

CONSERVATION COMMISSION
MONDAY, SEPTEMBER 9, 2024
RESOURCE ROOM

Attendance: Chair Mark Mungeam, Vice chair Jim Foran, Brendan Doyle, Mike Greco, Josiah Burch, Kate Thompson, Brandon Faneuf Conservation Agent, Matt Benoit Community Development Director

Mark Mungeam called the meeting to order at 6:30 pm.

1. (1:01 TS) Stormwater MS-4 Stakeholder Committee Volunteer – Possible votes
Matt Benoit stated that they are looking for a volunteer for the committee from the Conservation Commission. There is no one on the commission that is able to commit to volunteering at this time.
2. (2:50 TS) Mail/Orders to be signed: Mark Mungeam passed the documents around for signatures.
3. (3:00 TS) Meeting Minutes: February 12, 2024, February 26, 2024 & June 17, 2024 – Possible votes
(4:20 TS) Motion to approve the February 12, 2024, meeting minutes as amended made by Josiah Burch, 2nd by Mike Greco. Roll call vote – Jim Foran, Brendan Doyle, Mike Greco, Josiah Burch, Mark Mungeam all in favor.
(6:25 TS) Motion to approve the February 26, 2024, meeting minutes as amended made by Jim Foran, 2nd by Mike Greco. Roll call vote – Jim Foran, Mike Greco, Josiah Burch, Mark Mungeam all in favor, Brendan Doyle and Kate Thompson abstained.
(7:35 TS) Motion to approve the June 17, 2024, meeting minutes as amended made by Jim Foran, 2nd by Mike Greco. Roll call vote – Jim Foran, Mike Greco, Josiah Burch, Mark Mungeam all in favor, Brendan Doyle and Kate Thompson abstained.
4. (8:10 TS) Open Space Committee – 77 Mumford – budget for sign – Possible votes
Matt Benoit stated that the Commission has about \$1,800 in the expense account and he will have Jeanne Lovett check the wetlands account for any available funds for the sign and find out if they can use either account for this project.
5. (10:05 TS) Emergency Certification – Riedell Rd & 9 Riedell Road – Town of Douglas – Possible votes
Riedell Road has flooding caused by the beaver dams and rain events and the Highway department is suggesting putting in some outlet pipes to help with the issue of water flow onto town property. Matt Benoit showed a plan of where they are suggesting to put the pipes and pictures of the flooding.
(19:55 TS) Motion for an emergency certificate for Riedell Road and 9 Riedell Road to install 12-inch outlet pipes for discharge to town property and 30 days to do the work, made by Jim Foran, 2nd by Brendan Doyle. Roll call vote – Jim Foran, Brendan Doyle, Mike Greco, Mark Mungeam all in favor, Kate Thompson abstained, Josiah Burch opposed.
6. (22:20 TS) Emergency Certification – Southern New England Trunk Trail – DCR – Possible votes
Matt Benoit explained that the work has already been done and this an after the fact emergency certification and that DCR called him letting him know they are in favor of this. This also allows the beavers to stay and not have to be removed.
(27:00 TS) Motion to approve the emergency certification for Southern New England Trunk Trail, made by Jim Foran, 2nd by Mike Greco. Roll call vote – Jim Foran, Brendan Doyle, Mike Greco, Josiah Burch, Kate Thompson all in favor.
7. (27:35 TS) Enforcement Order – 206 West St – Victoria Ruocco – Possible votes

Matt Benoit explained the violation of installing a horse-riding ring within jurisdiction of a resource area and that the homeowner is currently working on filing an RDA. Mr. Benoit suggests waiting now for them to file the RDA and take it back up at the next meeting.

8. (31:35 TS) Enforcement Order (release) – Wallum Lake Terrace Beach – Possible votes
At the last meeting, the Commission issued an RDA for this but did not vote to remove the enforcement order.
(32:05 TS) Motion to release the enforcement order for Wallum Lake Terrace Beach with the negative RDA, made by Jim Foran, 2nd by Brendan Doyle. Roll call vote – Jim Foran, Brendan Doyle, Kate Thompson, Mike Greco, Josiah Burch, Mark Mungeam all in favor.

9. (32:50 TS) Extension Request for Order of Conditions, (DEP #143-1027), 2 Makowski Dr – Possible votes
Kara Terlizzi the homeowner joined remotely explained the project of the wetlands replication and answered questions from the Commission. The Commission discussed the guidelines for wetlands replication requirements.
(49:15 TS) Motion to extend the order of conditions for 2 Makowski Drive for one year to October of 2025, made by Josiah Burch, 2nd by Brendan Doyle. Roll call vote – Jim Foran, Brendan Doyle, Kate Thompson, Mike Greco, Josiah Burch, Mark Mungeam all in favor.

10. (51:05 TS) Request for Certificate of Compliance, (DEP #143-1068), Taniel Bedrosian, 61 Yew Street, Map 197 Lot 9 – Possible votes
Matt Benoit went over that the only things within the jurisdiction of the Commission is the plantings and the edge of the driveway where the storm system is. Mr. Benoit showed site photos.
(55:45 TS) Motion to issue the certificate of compliance for 61 Yew Street, made by Jim Foran, 2nd by Mike Greco. Roll call vote – Jim Foran, Brendan Doyle, Kate Thompson, Mike Greco, Josiah Burch, Mark Mungeam all in favor.

11. (56:30 TS) Request for Certificate of Compliance, (DEP #143-1055), Brendan Doyle, 52 Walnut St, Map 262 Lot 5 & 6 – Possible votes
Brendan Doyle recused himself. Matt Benoit shared photos of the property and grass growing in, and recommended an issuance.
(58:30 TS) Motion to issue the certificate of compliance for 52 Walnut Street, made by Jim Foran, 2nd by Mike Greco. Roll call vote – Jim Foran, Kate Thompson, Mike Greco, Josiah Burch, Mark Mungeam all in favor. Brendan Doyle returned to meeting.

12. (59:55 TS) Request for Certificate of Compliance, (DEP #143-1076), McIntyre Loam, Inc, Off Legacy Circle, Map 166 Lot 15 – Possible votes
Michael Dryden with Allen Engineering and Tom McIntyre, Mr. Dryden stated that the site is fully stabilized. Matt Benoit showed photos of the site.
(1:07:05 TS) Motion to issue the certificate of compliance for McIntyre Loam, Inc., Off Legacy Circle, made by Jim Foran, 2nd by Brendan Doyle. Roll call vote – Jim Foran, Brendan Doyle, Kate Thompson, Mike Greco, Josiah Burch, Mark Mungeam all in favor.

13. (1:08:15 TS) Request for Certificate of Compliance, (DEP #143-1017), Scannell Properties, 0 Route 146, Map 141 Lot 3, 4, 5, 6 – Possible votes
Dan Feeney with Beals and Thomas the engineer representing Scannell Properties described the stabilization and the project completion and showed the as built plans.
(1:14:25 TS) Motion to issue the certificate of compliance for Scannell Properties 0 Route 146, made by Jim Foran, 2nd by Mike Greco. Roll call vote – Jim Foran, Brendan Doyle, Kate Thompson, Mike Greco, Josiah Burch, Mark Mungeam all in favor.

14. (1:16:00 TS) BlueWave Solar Minor Modification, 45 Oak St (DEP #143-0989) – Possible votes

Greg Morehouse with Mill Creek Renewables, Jeff Murphy with Beals and Thomas joined remotely and gave an update with revisions and changes made specifically with the neighboring Kroll property and showed the changes on the plans.

(1:27:35 TS) Motion to approve the minor modification for 45 Oak St, made by Jim Foran, 2nd by Mike Greco. Roll call vote – Jim Foran, Brendan Doyle, Kate Thompson, Mike Greco, Mark Mungeam all in favor, Josiah Burch abstained.

New Business:

15. (1:28:45 TS) 6:30 PM (RDA) Public Meeting: Request for Determination of Applicability, 86 Island Rd (Tree Removal) Donald Youngsma – Possible votes
(1:29:10 TS) Motion to waive the reading of the public notice made by Jim Foran, 2nd Josiah Burch. Roll call vote – Jim Foran, Brendan Doyle, Mike Greco, Josiah Burch, Kate Thompson all in favor.
The property owners joined the table and explained they cut some trees down and did not know they needed to get permission first. Matt Benoit showed photos of the site and trees cut down.
(1:35:20 TS) Motion to approve the negative RDA for 86 Island Road with no stump removal, made by Jim Foran, 2nd by Josiah Burch. Roll call vote – Jim Foran, Brendan Doyle, Kate Thompson, Mike Greco, Josiah Burch in favor.
16. (1:36:40 TS) 6:30 PM (NOI-DEP #143-1106) Public Hearing: Notice of Intent: Cassidy Granger, 106 Pine St, (Redevelopment single family), Map 271 Lot 11 – Possible votes
(1:37:15 TS) Motion to waive the public notice reading made by Jim Foran, 2nd by Mike Greco. Roll call vote – Jim Foran, Brendan Doyle, Kate Thompson, Mike Greco, Josiah Burch, Mark Mungeam all in favor.
Raouf Mankaryous with Alpha Omega Engineering in behalf of the applicant explained the proposed project and showed the plans. They discussed the requirements for the riverfront area disturbance and wetland area, and Brandon Faneuf feels they are meeting the requirements. They discussed having a permanent barrier demarcation for the wetlands buffer and Jack Chapman the applicant's fiancé, stated that they would do a split rail fence with signs as the Commission suggested. Mark Mungeam declared the public hearing closed.
(1:54:45 TS) Motion to approve the notice of intent for 106 Pine Street with special condition of a split rail fence with signs on every third or fourth one along the 100-foot river front line and standard special conditions, made by Jim Foran, 2nd by Mike Greco. Roll call vote – Jim Foran, Brendan Doyle, Kate Thompson, Mike Greco, Josiah Burch, Mark Mungeam all in favor.
17. (1:57:00 TS) 6:30 PM (NOI-DEP #143-11xx) Public Hearing: Notice of Intent: Robert Sullivan, North St between Gilboa St & Brown Rd, (Roadway & Utility Improvement), Map/Lot: N/A right of way – Possible votes
(1:57:25 TS) Motion to waive the public notice reading made by Jim Foran, 2nd by Mike Greco. Roll call vote – Jim Foran, Brendan Doyle, Kate Thompson, Mike Greco, Josiah Burch, Mark Mungeam all in favor.
Michelle Simone with Stantec Consulting to discuss the project and go over the proposed plans. Bob Sullivan joined the table to answer any questions on the project, Michelle Simone spoke on behalf of the Town of Douglas Water/Sewer Department about the Notice of Intent for the North Street Roadway and Utility Improvement project, and she went through the details of the project. The project includes stormwater management and improvements, replacing pipes, road widening, installing sidewalks, etc.; she went over wetlands and streams being affected. Brandon Faneuf sees this as a positive project and stated his suggestions for some special conditions to have on the project. Bob Minarik stated that this is the infrastructure to support the Pyne project,

which is a 2.8 million square foot rebuilding warehouse facility and spoke about where the funding is coming from including the hopes of a MassWorks grant and the developer. (2:33:00 TS) Motion to continue to September 23, 2024, at 6:30 pm, for North Street Roadway and Utility Improvements project, made by Jim Foran, 2nd by Brendan Doyle. Roll call vote – Jim Foran, Brendan Doyle, Kate Thompson, Mike Greco, Josiah Burch, Mark Mungeam all in favor.

Old Business:

18. (2:34:20 TS) 6:30 PM Public Meeting Continued: Request for Determination of Applicability, 15 Cobblestone Lane (Tree Removal), Valery Ochollah – Possible votes Valery Ochollah, the applicant explained that he is installing solar panels on his roof and therefore needs to remove 5 trees. Matt Benoit showed photos of the property and proposed trees to be removed. There was detailed discussion about the wetland's location concerning the trees. Mark Mungeam declared the public meeting closed for 15 Cobblestone Lane.

(2:46:10 TS) Motion for a negative determination for 15 Cobblestone Lane for the five trees to be removed and to leave the stumps, made by Jim Foran, 2nd by Josiah Burch. Roll call vote – Jim Foran, Brendan Doyle, Kate Thompson, Mike Greco, Josiah Burch, Mark Mungeam all in favor.

Update:

19. (2:47:05 TS) Lakeshore Drive Enforcement Order

Scott Rolfe with OHI Engineering and Robert Moran 56 Lakeshore Drive joined the table and Mr. Rolfe stated that he met today at the site with Christine Hopps, the assistant director of the waterways program out of Boston to look at the rocks and she feels that it would be best to leave the rocks where they are and not put them back in the water. Ms. Hobbs stated that if they leave the rocks, they will not have to file anything with the state but if they put rocks along the bank, they would have to file. Ms. Hopps is going to email her report to Matt Benoit or Brandon Faneuf, and they will wait to receive it to make a decision. The Commission discussed what they would like to do under the Wetlands Protection Act with the consideration of the Chapter 91 suggestions for leaving the rocks.

20. (3:07:05 TS) Birch Street Enforcement Order

Matt Benoit stated that they filed the RDA the Commission asked them to do, so they have an application and an application fee, but they still have to do the legal ad in order to get on the next meeting agenda.

21. (3:09:20 TS) CRG, 105 & 123 Gilboa St (DEP #143-1042)

Brandon Faneuf stated that it looks good.

Upcoming Meetings: September 23, 2024 & October 7, 2024

(3:10:15 TS) Motion to adjourn the meeting made by Jim Foran, 2nd by Mike Greco. Roll call vote – Jim Foran, Brendan Doyle, Kate Thompson, Mike Greco, Josiah Burch, Mark Mungeam all in favor.

Respectfully submitted,

Stephenie Gosselin