



# Conservation Commission Meeting Minutes

Monday, October 28, 2019 Town Hall, Room 101, 7:00 PM

Present: David Haines, Jon Clements, Edward Knight, Heather McCann, Associate member Mark Brownell, Doug Beach, Sabrina Moreau; Conservation Administrator Erica Cross & Assistant Conservation Agent Cayla Paulding

Absent: David Lamb

Called to order at 7:02 pm by D. Haines

**7:00pm**

**Notice of Intent Con'd – DEP# 104-1052, BCC# 19-04**

Lot 2 Allen St, Single Family House with stream crossing & appurtenances

Map 231, Lot 19.01

Jeffrey A. Bessette

H. McCann motions to continue to 11/12, J. Clements seconds; all in favor

**Notice of Intent Con'd – DEP#104-1062, BCC# 19-27**

Old Bay Rd, Single Family House with driveway, accessory apartment and other alterations

Map 229, Lot 3.01

Jaime Ryznic

Ryan Nelson from Levesque Associates is here to present. The planning board allowed a variance for the setbacks required on the side of the property, allowing the house to be outside of riverfront. Per E. Cross, this lot was subdivided when 25ft buffer was required, not the 50 ft buffer. The major concern from last hearing was that the building was inside riverfront. E. Cross does not have concerns with the plans at this time.

E. Knight moves to close and issue an Order of Conditions, S. Moreau seconds; all in favor

**Notice of Intent Con'd – DEP#104-1063, BCC# 19-28**

40 Crestview Dr, Single Family House with associated appurtenances

Map 254, Lot 15.07

Kyle Sodano

Greg Henson from Virtue Design presents project. This is a single family home whose septic has already been approved. They are out of the 50 ft wetland buffer. There are two rows of erosion controls. There are dry wells for roof drainages. There is an emergency overflow with a rip rap swale. The driveway and parking area required fill. D. Haines asks if the driveway can be reconfigured. Due to steeply sloping property, this was the best they could come up with. E. Cross says the reason for the previous continuances was to discuss erosion control. There were also concerns regarding previous removal of trees in the wetland. The shrub and herbaceous layer has come back strong. Patty O'Neil, tree expert, recommends reestablishment of trees naturally in order to not cause further soil disturbance. S. Moreau would like to see track and pad on driveway due to the steep slope. E. Cross suggests site must be closed up nightly with additional erosion controls across the driveway. D. Haines would like the order to contain strong language about additional sedimentation and erosion controls. Applicant would like to begin work immediately. D. Haines asks if there is ledge. The applicant says it is a possibility based on other properties nearby having ledge. E. Knight would like the site to be closed off daily. D. Haines would like to see a significant tracking pad. E. Knight asks what is the contingency plan for snow removal. The applicant is not sure what the building process would be when snow will be a concern. The applicants are open to suggestions from the commission for how to proceed if snow plowing is in order during construction. E. Cross clarifies that the commissioners prefer hay bales to close off driveway at the end of the night. E. Cross recaps that the commissioners would like additional erosion and sediment controls and snow removal would have to be redirected away from the wetlands and to the inside of the driveway curve. J. Clements asks about the decision for previous clearing. D. Haines says the decision is to allow regrowth naturally. A few red oaks will be planted in the spring. Patty says tree planting could occur now.

J. Clements motions to close and issue OOC, S. Moreau seconds; all in favor

**Notice of Intent Con'd – DEP#104-1064, BCC# 19-26**

Enoch Sanford Rd, Single Family House with associated appurtenances  
Map 247, Lots 11 & 12  
Suzanne Meehan

Heather Comee, professional wetland scientist, presents project. At the last meeting, improvement of the riverfront area was discussed. She has a plan for invasives species removal (over 5000 sq ft of removal). There will be over 17,000 sq ft of total riverfront area removal. There were mature invasive trees on site that they believe will be best to leave. This fall the large bittersweet vines will be cut and an herbicide will be applied. Two weeks later, all the other invasives will be mechanically moved with an excavator. The invasives will be trucked off site to a place that will chip them and compost them. Straw wattles will be placed along the slope at 30 ft intervals. The following year, any seedlings will be mowed. This is proposed to be done 4-6 times a year for 2-3 years. It will be assessed after the first fall of mowing to determine if a foliar spray will be required. This plan is all in writing. The limit of work line will be the lawn around the house. This is considered redevelopment based on the fact that there is a shed on site that will be removed. Also, ferns will be planted in place. They will be using a mini excavator on tracks. A silt fence is proposed along the limit of work. The work area will also be overseeded with a winter rye to prevent sedimentation. D. Haines comments that this time of year might be ineffective for garlon application. H. Comee refutes this based on her research. D. Haines is concerned about soil disturbance with an excavator. J. Clements asks if the contractor is qualified. H. Comee says the invasive understory is so thick, it is the best option. D. Haines and J. Clements believe that herbicides instead of mechanical removal might be the best option to avoid soil disturbance. The herbicide applicator is the forester who is a licensed applicator. S. Moreau would like the development to stay out of the 100 ft wetland buffer. E. Cross asks if it is an option to remove shrubbery mechanically, but leave roots and not do any soil scarification. H. Comee says invasives are so thick that mechanical removal would be best. H. McCann questions whether the soil disturbance is an improvement and wonders whether this should be considered as a new project rather than redevelopment. S. Moreau is also concerned about altering the soil structure so significantly. D. Haines likes the plan except all the soil disturbance. The invasives currently extend across the property line, meaning they could come back. D. Haines would require invasive management in perpetuity as a condition on the order of conditions. H. Comee says the plan outlines allowing mowing once a year to also control for invasives. H. Comee says they could allow hand pulling instead of mowing if the commission does not like that wording. H. Comee suggests require invasive management for two years, and hand pulling for an additional 3-4 years instead of in perpetuity. She would continue to allow the owners to mow. D. Haines and S. Moreau would like to compromise on the lawn area. It would give the owners half the lawn they would like. D. Haines recommends using a glove or wand method of applications instead of a foliar spray. He would also prefer that the multiflora rose gets pulled with chains to prevent extensive soil disturbance.

**Public Comment:**

Peter Porowski, abutter, brings up his previous concerns. He is concerned that he has a shallow well that could be impacted by run off, and if his septic fails having a neighbor would decrease his options for replacement.

S. Moreau motions to continue to 11/12, H. McCann seconds; all in favor

**Notice of Intent – DEP#, BCC# 19-32**

Lot 10 South Washington St, Single Family House with associated appurtenances  
Map 279, Lot 12  
Lafleur & Son, Inc.

Don Frydryk is here to present project. This is the construction of a single family home with lawn, driveway, and septic. The driveway parallels the 50 ft wetland buffer. All work is located outside the 50 ft buffer. There is a 25 ft no touch zone. The applicants would like to mow to the 25 ft buffer twice yearly. The lot was subdivided within the last 3 years. H. McCann asks about the delineation because she had questions about some of the flags she saw. E. Cross agreed that the flags in front of the property were a little questionable, but she felt more comfortable with ones in the back of the property. In essence, the delineation was liberal. H. McCann did not see an appropriate amount of buffer. D. Haines notes that the driveway could be moved over if the delineation was adjusted to make the wetland line higher. D. Frydryk will discuss commissioner's concerns with the wetland consultant. E. Cross brings up that the applicant would like to mow up to the 25 ft line twice yearly. D. Haines says he would allow mowing once yearly. E. Cross would like wild flowers to be planted instead of grasses. S. Moreau recommends seeing where the wetland delineation lies and then discussing allowances for mowing.

**Public comment:**

Doria Rhodes, abutter, is concerned about the salamanders and wetland vegetation. She does not trust the builder for the property to protect the wetlands. She is also concerned that the intermittent stream will be ruined. D. Haines discusses that the wetland will be protected, the 50 ft buffer offset is standard in wetland permitting. E. Cross discusses they can implement enforcement strategies if the

building is not done to plan.

Jeff Hanson, abutter, is concerned that all drainage runs towards the wetlands. D. Haines asks if there is a need for a culvert on the property to deal with drainage.

Steve Perdy, abutter, wants to know the effect of increased runoff from the development. E. Cross indicated a swale is directed towards a rain garden on the property. S. Moreau discusses that there will be check dams proposed to slow the flow of water and promote infiltration. He is also concerned if it will impact his well behind his property. D. Frydryk will ask the engineer and answer these questions at the next meeting.

H. McCann motions to continue to 11/12, E. Knight seconds; all in favor

**Notice of Intent – DEP#, BCC# 19-34**

Lot 2 North Liberty St, Single Family House with associated appurtenances

Map 261, Lot 89.02

J.H.P. Builders, LLC

S. Moreau motions to continue to 11/12, J. Clements seconds; all in favor

**Discussion Items: Bills, Minutes and Miscellaneous Matters**

9/23 minutes

J. Clements motions to accept minutes; S. Moreau seconds; all in favor

10/15 minutes

H. McCann motions to accept minutes, S. Moreau seconds; all in favor

**Emergency Certificates**

1. Lake Drive Culvert – Beaver Dam Removal and Installation of beaver deceiver

This was heard at the last meeting and more information was required. Going forward, this type of activity will require permitting if it is known in advance.

J. Clements moves to ratify, S. Moreau seconds; all in favor

**Certificates of Compliance**

1. 11 Emily Lane; DEP#104-0988/BCC#16-023; Certificate of Compliance

2. Center Street; DEP#104-0789/BCC#05-095; Certificate of Compliance

3. Pondview Cir; 232-174.09; DEP#104-0299/BCC#91-033; Partial Certificate of Compliance

D. Haines asks if the town has accepted the road. E. Cross will determine this.

S. Moreau motions to issue PCOC, D. Beach seconds; all in favor

9:30 S. Moreau motions to adjourn, H. McCann seconds; all in favor

**NEXT MEETING Tuesday, November 12, 2019**