



TOWN OF NORTHBOROUGH Conservation Commission

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**Conservation Commission
Remote Zoom Meeting
Meeting Minutes
July 20, 2022**

**APPROVED
8/8/2022**

Members (Remotely): Greg Young (Chairman), Tom Beals, Dan Clark, Todd Helwig, Diane Guldner, Justin Dufresne, Kelley Marston (6:12 p.m.)

Members Absent: None

Staff (Remotely): Vincent Vignaly (Conservation Agent)

Others (Remotely): Mark Farrell (Greenhill Engineering); Rashid Shaikh; Vito Colonna (Connorstone Engineering); James Tetreault (Azimuth Land Design); Brian Waterman (WDA); Chris Woodcock (18 Increase Ward Drive); Mark Arnold (Goddard Consulting)

The Chair opened the remote meeting at 6:00 p.m. and made the announcement that the open meeting of the Northborough Conservation Commission is being conducted remotely pursuant to Chapter 22 of the Acts of 2022, An Act Relative to Extending Certain COVID-19 Measures Adopted During the State of Emergency signed into law on July 16, 2022. All members of the Northborough Conservation Commission are allowed and encouraged to participate remotely. The Act allows the Conservation Commission to meet entirely remotely so long as reasonable public access is afforded so that the public can follow along with the deliberations of the meeting. The public is encouraged to follow along using the posted agenda unless the Chair notes otherwise. Members of the public who wish to view the live stream of this meeting can do so by going to Northborough remote meetings on YouTube via the link listed on the agenda. Ensuring public access does not ensure public participation unless such participation is required by law. This meeting will feature public comment. The process was explained.

Member & Staff Roll Call: Greg Young, Tom Beals, Dan Clark, Justin Dufresne, Todd Helwig, Diane Guldner, Vincent Vignaly (Conservation Agent), Jim DiGiulio (Host).

Ms. Guldner read into record the hearing notice for the Notice of Intent application for 33 Church Street (proposed deck replacement and patio).

Review June 15, 2022 Meeting Minutes – Mr. Helwig made a motion to approve the June 15, 2022 Meeting Minutes; Mr. Clark seconded; roll call vote: Beals-yes; Clark-yes; Dufresne-abstained; Helwig-yes; Guldner-abstained; Young-yes; motion approved.

Continued Notice of Intent: 0 Hudson Street (Map 53, Parcels 19, 20 & 21,) DEP File #247-1196

Applicant: Scott Goddard, Circle Assets, LLC

Request: Proposed construction of two duplexes with associated appurtenances, a constructed wetland replication area, bordering land subject to flooding compensatory storage and associated site work.

Jurisdiction: Bordering vegetated wetlands, riverfront area, bordering land subject to flooding.

Mr. Vignaly met the wetland specialist from Norse Environmental on site and determined the wetland line and is waiting for revised survey plans to confirm the location before they can proceed. The applicant requested a continuance to August 8, 2022. Mr. Helwig commented that they've been on the agenda for more than a year with little action. He was concerned that at some point they will claim some pre-existing

grandfathered status with respect to a change in the bylaw. He felt they should be given a warning; the members agreed. Mr. Vignaly will send them an email. Mr. Beals made a motion to continue 0 Hudson Street to August 8, 2022; Ms. Guldner seconded; roll call vote: Beals-yes; Clark-yes; Dufresne-yes; Helwig-yes; Guldner-yes; Young-yes; motion approved.

Continued Notice of Intent: 71 Coolidge Circle (Map 7, Parcel 18) DEP File #247-1215

Applicant: Curtis Mogren
Request: Proposed septic repair and removal of hazardous trees and associated site work.
Jurisdiction: Riverfront area

Mark Farrell (Greenhill Engineering) was in attendance. Plans were revised to include all trees to be cut down; the offsets to the wetlands were properly identified; the existing walkway will be shortened to just shy of the 35-foot zone (they will cut into a wall that's along the driveway). With regard to tree removal, Mr. Farrell said it is not a lawn expansion; they are trying to remove hazard and dead trees to allow solar light. Ms. Marston joined the meeting at 6:12 p.m. An area has been designated for stockpiling. The only stumps that will be removed will be the ones around the septic system; the proposed shed has been removed. The septic system cannot go farther uphill due to limits on the amount of cover. The way it is designed, surface grades will remain. Title 5 setback between the wetland and system is 50-feet, and the Commission has a 100-foot bylaw. They propose to be 56' away. The Commission is considering it since this is a repair and there is no expansion of flow. There is a poly-barrier on the downhill side to minimize the amount of disturbance toward the wetland. Mr. Vignaly said they are over the 5,000 square foot or 10% allowed alteration within the Riverfront Area, but it is grandfathered. Mr. Clark was concerned with the setback of the leach field from the wetland. He restated his objection to violating the local wetlands bylaw. Mr. Beals felt they met everything the Commission discussed prior and because it is a repair with a pre-existing house was comfortable with less than 100' setback.

Mr. Vignaly wanted to make the Commission aware that the owners want to install a gas line from Coolidge Circle. It's not shown on the plan but is in the outer riparian zone and outside the 100-foot buffer. Eversource said they don't have to remove any trees; they will trench the pipe in. He wanted it noted in the minutes that this approval also allows the installation of the gas line.

The Chair asked for public comment; there was none. Mr. Beals made a motion to close the public hearing; Ms. Guldner seconded; roll call vote: Beals-yes; Clark-yes; Helwig-yes; Marston-yes; Young-yes; motion approved (Dufresne/Guldner-abstained). Mr. Beals made a motion to issue an Order of Conditions for 71 Coolidge Circle; Ms. Marson seconded; roll call vote: Beals-yes; Clark-no; Helwig-yes; Marston-yes; Young-yes; motion approved (Dufresne/Guldner-abstained).

Continued Determination of Applicability: 93 Maynard Street (Map 20, Parcel 15)

Applicant: Marcelo Menezes
Request: Removal of 600 square feet of trees and associated site work.
Jurisdiction: Buffer Zone

The applicant requested a continuance to August 8th. Mr. Beals asked if the Commission needed to issue a notice of violation. Mr. Helwig said a fence was clearly built in the restricted area; it is not a Determination of Applicability. Mr. Young said the RDA tonight is for some clearing they want to do. Mr. Vignaly and Mr. Young found the violation when they visited the site. Mr. Vignaly was hoping to get the applicant's response on how they were going to approach it before this meeting but hasn't. There are four or six sections of fence in the Conservation restricted area. Mr. Beals motion to issue a notice of violation for 93 Maynard Street for encroachment into the Conservation restricted area; Mr. Helwig seconded; roll

call vote: Beals-yes; Clark-yes; Dufresne-yes; Helwig-yes; Guldner-yes; Marston-yes; Young-yes; motion approved.

Mr. Beals made a motion to continue the public hearing for 93 Maynard Street to August 8, 2022; Mr. Helwig seconded; roll call vote: Beals-yes; Clark-yes; Helwig-yes; Marston-yes; Young-yes; motion approved (Dufresne/Guldner-abstained).

Continued Notice of Intent: 75 Ridge Road-Proposed Lot 1 (Map 65, Parcels 88, 89) DEP File #247-1217

Applicant: Damon Amato
Request: Construct single-family house and associated site work.
Jurisdiction: Buffer Zone Only

The applicant requested a continuance. Mr. Beals made a motion to continue the public hearing for all three 75 Ridge Road NOIs to August 8, 2022; Mr. Helwig seconded; roll call vote: Beals-yes; Clark-yes; Helwig-yes; Marston-yes; Young-yes; motion approved (Dufresne/Guldner-abstained).

Mr. Young said a letter with numerous questions was received today from a concerned community group called “Save Bartlett Pond”. Some can be answered by the Commission, but most of them should be addressed to the applicant’s engineer.

Continued Notice of Intent: 75 Ridge Road-Proposed Lot 2 (Map 65, Parcels 88, 89) DEP File #247-1218

Applicant: Damon Amato
Request: Construct single-family house and Storm Drain Discharge, Common Driveway and associated site work.
Jurisdiction: Buffer Zone Only

Continued Notice of Intent: 75 Ridge Road-Proposed Lot 3 (Map 65, Parcels 88, 89) DEP File #247-1219

Applicant: Damon Amato
Request: Construct single-family house and associated site work.
Jurisdiction: Buffer Zone Only

Request for Time Extension of OOC: 39 & 43 King St. (Map 82, Parcels 30, 31) #427-1141

Applicant: ZHS Trust, Rashid Shaikh, Trustee
Request: 3-Yr extension and use Pre-2019 Northborough Regulations 15’/30’ vs 25’/35’.
Jurisdiction: Buffer Zone - 15’ off BVW

Rashid Shaikh was in attendance. 39 & 43 King Street has an Order for an assisted living facility. In September 2020 he received a two-year extension to get a new curb cut from MassDOT to reroute the King Street entrance, transfer land to the town that he will build. The town will own it because it will be a public way; a Memorandum of Understanding has been signed. They have made progress but need another extension and requested a three-year extension. Mr. Young asked when the original Order was issued. The Commission has the authority to refuse an extension due to local regulation changes. The Order was issued in June 2018; the regulations changed in September 2019. If the Commission increased the setbacks, the approved plan is not buildable. It would be the Commission’s choice whether they want a new filing or an amended filing; it’s not an automatic three years when it’s requested. Before Commission discussion, Mr. Helwig recused himself from the matter since he has done legal work with the applicant. Mr. Beals said the overall condition of King Street has been unsightly for a long time and the abandoned building has been there forever and had no issue with staying with the original approval as long as the project will move forward and come to fruition. Ms. Guldner commented that Mr. Shaikh

has put a lot of extra effort into it and the town has required a lot. Members agreed that it was fair to hold Mr. Shaikh to the original approval. Mr. Shaikh thanked the members for understanding. Mr. Beals made a motion to extend the Order of Conditions for 39 & 43 King Street for a three-year period to September 2025; Ms. Marston seconded; roll call vote: Beals-yes; Clark-yes; Dufresne-yes; Guldner-yes; Marston-yes; Young-yes; motion approved (Helwig-recused).

Notice of Intent: 33 Church Street (Map 54, Parcels 42 & 94) DEP File #247-1220

Applicant: Veronica Harman
Request: Deck replacement, patio, and associated site work.
Jurisdiction: Buffer Zone Only

Vito Colonna (Connorstone Engineering) was in attendance. Cold Harbor Brook is in the rear. Mr. Colonna showed the edge of the BVW; the 200-foot riverfront area is beyond the edge of the site. He showed the 100-year floodplain in the lower lawn area. He showed the deck they would like to replace as well as add a patio; it is outside the 35-foot offset to the wetlands and outside all the flood areas. Mr. Young commented that they spoke with the applicant about the methods being used for footings. Mr. Vignaly said the applicant was not sure what the contractor was going to use. The erosion and sediment control barriers will be the limit of work.

The Chair asked for public comment; there was none. Mr. Beals made a motion to close the public hearing; Ms. Guldner seconded; roll call vote: Beals-yes; Clark-yes; Dufresne-yes; Helwig-yes; Guldner-yes; Marston-yes; Young-yes; motion approved. Mr. Helwig made a motion to issue an Order of Conditions for 33 Church Street, DEP#247-1220; Ms. Marston seconded; roll call vote: Beals-yes; Clark-yes; Dufresne-yes; Helwig-yes; Guldner-yes; Marston-yes; Young-yes; motion approved.

Notice of Project Change: 5 Bearfoot Road (Map 30, Parcel 33) DEP #247-1161, 7/12/19

Applicant: Berlin Landing Realty Trust
Request: Daycare Use to Group Home; Remove all work from 100' Buffer Zone
Jurisdiction: Isolated Vegetated Wetland – Approval pre-dates 2019 regulation

James Tetreault (Azimuth Land Design) was in attendance. They would like to change the previously approved plan, which had much more potential impact, to a lesser one. The previous plan had a daycare proposed almost entirely within the buffer zone with extensive parking adjacent to it with 1:1 slopes. Work was up to the then 15-foot limit from the wetlands. They are asking the Commission to approve a revised plan for a group home where all the work would be outside the 100-foot buffer zone; the steepest slopes would be 2:1. The amount of impervious surface being created would be more than halved from previously-approved 16,500 square feet to 7,400 square feet. The home would be for physical rehabilitation. It is an improvement over the previous plan.

Mr. Dufresne asked about the previous Order and would it be better if the Commission rescind it since there is no work in our jurisdiction with the plan before us. Mr. Tetreault said in 2019 the Commission didn't have jurisdiction over isolated wetland areas. There is an isolated wetland area on the site. Mr. Vignaly explained that there is an existing Order that is active and it locks in the 15-foot setbacks; the prior plan went to 15-feet from the wetlands; all the work was shown within the 100-foot buffer along with a new parking area where the isolated wetland is shown on the revised plan. The isolated wetland is currently approved to be altered and will be altered under the new plan. They are reducing the impervious area at the site. It's a big change to the plan, but under the Wetlands regulations we have an existing Order of Conditions to allow a lot of significant work within the buffer zone and now they're proposing to have no work within the buffer zone; under the State WPA it isn't even jurisdictional. But under the local

regulations, they would have to apply again. The Commission would have to consider whether to waive the isolated vegetated wetland impacts under the local bylaw. Mr. Vignaly said we could do that by making them reapply, but they would be doing it at risk. He said it's a difficult project and there are significantly more impacts near the wetlands in the originally approved plan. Mr. Clark asked if there is a wetland under the proposed parking lot. Mr. Vignaly showed the area is an isolated vegetated wetland which would have been altered under the approved plan. The use has less impact, the use is farther from the wetland, and it will still alter an area that is a local resource area. Mr. Beals asked if the applicant would be willing to put a Conservation Restriction on the undisturbed area around the wetland. Mr. Tetreault said absolutely. The new use has no requirement for anything to be done with the extra space; it would be no burden for this applicant. Mr. Vignaly said the proponents mentioned possibly using it as a walking area for the residents which could be allowed within the Conservation area. When establishing an easement, the Commission may want to add a local use or an improved path.

The Chair asked for public comment; there was none. Mr. Beals made a motion to close the public hearing; Ms. Guldner seconded; roll call vote: Beals-yes; Clark-yes; Dufresne-yes; Helwig-yes; Guldner-yes; Marston-yes; Young-yes; motion approved. The Commission will want the use constructed as part of the building construction. Ms. Marston made a motion to accept the project change for 5 Bearfoot Road with a condition of a Conservation Restriction to be added to the final plan; Ms. Guldner seconded; roll call vote: Beals-yes; Clark-yes; Dufresne-yes; Helwig-yes; Guldner-yes; Marston-yes; Young-yes; motion approved.

Notice of Project Change: 95 & 105 Lincoln St. (Map 62, Parcels 4,5,6,7,&8) DEP File #247-1200

Applicant: Brian Waterman (Formerly 0, 97 & 99 Lincoln St)
Request: Change Two Duplexes to Two S/F Homes; crane-out 15 trees beyond the limit of work.
Jurisdiction: Buffer Zone

Brian Waterman (WDA) was in attendance. The Order issued in July 2021 is currently approved for two duplex units, two driveways for each, two septic tanks, an eight-bedroom septic system, and a rain garden for each driveway. The change is to build a single-family home on each lot; remove two driveways and change 2 eight-bedroom septic systems to 2 single-family four-bedroom systems. The limit of clearing will remain the same and they will maintain the roof runoff to the underground infiltrators and maintain the rain gardens. A stone and vegetated swale will be added prior to the rain gardens. In lieu of filing a separate RDA under the tree policy after-the-fact, Mr. Waterman asked if the Commission would consider allowing them to remove fifteen trees beyond the approved limit of work since a crane will already be on site. They would be cut and lifted into the approved work zone. The erosion control barriers are in place. Mr. Waterman said they have completed testing with the Board of Health and have an excellent determination of groundwater on both sites.

The Chair asked for public comment. Chris Woodcock (18 Increase Ward Drive) said he was aware of the duplex proposal, but just found out about this proposal; he is not an abutter. He was concerned because over the past 20 years he has seen some of the area on Lincoln Street underwater going back to 2007. He didn't see any reference to the standing water in the June 14, 2021 meeting minutes; he has photos that he can provide if they are not in the file; the southern part of the lot along Lincoln Street is always wet. He believes there will be flooding in the basements and the septic system on the southern side will fail because it goes under water. He went on to say there is a reason these properties were not developed like every other property along Lincoln Street and believes they will be a problem for the homeowners in the future.

Mr. Waterman said they were provided with photos when they filed for the ANRAD to confirm the wetland resource areas which showed the “bowl” full of water in March 2007. At that time, they were not surprised that area held water; the weather conditions during that time were well below freezing and precipitation was 4” over normal (there was 8” of precipitation that month). Engineering calculations were submitted for consideration as an isolated land subject to flooding both under the state (1/4-acre foot standard) and the local bylaw (1/8-acre foot standard). It was not near the town’s local flooding bylaw; which was confirmed under the ANRAD. During that process they responded to Mr. Woodcock, Mia McDonald, Fred Litchfield, and the Commission. That’s the reason it didn’t come up during the NOI; it had already been dealt with in the ANRAD process. The low spot will be filled as part of this proposal; the site will be much higher than 299. There is a culvert to the south that could have been backed up that caused flooding. In June 2021 it rained 21 out of 30 days; there was no flooding in that bowl. They put monitoring wells where the test pits are, met with the Board of Health Agent; the high groundwater is at 298; the bottom of the septic system has to be 4-feet above that. They are well above the elevation Mr. Woodcock is referring to. The homeowners are aware of the amount of fill being brought in and what they have to do to make the site work. The reason it wasn’t developed before is because the owner had family disagreements that went on for many years.

Mr. Helwig made a motion to close the public hearing; Mr. Beals seconded; roll call vote: Beals-yes; Clark-yes; Dufresne-yes; Helwig-yes; Marston-yes; Young-yes; motion approved. Mr. Helwig made a motion to issue a project change for 95 & 105 Lincoln Street, DEP#247-1200 to change from two duplexes to two single-family homes and remove the fifteen trees; Mr. Dufresne seconded; roll call vote: Beals-yes; Clark-yes; Dufresne-yes; Helwig-yes; Guldner-yes; Marston-yes; Young-yes; motion approved.

Mr. Young thanked Mr. Woodcock for his concerns and said the Commission is taking expert information from a number of sources and the project presented is acceptable to the Commission’s standards.

Informal Discussion:

44 Fisher Street Expired Order of Conditions & Unpermitted Wetland Alterations DEP 247-637 – Mark Arnold (Goddard Consulting) was in attendance representing the owners. He said it was originally permitted in 1998 to construct a driveway and a single-family house. The lot had existing ponds that were manmade. Historically those had Orders of Conditions and were closed out. In 1998 an Order of Conditions was issued for the crossing of the river and a driveway that was going to go up the site, cross an existing crossing, and continue up the top of the hill above the pond to where the house was to be constructed. It was a river crossing; no wetlands were to be disturbed. The wetland to the east (Wetland A) was an old agricultural field/lawn. The Order said it was to be restored to natural vegetation, not mowed, and monitored for two years documenting the restoration and monitoring for invasive species. In 1999 an Order was issued for the house that included additional access off Crawford Street; it didn’t include any wetland crossing, it had work in the riverfront buffer zone; that Order was never acted upon and expired. The Orders were extended for a few years and in 2003 they started to expire and in 2003/2004 they believe the construction was completed on the property.

In talking with the former homeowner, Mary DeFeudis, her husband was in charge of construction. Conservation agent was on site frequently for this project. Ms. DeFeudis said the bridge was put where it was because they were trying to avoid mature trees. There was no as-built or Certificates of Compliance for the projects. Goddard Consulting was brought in to close out the open Orders. Connorstone did an as-built of the property; they were asked to overlay the original wetland line. He noted that the bridge was shifted approximately 20-feet east which shifted it downstream and shifts it towards Wetland A1 which was supposed to be to the right of the bridge as it crossed over. According to the owner, the bridge was

shifted to avoid mature trees; the prior wetland flag is in the middle of the driveway. As the driveway goes to the north, it continues to be within the wetland, curves to the northwest where it ends clipping two other fingers of the wetland (Wetland C and Wetland B). There was an original crossing between D2, D3, C4 and C5; grading was done in the C and B series wetlands. There is approximately 5,860 square feet of disturbance. Mr. Arnold said they did review the current wetlands. He showed where the current wetlands would be delineated today based on soils, vegetation, and where it was originally.

Ms. DeFeudis' intention is to restore the wetlands that have been impacted. Trying to remove the work completed 15-20 years ago would result in having to move the bridge, a large section of the driveway, and involve a lot of grading and disturbance. They are proposing to do wetland replication for the wetlands that were disturbed and do it in one general location southeast of the bridge crossing. They are looking to replicate to the south, east of the bridge along the mean annual water flags 103 to 109, and possibly further along in the back. The original filled wetland area along the driveway is currently lawn and landscaped areas; the current owner, Manish Patel, is willing to give that up so the whole strip will be replicated or naturalized.

Mr. Young commented on a second activity where recent cutting was observed. Mr. Arnold said the current owner had landscapers clean up around the pond and they took down numerous trees and vegetation that was not supposed to happen. Mia McDonald issued an Enforcement Order, an NOI was filed for all the plantings for the vegetation that was cut, a restoration plan was submitted, an Order DEP 247-1207 was issued and recorded; those plantings have all been installed; they are in the monitoring phase. That violation happened on the left side of the bridge around the main central pond. Mr. Beals asked if the total square footage originally disturbed versus restoration was 1:1. Mr. Arnold said their intention was to do 1:1 because the disturbance that occurred was under an Order from the late 90s. They are going to go over 1:1 but doing more than 1:1 is challenging in the areas because of grading along the river; it's been difficult to figure out where else to mitigate additional wetlands without getting into areas that are more naturalized. The reason they selected the area they did for the 1:1 is they can avoid cutting down any trees; they can work around them. Mr. Beals asked if there was any other spot in the C area where the filling. Mr. Arnold said the area of the C wetlands, CC1 to CC6 and A6 to A5 is a round high area; there is a row of mature pines. They would have to take down the pines to make up area there. They are trying to concentrate on replicating in one area. Mr. Dufresne said it seems like the areas AA3 and AA4 are grass and lawn and are being mowed. There appears to be good replication potential in that area and even looks like from the aerial view extends a lot further to the east where there are delineated wetlands. Mr. Arnold said part of the NOI will be confirming that the A series wetlands will be allowed to naturalize as an early successional wetland meadow. As part of the original Order, the AA series wetland was supposed to be a wet meadow. They will cease mowing in the AA series wetlands; it will be monitored for invasive species. Mr. Clark asked why they are proposing it now after 20 years. Mr. Arnold said when the original owner sold the property, she agreed to close out the original Order; it's on the deed as an open Order that has never been closed out. In order to have a clean deed all the Orders need to be closed out. The goal is to have the property in full compliance with the wetland regulations. Mr. Vignaly said typical conditions are to put up some indicator of the wetland lines to prevent future encroachment. He said in the NOI Mr. Arnold should suggest what they want as a permanent demarcation of that area. Mr. Arnold plans to submit paperwork by September.

Aqueduct Trail Bridge Connection and Resurfacing Preliminary Design – The consultant has begun preparing the plans for resurfacing and improving the access across the aqueduct bridge. It was funded at town meeting and will be starting soon. They coordinated with the MWRA; we are encouraging the idea of community use of their rights-of-way. The Trails Committee will be moving forward.

Edmund Hill Trespassing – Mr. Vignaly said the area has been posted and the police reported that they have not seen the person there in the past month. The Trails Committee crew has volunteered to clean up the area after next week.

22 Birch Hill Rd (Pool Replacement Minor Exempt Activity) – The current homeowner went to the Building Inspector after they put in a replacement pool. It is approximately 75-feet from the wetland. The work was done, there were no impacts to the wetlands. The Commission considered the pool replacement as a minor exempt activity under the regulations.

Mount Pisgah/Edmund Hill Stewardship Next Steps – Mr. Vignaly contacted Jim Dimaio and was given a list of items to be done but wasn't clear about the next step in the process. Mr. Beals said to go out to bid for a forester. The forester can go forward and create a cutting plan in regard to salvage trees due to the gypsy moth damage at Edmund Hill. Every year the trees are left standing dead, they become more of a hazard, and become less valuable. The hope is that if we could salvage the trees that are already dead, we may be able to generate enough revenue to address the invasive species treatment and get the forestry step in motion. It then needs to go out to bid for someone to do the cutting. Mr. Clark noted that the Stewardship Plans have not been approved yet, so that comes first.

Requests for Certificate of Compliance:

0 Lyman Street (DCAMM) (Map 86, Parcel 1&2) DEP#247-1188, Amended 3/3/22 – Not ready for a Certificate of Compliance.

11 Hillside Road (SDARE, LLC) (Map 105, Parcel 9) LOCAL ONLY 12/18/2020 – Not ready for a Certificate of Compliance.

8 Babcock Dr., (Formerly Repka) (Map 19, Parcel 51) DEP#247-1132 4/13/17 – Mr. Helwig made a motion to approve a Certificate of Compliance for 8 Babcock Drive; Ms. Marston seconded; roll call vote: Beals-yes; Clark-yes; Dufresne-yes; Helwig-yes; Guldner-yes; Marston-yes; Young-yes; motion approved.

Mr. Beals brought up the possibility of charging a fee for requests for Certificates of Compliance where the Order of Conditions has long since expired. A lot of time is spent researching in addition to the time staff spends going out and reevaluating them to make sure they are in compliance all because people don't follow through with their original Order. Mr. Vignaly said it could be added into the fee schedule and verbiage can be added to the Order of Conditions. He will speak with Ms. Connors about it.

Violations: 14 Hillside Rd Contractor Dumping (cleaned/stabilized) – During work on the basement, material was being dumped over the wall and on the wattles and sediment fence. They have since cleaned it up and stabilized the slope. There was no violation letter sent, but documentation is in the file.

Correspondence: MACC Dues Invoice Payment Authorization – Mr. Beals made a motion to authorize payment of the MACC Membership not to exceed \$850.00; Ms. Guldner seconded; roll call vote: Beals-yes; Clark-yes; Dufresne-yes; Helwig-yes; Guldner-yes; Marston-yes; Young-yes; motion approved.

Mr. Beals mentioned that the horse pasture on Howard Street is being worked on and tracking dirt into the road. Mr. Vignaly will follow up.

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Ms. Guldner said when Mia McDonald was here, she had trail cameras up and was keeping track of the trees being cut down at Mount Pisgah and asked are the cameras back in the Commission's possession and is there any further information on this particular project. Mr. Vignaly will follow up.

Mr. Young was notified that the DEP has declared that central Massachusetts is in a drought so any perennial stream that is not flowing cannot be called intermittent based on flows starting in May of 2022.

The next meeting was scheduled for August 8, 2022.

Ms. Guldner made a motion to adjourn; Mr. Helwig seconded; roll call vote: Beals-yes; Clark-yes; Dufresne-yes; Helwig-yes; Guldner-yes; Marston-yes; Young-yes; motion approved.

The meeting adjourned at 8:45 p.m.

Respectfully submitted,

Melanie Rich
Commission Secretary