

CONSERVATION COMMISSION MEETING

Monday January 8, 2018 Town Hall, Room 101, 7:00 PM

Meeting Minutes

Chairman David Haines called the meeting to order at 7:05 PM. Present were Commissioners: Mike Cavatorta, Eric Wojtowicz, Jon Clements, Edward Knight and John Henry. LeeAnne Connolly, Conservation Administrator, was present for the meeting. Conservation Clerk, Michele Nowak was present for the meeting.

- 7:05 Notice of Intent, Cont. - 87 Metacomet St., house additions & garage, DEP #104-1024, Map 104, Lot #33.00, David Fuhrmann, applicant. The applicant was present for the meeting. Richard Cook was present representing the applicant and presented updated plans to the Commission. The revised plan addressed the issues the Commission identified during the last meeting; the contouring, location of current silt fence, location of the stumps (@ 28) and the Town sewer and water lines are also shown. All grading, will take place above 35 ft. in the Buffer Zone. L. Connolly discussed with the Commission that the dock issue is still with DEP. As for the tree cutting, an Enforcement Order was considered as work was done prior to obtaining a permit, but after consultation with the applicant who stated he was unaware of needing a permit to do the work, the applicant was amenable to filing an NOI to address both issues. The Commission requested a detailed restoration plan for the disturbed areas in the Buffer Zone. The Commission discussed possible details to be included: narrative on how it's going to be managed, 16 trees and 32, 18-36" high shrubs planted near stumps where applicable; the trees would be 1 to 1.5 inches in diameter or above caliper, for trees. Kinds of trees: red maple, red oak, white pine, birch, dogwood, and planted 10 ft. on center; kinds of shrubs: winterberry, holly, highbush blueberry, viburnum, azalea or witch-hazel. The Commission was amenable to issuing an Order of Conditions once the applicant submits a detailed planting/restoration plan. The applicant was agreeable. J. Henry motioned to issue an Order of Conditions contingent on receipt of the planting/restoration plan, J. Clements seconded. The motion passed unanimously, (6:0).
- 8:00 Request for Determination – North Washington St., wetland delineation, Map 256, Lot #16.02 (EE), David Campbell, applicant. Due to snow/weather issues the wetland line could not be reviewed. With the applicant's permission this hearing will be continued. There was no discussion on this matter. M. Cavatorta motioned to continue, with the applicant's permission, until Feb 12th, E. Wojtowicz seconded. The motion passed unanimously, (6:0).
- 8:01 Request for Determination – 100 Bardwell St., lawn expansion, Map 268, Lot #28.02, Michael & Diane McDonald, applicants. The applicant, M. McDonald, was present for the meeting. The proposed work is to extend the lawn to the 50 ft. Buffer Zone. The original limit of work was at 100ft and the area between the 50 ft. and the 100 ft. is already a hay field. There will be no grading. The Commission requested the addition of 5 permanent markers at the 50 ft. and added a condition that the plan showing the markers be recorded on the deed. M. Cavatorta motioned to issue a Negative Determination, E. Wojtowicz seconded. The motion passed unanimously, (6:0).
- 8:02 Notice of Intent - Allen St., house construction, DEP #104-1000, Map 232, Lot #17.02, Henry Martin Construction, applicant. The applicant was present for the meeting. Neil Jackson was present representing the applicant. L. Connolly informed the Commission that there was no DEP File # yet. The Commission was informed that the limit of work is 50 ft. from the wetland flags and this location is marked off with permanent markers (2 ft. boulders with survey pins). The Commission had concerns regarding a wetland located across the street that was not shown on the plan. The applicant agreed to continue to the next meeting due to lack of DEP file number and the required revised wetland delineation. M. Cavatorta motioned to continue with the applicant's permission, E. Wojtowicz seconded. The motion passed unanimously, (6:0).

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- 8:05 Notice of Intent - North Washington St., house construction, DEP #104-1028, Map 268, Lot #FF-1, Bell Property Corp., applicant. Both the 8:05 hearings were heard concurrently. John Goddard from R Levesque Associates was present representing the applicant and brought revised plans to the Commission. The proposed work is for a paved common drive for 2 single family houses off North Washington St. The common drive is not in the Buffer Zone and has not been approved by the Planning Board. The wetland flags for this property were approved through an ANRAD on 12/16/15. Utilities are underground and overhead and none traverse the wetlands. The silt fence is at the 50 ft. Buffer Zone with permanent markers installed. John Kopinski is preparing stormwater and septic applications. The common drive has not yet been reviewed by the Town Planner, the Commission or Town Engineer. L. Connolly informed the applicants that if the Common Drive is not approved, these lots may not be buildable. No site visit was conducted due to the weather. Delineation has been approved under a previous filing. J. Henry motioned to issue an Order of Conditions, J Clements seconded. The motion passed unanimously, (6:0).
- 8:05 Notice of Intent - North Washington St., house construction, DEP #104-1029, Map 268, Lot #FF-2, Bell Property Corp., applicant. Both the 8:05 hearings were heard concurrently. John Goddard from R Levesque Associates was present representing the applicant and brought revised plans to the Commission. In addition, all work is outside the 50 ft. Buffer Zone. Portions of the proposed common drive are on a field. Permanent markers will be at the 50 ft. Buffer Zone and the type will be of the applicant's choice. L. Connolly informed the applicants that if the Common Drive is not approved, these lots may not be buildable. No site visit was conducted due to the weather. Delineation has been approved under a previous filing. J. Henry motioned to issue an Order of Conditions, J Clements seconded. The motion passed unanimously, (6:0).
- 8:27 Request for Determination – Sargent St., house construction, Map 237, Lot #108.00, LJ Development, LLC, applicant. Neil Jackson was present representing the applicant. The Commission was presented a plan that shows the Riverfront Area and N. Jackson stated no work is presently proposed in the Riverfront Area and is not in the Buffer Zone as all work is 100 ft. from the wetland. The wetland has not been confirmed. A site visit was not conducted and needs to wait until the snow melts to verify the wetland delineation. The Commission discussed possible work in the Riparian Zone. The applicant will need to file an NOI if applicant is proposing to work in the Riverfront Area. The Commission requested an Alternatives Analysis. The applicant was amenable to continue this hearing until Feb 26th unless snow melt occurs earlier. E. Knight motioned to continue until Feb. 26th, M. Cavatorta seconded. The motion passed unanimously, (6:0).
- 8:40 Notice of Intent - Old Sawmill Rd., house construction, DEP #104-1027, Map 244, Lot #136.34, Josh & Alyssa Mandeville, applicants. The applicants were present for the meeting. Don Frydryk from Sherman & Frydryk was present representing the applicant. D. Haines conducted a site visit. The proposed work is for a single family home, septic system, lawn and a pool. There is a 50 ft. set back to the wetland area and there will be about 9600 sq. ft. of disturbance in the Buffer Zone. The applicant is still waiting to hear back from Natural Heritage. Marc Stinson from DEP questioned whether the stream shown on the plan was Perennial, but previous filings had it as an Intermittent Stream. The subdivision plan for Phase III has an active OOC, and it's classified as an Intermittent Stream on those plans. Historically, this stream has been identified previously as Intermittent Stream. The commission will review this matter. The wetland delineation in October was not approved specifically for this proposed work. There was a discussion about Wood Turtle priority habitat. Due to the snow and ice preventing the confirmation of the wetland line, the applicant was okay with continuing this hearing. J. Clements motioned to continue this hearing, with the applicant's permission, until January 22nd, E. Wojtowicz seconded. The motion passed unanimously, (6:0).

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8:53 M. Cavatorta left the meeting.

Discussion Items:

- ✚ Bills - None
- ✚ Minutes – The Commission voted unanimously to approved the 12/18/17 draft minutes as amended.
- ✚ Miscellaneous Matters – The Selectman signed the Mader Grant documents and contracts.
J. Clements will be absent from the 1/22 and 2/26 meetings.
D. Haines officially announced L. Connolly's upcoming retirement on 2/28/18 and that applications for her replacement are being accepted until Jan 17th.
- ✚ Conflict of Interest Forms – The Commission was notified that they are due.
- ✚ Chapter 61A Removal - Bardwell Street, 1.761 acres, Map 272, Lot #28.00 (G), Carol & Melanie Spellman, owners. The Commission reviewed the submitted material. J. Clements motioned to not exercise the Right of First Refusal, E Knight seconded. The motion passed unanimously, (6:0). A letter will be sent to the Selectmen.
- ✚ New Business – A possible new Commissioner, Sabrina Moreau, introduced herself to the Commission and shared with the Commission that she used to work with J. Henry.
- ✚ ANR Plan- Rural St., Robert & Shelley Cote, owners. The Commission reviewed the ANR plan and a standard letter will be sent to the applicant. M. Cavatorta motioned to not exercise the Right of First Refusal, J. Henry seconded. The motion passed unanimously, (4:0)

9:10 J. Clements motioned to adjourn, E. Wojtowicz seconded. The motion passed unanimously, (6:0).

NEXT MEETING Monday, January 22, 2018