Lisa Mosczynski- 60 Oak St. She asks if the commission is satisfied that the slopes around basin 5 are stable.

(1:02 TS) Charla authorizes Mr. Faneuf to provide her phone number to the Blue Wave representatives.

- (1:02 TS) CRG, 105 & 123 Gilboa St (DEP #143-1042) - Todd Morey with Beals and Associates gives an update. Mr. Faneuf speaks about peer review.
(1:05 TS) Mr. Benoit recommends Haley Ward as the peer review consultant.
(1:06 TS) Mr. Faneuf states the fines and tickets have been delivered to Clayco.
(1:07 TS) Mr. Mungeam gets clarification on what is going out for peer review.
Mr. Fitzpatrick request a TOPO and asks about bank stabilization.
(1:08 TS) Mr. Morey states he will have the drone sent up this week.
(1:09 TS) Mr. Mungeam reiterates his concerns about the detention basin. Mr. Morey replies.
(1:12 TS) Mr. Fitzpatrick asks about the clean-up plan and Mr. Mungeam asks how they will access it. Mr. Faneuf asks if they have permission to access the land from the owner, The Town of Douglas. He recommends that the Town of Douglas require a certificate of insurance from Clayco.
(1:15 TS) Pam Schwartz- 343 Southeast Main St wants to see the affected area. Mr. Faneuf shows the map.
- (1:17 TS) **Brian Keevan, 41 Pine Street Donation from 2014-** Mr. Mungeam states a letter written to the commission from the Open Space Committee dated Nov 20, 2023 notes that an easement at the street has a new owner and that they need to be notified of the plans. Mr. Faneuf will work with Mr. Benoit to do so.
(1:20 TS) Pam Schwartz 343 Southeast Main St states the property has sat status quo since the donation.
- (1:26 TS) Lakeshore Drive Enforcement Order- Robert Moran- 56 Lakeshore Dr. provides an update. He states Mr. Goodison is making repairs but there are still issues with storm water and sediment is flowing into Manchaug pond. He asks the vice chair about the as built plan that was asked for last meeting and it has not been provided yet. More conversation about

storm water, DEP and enforcement orders issued incorrectly. He states he would like a storm water management plan on the road.

(1:32 TS) Phillis Charpentier- Manchaug Pond Foundation speaks. She questions jurisdiction.

1. **(1:37 TS) Potter Road Complaint**

Mr. Faneuf shares photos of a possible violation. A gully was created and sediment is coming down and settles at the base of the Mumford River. Chair Fitzpatrick recommends alerting Douglas Highway Department.

1. **(1:41 TS) Request for Certificate of Compliance, (DEP #143-1088), Daniel Burrows, 57 Manchaug St , Map 143 Lot 30 – Possible Votes**

Mr. Faneuf recommends a partial C.O.C. as the as the grass is not growing yet. Mr. Mungeam makes a motion to approve a partial C.O.C. Jim Foran 2nd. All in favor.

1. **(1:44 TS) Request for Certificate of Compliance, (DEP #143-1068), Taniel Bedrosian, 61 Yew St , Map 197 Lot 9 – Possible Votes**

Danielle Hastings (Remote) GL engineering- Shares relocated driveway plans. Mr. Faneuf confirms the infiltration basin's function. He also recommends a partial C.O.C because the stability of the project is not there. Mr. Mungeam moves the motion. Jim Foran 2nd. All in favor.

1. **(1:52 TS) 286 Webster St, Discussion – Possible Votes-** Mr. Mungeam states this was moved to the next meeting.

1. **(1:53 TS) 75 Old Farm Road, DEP# 143-0661, Discussion – Possible Votes-** Name of representative inaudible. Most of his audible is inaudible. Conversation about the septic system. Mr. Faneuf states the order of conditions expired in 2005. Chair asks for drawings.

New Business:

Old Business:

10. **(2:02 TS) 7:00 PM (NOI – DEP #143-10XX) PUBLIC HEARING CONTINUED: Notice of Intent: Christopher Bettencourt, 295 Southeast Main St, Map 266 Lot 13-6 – Possible Votes-**

Mr. Mungeam waves the reading of the public meeting. Jim Foran 2nd. All in favor. Tom Schultz from Goddard consulting represents landowner. They adjusted the plan as requested at the last meeting. The board asks for further changes to the plan. No DEP # has been issued yet so they need to continue. Mr. Mungeam motions to continue the public hearing to 2/12/24. Jim 2nd. All in favor.

11. **(2:08 TS) 7:00 PM (NOI – DEP #143-10XX) PUBLIC HEARING CONTINUED: Notice of Intent: Christopher Bettencourt, 299 Southeast Main St, Map 266 Lot 13-7 – Possible Votes-**

Mr. Mungeam waves the reading of the public meeting. Jim Foran 2nd. All in favor. Tom Schultz from Goddard consulting represents landowner. There is No DEP # assigned yet. They discuss moving wetland flags from a site visit with Mr. Faneuf. Also addresses the 3-1 slope and changes made. Mr. Mungeam requests a split rail fence.

(2:12 TS) Mr. Mungeam motions to continue the public hearing to 2/12/24. Jim 2nd. All in favor.

12. **(2:13 TS) 7:00 PM (NOI – DEP #143-10XX) PUBLIC HEARING CONTINUED: Notice of Intent: Christopher Bettencourt, 303 Southeast Main St, Map 266 Lot 13-8 – Possible Votes-**

Mr. Mungeam waves the reading of the public meeting. Jim

Foran 2nd. All in favor. Tom Schultz from Goddard Consulting represents the landowner. He discussed grading and how they refined it. He presents the plan. There are still questions about the buffer zone. Mr. Mungeam motions to continue the public hearing to 2/12/24. Jim 2nd. All in favor.

(2:17 TS) Mr. Faneuf states that the commission may need to impose a violation only meetings. Chair Fitzpatrick suggests moving the violations to the end of the meeting instead of adding another meeting. The board agrees.

- (2:20 TS) Water readings for Whittin Reservoir- received.
- (2:22 TS) Meeting Minutes: June 26, 2023, July 17, 2023 & August 7, 2023 & August 21, 2023 – Possible Votes- Cannot approve 6/26/23, 7/17/23 or 8/21/23 because of new members or absences.
(2:43 TS) The board takes the time to read the minutes of August 7, 2023. Amendment needed, then Mr. Mungeam makes a motion to approve with amendments. 2nd Mr. Harris. All in favor.

(2:45 TS) 2023 Annual Report – Possible Votes- The board looks at the report.

(2:47 TS) Mr. Mungeam makes a motion to approve the annual report with the addition of the map of the Keeven property. Eric 2nd. All in favor

(4:10 TS) Mark Mungeam makes a motion to adjourn Eric 2nd. Roll call: Mark Mungeam, Eric Harris, Mike Greco, Joe Fitzpatrick all in favor.

Upcoming Meetings: February 12, 2024 & February 26, 2024

Respectfully submitted,

Jennifer Larson