

MINUTES  
CONSERVATION COMMISSION  
HYBRID PARTICIPATION  
September 18, 2023

**ATTENDANCE**

Norman Cheever, Acting Vice Chairman	Present
Mehmet Mizanoglu, Commissioner	Present
Jerry Patria, Commissioner	Present
Kevin Solek, Commissioner	Present
Andrew Reardon, Commissioner	Present
Dennis Clark, Commissioner	Present

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

**Minutes**

Commissioner Solek made a motion to accept the minutes of 8/7/23. Commissioner Mizanoglu seconded the motion. The Roll call vote was as follows:

Norm Cheever,   yes	Mehmet Mizanoglu   yes
Jerry Patria    yes	Kevin Solek    yes
Andy Reardon   yes	Dennis Clark    abstain

Commissioner Mizanoglu made a motion to accept the Executive Session minutes from 8/7/23. Commissioner Solek seconded the motion. The roll call vote was as follows:

Norm Cheever,   yes	Mehmet Mizanoglu   yes
Jerry Patria    yes	Kevin Solek    yes
Andy Reardon   yes	Dennis Clark    abstain

**Public Comments** There were no public comments.

**Reorganization of the Committee** Vice Chairman Cheever asked for a vote to appoint the officers of the Conservation Commission. Commissioner Clark noted that the Commission currently only had 6 of the 7 required members in attendance. The Committee agreed to wait until the 7<sup>th</sup> member was appointed by the Select Board.

Mr. James Davenport, Owner  
Mr. Rob Levesque, R. Levesque & Associates

**112 Berkshire Ave & 1 Pine Road NOI 292-0414** Mr. Levesque presented a plan for a retaining wall and hardscape pavers for access to Congamond Lake. Vinyl piling will be installed along the shoreline, a catch basin will drain into a trench stream, and approximately 570 square feet of pavers. There will be a total of 5 trees to be removed and access to the project will be through the neighbor's property. At the time the specific type of paver has not been determined, however the Conservation Commission suggested that they be pervious as to allow natural drainage. Wildlife enhancement was suggested by Coordinator pooler. Mr. Levesque stated it was not a requirement but would be something to look into. DEP comment was to enhance the existing conditions. A site visit was scheduled for Monday September 25th. Commissioner Mizanoglu made a motion for a continuance of the Public Hearing. Commissioner Reardon seconded the motion. The roll call vote was as follows:

Norm Cheever	yes	Mehmet Mizanoglu	yes
Jerry Patria	yes	Kevin Solek	yes
Andy Reardon	yes	Dennis Clark	yes

**662A College Highway NOI 292-0412** There was no one present for this continuation, however a site visit was requested and scheduled for September 26th. Vice Chairman Cheever made a motion for a continuation of the Public Hearing. Commissioner Mizanoglu seconded the motion. The roll call vote was as follows:

Norm Cheever,	yes	Mehmet Mizanoglu	yes
Jerry Patria	yes	Kevin Solek	yes
Andy Reardon	recuse	Dennis Clark	yes

Mr. Rob Levesque, R. Levesque & Associates  
 Mr. Louis Berelli, Owner

**24 & 26 Nicholson Hill Road SWK # 454-0127** The Conservation Commission approved the previously submitted Notice of Intent for this property at their meeting on August 7th. However, Mr. Levesque and Mr. Berelli are now requesting an informal discussion on changing the original NOI. The project is for a dwelling that includes an in-law portion, which requires a separate septic system. The change is to move the dwelling location to be closer to the wetland and inside the 50 foot buffer zone. Work has started on the approved NOI and it was noted that silt fencing was not in place and the pre construction site visit was not performed. The Commissioners agreed that a new NOI will be required and that there have been exceptions to allowing projects within the 50 foot buffer in the past, but it is not a common practice. Mr. Berelli was told to install the silt fence.

Mr. Rob Levesque, R. Levesque & Associates

**Depot Square Condominiums NOI # 292-0286** Mr. Levesque requested a Certificate of Compliance and stated that all of the condominiums have been constructed with most changing to smaller unit sizes. There is one remaining issue with the bio retention basin #5 as there is limited, or no natural vegetation. All the basins are designed to flow into Great Brook after filtration. The Conservation Commission does have a \$10,000.00 bond that will be reverted to the Planning Board if the Certificate of Compliance is approved. The Commissions agreed to a site visit to view the retention basins and along with existing and potential future plantings. It was noted that the bio retention basins have no plantings, so at the moment, they are just considered basins.

Mr. Rob Levesque, R. Levesque & Associates

**The Greens NOI 292-0369** Mr. Levesque requested a partial Certificate of Compliance for Lot #24, 6 Tall Pines. Acting Vice Chairman Cheever, Coordinator Pooler, Commissioner Clark and Mr. Levesque met at the site and noted that a portion of the property is within the Storm Water basin but is compliant with Conservation's Commission Order of Conditions. Commissioner Clark made a motion to accept the partial Certificate of Compliance. Commissioner Patria seconded the motion.

The roll call vote was as follows:

Norm Cheever,   yes  
Jerry Patria    yes  
Andy Reardon   yes

Mehmet Mizanoglu   yes  
Kevin Solek    yes  
Dennis Clark    yes

**116 & 114 Berkshire Avenue** Coordinator Pooler informed the Commission that an Emergency Certification was issued for 3 additional trees, one of which is on the neighboring property at 114 Berkshire Avenue had fallen down. Mr. Brown, Tree Warden, did a site visit and determined that the Emergency Certification was warranted.

**Troop 12916** Coordinator Pooler stated that the troop is offering to place a recycle bin at North Pond parking lot that they would collect. There will be representation at the next meeting to present the details of the proposal.

**Star Gazers Event** The event is to take place on October 20<sup>th</sup> with a rain date of 10/21 or 10/22. The event had previously been held and was well attended. There is an area accessing the rear property that Commissioner Solek will repair the roadway with wood chips donated by the Commission. Commissioner Mizanoglu seconded the motion. The roll call vote was as follows:

Norm Cheever,   yes  
Jerry Patria    yes  
Andy Reardon   yes

Mehmet Mizanoglu   yes  
Kevin Solek    yes  
Dennis Clark    yes

Mr. Rob Levesque, R. Levesque & Associates

**7& 9 Lakeview Street** Mr. Levesque requested a Certificate of Compliance and presented a plan show the relocation of the driveway. The "as built" plan does show the compensation storage and the side yard has been stabilized. There is a "pump house" which was no included on the plan is not a permanent structure and can be removed. Commissioner Clark made a motion to issue the Certificate of Compliance and release of the bond. Commissioner Mizanoglu seconded the motion. The roll call vote was as follows:

Norm Cheever,   yes  
Jerry Patria    yes  
Andy Reardon   yes

Mehmet Mizanoglu   yes  
Kevin Solek    yes  
Dennis Clark    yes

**Mr. Mark Stinson - DEP** Mr. Stinson stated that the Conservation Commission members were doing a great job and it is "awesome" working with Coordinator Pooler. Mr. Stinson made note that a rain garden is the same as a bio retention pond and a retention pond relative to storm water. Mr. Stinson will

also have a conversation with Coordinator Pooler going over Emergency Permits and potential new regulations.

**Feeding Hills Road DEP # 292-0380** Was continued until the October 2<sup>nd</sup> meeting.

**31 Sam West Road** Was continued until the October 2<sup>nd</sup> meeting.

**13 Berkshire Avenue** Coordinator Pooler stated that the property owner requested that the land be donated to the Conservation Commission. The acres and has a small pond in the middle and is a habitat for native wildlife including turtles. Someone in the audience suggested a parking area, but parking in a wetland would be counterproductive to preservation. Commissioner Clark made a motion to begin proceedings with the Select Board with the donation. Commissioner Mizanoglu seconded the motion. The roll call vote was as follows:

Norm Cheever,	yes	Mehmet Mizanoglu	yes
Jerry Patria	yes	Kevin Solek	yes
Andy Reardon	yes	Dennis Clark	yes

Commissioner Mizanoglu made a motion to adjourn the meeting at 9:10. Commissioner Patria seconded the motion. The roll call vote was as follows:

Norm Cheever,	yes	Mehmet Mizanoglu	yes
Jerry Patria	yes	Kevin Solek	yes
Andy Reardon	yes	Dennis Clark	yes

Respectfully submitted,

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Jean Nilsson, Secretary

cc:  
Select Board  
Town Clerk

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Norman Cheever, Vice Chairman

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Mehmet Mizanoglu, Commissioner

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Jerry Patria, Commissioner

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Kevin Solek, Commissioner

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Andy Reardon, Commissioner

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Dennis Clark, Commissioner

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Date