

MINUTES
CONSERVATION COMMISSION
HYBRID PARTICIPATION
June 5, 2023

OPENING: The regularly scheduled meeting of the Conservation Commission opened at 7:00 PM via hybrid. Chairman MacWilliams announced the names, time and date of the meeting, and stated that the meeting was being recorded.

ATTENDANCE

David MacWilliams, Chairman	Present
Norman Cheever, Vice Chairman	Present
Mehmet Mizanoglu, Commissioner	Present
Jerry Patria, Commissioner	Present
Kevin Solek, Commissioner	Present
Andrew Reardon, Commissioner	Present

PUBLIC COMMENTS Joanne Leblanc, 38 Reservoir Road commented that the link on the agenda posted on the Town website would not automatically connect to the Zoom meeting. Coordinator Pooler is aware of this issue as the agenda is posted as a Word document with the Town Clerk's Office, and converted to a PDF file on the website. The conversion at times disconnects the ability to link directly to Zoom. However, the meeting ID and passcode are on the agenda. All participants have to do is connect to Zoom, enter the information and they are able to join the meeting.

MINUTES

Commissioner Patria made a motion to accept the minutes as amended of May 15, 2023. Commissioner Solek seconded the motion. The roll call vote was as follows:

David MacWilliams	yes	Norm Cheever	yes
Mehmet Mizanoglu	yes	Jerry Patria	yes
Kevin Solek	yes	Andy Reardon	yes

PUBLIC HEARING

NOI 662A College Highway DEP# 292-0412 Chairman MacWilliams opened the continuation of the Public Hearing. Coordinator Pooler advised the Commission that an email was issued requesting a continuation of the hearing. Commissioner Mizanoglu made a motion for the continuation. Commissioner Patria seconded the motion. The roll call vote was as follows:

David MacWilliams	yes	Norm Cheever	yes
Mehmet Mizanoglu	yes	Jerry Patria	yes
Kevin Solek	yes	Andy Reardon	recused

NEW BUSINESS

Chapter 61B .25 of an acre off Fred Jackson Road A request for the Right of First Refusal was submitted for review. Mr. Burt Hansen, Chairman of the Agricultural Commission, issues an email stating that due to the size of the parcel there was no interest in the land. The Conservation Commission will take no action at this time.

194 Granville Road DEP# 292-0402 Coordinator Pool received a request for a Certificate of Compliance for the project. At the recent site visit, Coordinator Pooler noted that the grass has not completely grown in and there is some erosion. Commissioner Mizanoglu made a motion for a continuation of the request. Commissioner Reardon seconded the motion. The roll call vote was as follows:

David MacWilliams yes
Mehmet Mizanoglu yes
Kevin Solek yes

Norm Cheever yes
Jerry Patria yes
Andy Reardon yes

157 Feeding Hills Road DEP# 292-0380 The owner requested a partial release of the Certificate of Compliance. Chairman MacWilliams stated that the Conservation Commission historically never issued a partial Certificate of Compliance except in the case of individual lots on a subdivision.

Chairman MacWilliams made a motion not to grant the request. Commissioner Mizanoglu seconded the motion. The roll call vote was as follows:

David MacWilliams yes
Mehmet Mizanoglu yes
Kevin Solek yes

Norm Cheever yes
Jerry Patria yes
Andy Reardon yes

141 Congamond Road DEP # 292-0400

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the Conservation Commission on the status of the appeal.

Ms. Sue Brzoska, Owner

CC 060523

12 Hillside Road –

Ms. Carol Ann Gauthier, President Congamond Heights Association
Steve Salvini, Salvini & Associate

10/12 Island Pond – Dock and Shoreline

13 North Pond DEP# 292-0363 Erosion Control Monitor

Migratory Beekeeping

OLD BUSINESS

200A Hillside Road – Request for Certificate of Compliance Mr. Jesse Saltmarsh, owner, requested a continuation until the next scheduled meeting.

221 Mort Vining Road – Possible Land Acquisition Sabrina Pooler, Conservation Coordinator,

Respectfully submitted,

Jean Nilsson, Secretary

cc:
Select Board
Town Clerk

Dave MacWilliams, Chairman

Norman Cheever, Vice Chairman

Jerry Patria, Commissioner

Brian Drenen, Commissioner

Mehmet Mizanoglu, Commissioner

Kevin Solek, Commissioner

Andy Reardon, Commissioner

Date

The Commissioners gave approval to Coordinator Pooler to notify applicants that partial Certificate of Compliances are only granted for subdivisions. The motion was made by Chairman MacWilliams and seconded by Commissioner Mizanoglu.

Steve Salvini, Salvini & Associates
Owner

157 Feeding Hills Road Mr. Salvini noted that a plan was presented to the Conservation Commission to build 3 gazebos near the buffer zone and a walk way between them. The walkway along the riverfront was submitted but denied by the Committee and removed from the plan. Mr. Salvini stated that compensatory storage was not necessary due to the minimal disruption to the floodplain. There would only be a net compensation of 35.6 cubic feet. Mr. Salvini further stated that the plans to increase the complex were being withdrawn from the Special Permit filed with the Planning Board and are now seeking a Zone Change. Chairman MacWilliams wanted to go on record stating that what currently exists was not what was presented at the Public Hearing for the Notice of Intent for the property, and he is not comfortable with the placement of the dumpster so near the wetland. The "gazebos" are actually enclosed structures with seating and electricity allowing for an increased usage. Mr. **What's His Name**, Owner, stated that he did not know how that happened and stated that the builder did not read the plans correctly and he did not notice it until the structures were constructed. The Conservation Commission will review the compensatory story after a site visit and an "as built" plan is submitted. Commissioner Solek made a motion for a continuance of the meeting. Commissioner Mizonaglu seconded the motion. The roll call vote was as follows:

31 Sam West Road Coordinator Pooler conducted a site visit at the location after notification from a resident. It appears that a pond is being filled in with silt and a secondary pool has stumps. The location is at the rear of T.J. Barkmulch. Coordinator Pooler contacted the owner who will contact a wetland scientist to determine how to mitigate the damage. However, the ownership on the actual location is in question.

104 Berkshire Avenue Emergency Certification Coordinator Pooler conducted a site visit at the location to evaluate a tree. Mr. Randy Brown, Tree Warden, did confirm that the tree was a candidate for an Emergency Order to remove the tree and replace it with a native species.

15 North Pond Unpermitted Work Coordinator Pooler reported that the owner is having a patio built within 20 feet of the lake. There was an Notice of Intent on the property, but it was for the pervious owner, and the new owner was not aware that an Order of Conditions was

already processed which did not include the patio. All work will cease until such time as the new owner files for an RDA.

Ryan Nelson, R. Levesque & Associates

Mr. Ken Eggleston, Owner

141 Congamond Road DEP# 292-0400 Mr. Eggleston was going to request a partial Certificate of Compliance, but made note in the previous discussion that would not likely to be approved. A majority of the site is completed, but there are some interior items and the dock that have not been completed. The Conservation Commission members were concerned with the installation of the docks along the sea wall. The green locks appear to be out of place as their intent is to prevent erosion, but they are actually in the water, not along the shore. The silt fence will need to be removed in the section of the green locks before they can be placed near the shoreline. Coordinator Pooler also noted that there are some plantings that were no in accordance with the plan dated 6/15/22. Mr. Eggleston agreed to notify the Commission when the silt fence is to be removed for the placement of the green locks.

81 Point Grove Road porta-Potty Coordinator Pooler presented pictures of a porta potty Point Grove Road near the shoreline. The concern would be if it was tipped over and effluent would go into the lake. The Commissioners advised Coordinator Pooler to relate their concerns with the owner.

237 Sheep Pasture Road - Cease & Desist Coordinator Pooler stated that a Cease & Desist order was issued by the Building Department. An arial view does not show any wetlands in close proximity.

NRCS Watershed Operations Program Coordinator Pooler received a page report on the overflow of water in the lakes. There are option to correct the issue, but no funding. The Lake Management Committee is reviewing the report.

Fencing at North Pond Chairman MacWilliams made note that the fencing installed has a section that needs to have the fence relocated to allow better access to emergency vehicles. The additional cost will be \$100.00.

Sofinowski Land Preserve Coordinator Pooler had a group of students that helped mark the walking and biking trails. Commissioner Reardon and some of his family members helped with the removal of trees/branches.

Meeting Schedule Chairman MacWilliams made note that the holidays (Juneteenth and the possibility that Town Hall is closed July 3rd) would impact the regular meeting schedule. The Commissioners agreed to schedule a meeting on July 26th.

OLD

200A Hillside Road DEP# 292-0322 As in the previous meetings, there was no one in attendance for this issue.

Ms. Carol

Attorney

10/12 Island Pond & Congamond Heights Chairman MacWilliams, Vice Chairman Cheever, Commissioner Patria and Harbormaster Landis conducted a site visit at the location. The issue has been addressed for several years between both parties. The issue relates to the position of the docks and separation space between them. Attorney (cong heights one) and

12 Hillside Road APR Property As of this meeting, there has been no further information from the property owner.

Migrator Beekeeping June 1st