



CONSERVATION COMMISSION MEETING
Monday, October 27, 2014 Town Hall, Room 101, 7:05 PM

Meeting Minutes

Chairman David Haines called the meeting to order at 7:03 PM. Present were LeeAnne Connolly, Conservation Administrator, Commissioners: Edward Knight, Linda Leduc, John Henry, Joseph Babineau and Jon Clements. Conservation Clerk, Michele Nowak, recorded the minutes. Commissioner Mike Cavatorta was not present for the meeting. Associate member Nicholas Burns was present for the meeting.

- 7:05 Request for Determination, Cont. – seasonal dock, 87 Metacomet St., Map 104, Lot #33.00, David Fuhrman, applicant – The applicant was not present for meeting. D. Haines conducted the site visit. There is an existing wooden permanent dock, 3 ft X 25 ft, which the applicant would like to replace with a aluminum 40 ft dock to be placed and removed seasonally. The Commission had concerns about the new dock, and will request the applicant to provide further information about the construction of the dock, exactly how the new dock will be anchored in the water and secured to the shore, the management plan for pulling the dock in and out seasonally, and how those actions will affect the bank. The Commission also requested additional information about the construction of the new dock. The applicant has filed for a Chapter 91 permit for the dock. J. Henry motioned to continue this hearing until the November 10th meeting, J. Clements seconded. The motion passed unanimously, (5:0).
- 7:12 Commissioner Babineau arrived.
- 7:15 Notice of Intent, Cont. – 121 North Main St., contaminated soil restoration, Map 238, Lots #182.00 & #189.00, Mount Holyoke Management, LLC, applicant – The applicant was not present for the meeting. Paul Beaulieu from Tighe & Bond was present to represent the applicant. J. Henry conducted the site visit. P. Beaulieu provided the Commission with background information regarding the history of the removal of a 10,000 gallon oil tank in the 1990s and subsequent clean up efforts. The Commission was informed of the contamination that was left under the footprint of the road and how, in 2005, a heavy rain event allowed oil to leach out and travel into a wetland area via the groundwater table. DEP was notified at the time. The applicant is proposing to bring in an excavator to remove the contaminated soils, back fill with clean soil and reseed with a wetland seed mix. The process is estimated to take 2 – 3 days to complete. The exact limit of work is undetermined and will be based on soil samples taken in the field in order to remove all contaminated soils as shown on the approved plan. The Commission requested a condition for the replication – that loam and well rotted leaf compost will be used and seeded with a wetland seed mix with an emphasis on the indigenous plantings that are there now: aster, sedges and cattails. E. Knight motioned to issue an Order of Conditions, J. Babineau seconded. The motion passed unanimously (6:0).
- 7:30 Request for Determination – horse barn, 12 Daniel Square Ext., Map 240, Lot #16.00, Diana Zahradnik, applicant – The applicant was present for the meeting. D. Haines conducted the site visit. This filing is for improvements on the property for a paddock, riding range, manure storage area and fencing. The Commission had concerns regarding the Wetland boundary it was not flagged out in the field. The Commission also had concerns regarding any proposed work in the 25 ft Buffer Zone. The applicant stated that the manure would be removed monthly, pastures are cleaned every day and the maximum number of horses will be six, three of owned by the applicant and three boarders. The Commission requested the following conditions: the wood fence has to be 1 foot above the ground, re-establish a fully vegetated Buffer Zone by allowing it to naturalize, pull the fence back 40 feet so it can be maintained and mowed for 10 feet without affecting the 25 foot Buffer Zone, permanent markers be placed at the 25 ft Buffer Zone and can be boulders or approved plantings. The Commission will require a preconstruction site visit to determine the approximate limit of work for the fencing and the wetland boundary. A butters in attendance, Paul Mepas and Bob Lebreque, voiced their concerns about the possible effect on well water in the area from the horse manure. The Commission informed the abutters that this issue is under the Zoning Board of Appeals or the Board of Health.

Meeting minutes of Monday, October 27, 2014 – Cont. – page 2

Request for Determination, Cont:

J. Clements motioned to continue the hearing. E. Knight seconded. Discussion was held on the motion. J. Clements withdrew his motion to continue, E. Knight seconded; the motion to continue failed 4:2, L. Leduc motioned to issue a Negative Determination with Conditions, J. Babineau seconded. J. Clements opposed. The motion passed (5:1).

- 8:15 Request for Determination, Cont. – tree cutting, 66 Meadow Ponds Rd., Map 248, Lot #42.00, Peter Cardos, applicant – The applicant was present for meeting. J. Clements conducted the site visit. This property originally had an Order of Conditions and received a full Certificate of Compliance. This is a filing for work inside the 50 foot buffer zone to cut 5-6 trees that are within striking distance of the home and propane tank. The trees are white pine, and there are no wildlife issues. The work will not impact the swale. All slash and work will be removed/done by hand. The Commission requested the condition of no heavy machinery will be allowed in the swale. J. Clements motioned to issue a Negative Determination, J. Babineau seconded. The motion passed unanimously, (6:0).
- 8:22 Abbreviated Notice of Resource Area Delineation, Cont. – wetland delineation, Sabin St., Map 248, Lot #10.00, Stan Pearson, applicant – There was no discussion on this matter and no action was taken. The applicant is hiring a new wetlands consultant. This hearing is continued as the applicant's request to the November 10th meeting. J. Clements motioned to continue this hearing until the November 10th meeting, J. Henry seconded. The motion passed unanimously, (6:0).
- 8:23 Request for Determination, Cont. – beach restoration, 17 Town Beach Rd., Map 102, Lot #76.00, Dorothy Cresswell, applicant – The applicant was not present for the meeting. This hearing is continued at the applicant's request. Leduc motioned to continue this hearing until the November 10th meeting, J. Babineau seconded. The motion passed unanimously, (6:0).

Certificate of Compliance - 5 Dogwood Dr., house construction, Map 238, Lot #3.51(51M), DEP #104-872, Jean Duquette, applicant – There was no discussion on this matter; an As Built Plan was not submitted to the Commission.

Certificate of Compliance - 18 Hickory Hill, house construction, Map 238, Lot #3.37 (37M), DEP #104-871, Jean Duquette, applicant – There was no discussion on this matter; an As Built Plan was not submitted to the Commission.

Certificate of Compliance - 22 Hickory Hill, house construction, Map 238, Lot #3.36 (36D), DEP #104-878, Jean Duquette, applicant – There was no discussion on this matter; an As Built Plan was not submitted to the Commission.

Partial Certificate of Compliance – Pepper Ridge Dr., house construction, Pepper Ridge Subdivision, Map 255, Lot #117.00(A&B portion of), Dion Creative Construction, Inc., applicant - L. Connolly conducted the site visit. The house has been there for a while and the lot is stable and well vegetated. L. Connolly recommended that this property be released from the Pepper Ridge subdivision Order of Conditions. J. Clements motioned to issue a Partial Certificate of Compliance from the Pepper Ridge Subdivision Order of Conditions, J. Babineau seconded. The motion passed unanimously, (6:0).

Partial Certificate of Compliance - George Hannum St., house construction, Hickory Hills Subdivision, Map 238, Lot #3.51(51M) - There was no discussion on this matter; an As Built Plan was not submitted to the Commission.

Partial Certificate of Compliance George Hannum St., house construction, Hickory Hills Subdivision, Map 238, Lot #3.37 (37M) - There was no discussion on this matter; an As Built Plan was not submitted to the Commission.

Partial Certificate of Compliance George Hannum St., house construction, Hickory Hills Subdivision, Map 238, Lot #3.36 (36D) – There was no discussion on this matter; an As Built Plan was not submitted to the Commission.

Meeting minutes of Monday, October 27, 2014 – Cont. – page 3

Discussion Items: Bills - The Commission voted unanimously (5:0), to pay the bills

- ✦ Minutes - Commission voted unanimously, (6:0), to approve the 9/22/14 draft minutes.
- ✦ Miscellaneous Matters – L. Connolly updated the Commission regarding the auction of the Spellman Property and that they were breaking it up into 6 lots.
- ✦ New Business -Jim Bachand, COC – 368 Turkey Hill Rd. – D. Haines and L. Connolly conducted site visit. The lot is stable and well vegetated. The Commission has an As Built Plan. J. Clements motioned to issue a Certificate of Compliance, J. Babineau seconded. The motion passed unanimously, (6:0)
- ✦ Chapter 91 Appeal, Lake Metacomet Water-skiing Slalom Course, DEP Hearing Update – The appeal is still in courts, final decision will come in about a month.
- ✦ Massachusetts Environmental Trust Grant Application – L. Connolly informed the Commission that she's applied for a \$20K grant to manage vegetation on Metacomet Lake & Bachelor Brook.
- ✦ Enforcement Order, Hickory Hill, Map 238, Lots #3.33, #3.34 & #3.35, Jean Duquette, owner - L. Connolly presented the Commission with an Enforcement Order to sign– there were buffer zone impacts but as of yet no wetland impacts. J. Clements motioned to issue the Enforcement Order, J. Babineau seconded. The motion passed unanimously, (6:0)
- ✦ ANR Lot – Michael Sears Rd. & Keith Ave., Laurie Robinson & Sherry Marchessault, owners - The Commission reviewed the ANR plan and a standard letter will be sent to the applicant
- ✦ ANR Lot - Allen Street – Donald R. Besancon, Donald R. Besancon Investment Trust, owners - The Commission reviewed the ANR plan and a standard letter will be sent to the applicant
- ✦ ANR Lot - Willow Lane – Michael J. & Vicki L. O'Brien, owners - The Commission reviewed the ANR plan and a standard letter will be sent to the applicant.

E. Knight motioned to adjourn the meeting, J. Clements seconded. 8:40 PM

NEXT MEETING Monday, November 10, 2014