

**MINUTES
CONSERVATION COMMISSION
REMOTE PARTICIPATION
October 19, 2020**

OPENING: The remote Zoom meeting is being held in pursuant to the Governor Baker’s March 12, 2020 order suspending certain provisions of the Open Meeting Law, F.L.C.30A, 18 and the Governor’s March 15, 2020 order imposing strict limitation on the number of people that may gather in one place.

Christopher Pratt, Chairman, opened the meeting at 7:00 p.m. and announced the Commissioners who were in attendance names, time and date of the meeting, and that the meeting was being recorded.

ATTENDANCE

| | |
|------------------------------------|---------|
| Christopher Pratt, Chairman | Present |
| David MacWilliams, Vice Chairman | Present |
| Mehmet Mizanoglu, Commissioner | Present |
| Brian Drenen, Commissioner | Absent |
| Brian Pranka, Commissioner | Present |
| Jerry Patria, Commissioner | Present |
| Maryssa Cook-Obregon, Commissioner | Present |
| Dennis Clark, Coordinator | Present |

Also in attendance was:

Norman Cheever, Lake Management Committee
Dan Nitcher, GKS Corporation
Nick Pandolfi, Elite Construction
Carla Hoffman – Owner 34 Grove Street
Filipe Cravo, R. Levesque & Associates
Mark Reed, Heritage Surveys Inc.
Michael Doherty, Planning Board Chairman

MINUTES

Vice Chairman MacWilliams made a motion to accept the minutes of October 5, 2020. Chairman Pratt seconded the motion. The roll call vote was as follows:

| | | | |
|-------------------|-----|----------------------|-----|
| Christopher Pratt | yes | Brian Pranka | yes |
| David MacWilliams | yes | Jerry Patria | yes |
| Mehmet Mizanoglu | yes | Maryssa Cook-Obregon | yes |

NEW BUSINESS

Mr. Dan Nitche, GKS Corporation / 802 College Highway

Request for a Certificate of Compliance DEP# 292-183 Dan Nitche stated that the primary work was for a bridge crossing that included a wetland replication area. Nitche stated that the old silt fencing has been removed as requested and the wetland replication is completed as designed. Coordinator Clark conducted a site visit and found the replication and project to be in compliance with the Order of Conditions. Commissioner Mizanoglu made a motion to approve the Certificate of Compliance. Commissioner Patria seconded the motion. The vote of the Commission is as follows:

| | | | |
|-------------------|-----|----------------------|-----|
| Christopher Pratt | yes | Brian Pranka | yes |
| David MacWilliams | yes | Jerry Patria | yes |
| Mehmet Mizanoglu | yes | Maryssa Cook-Obregon | yes |

Mr. Mark Reed, GKS Corporation / 796R College Highway

Request for a Certificate of Compliance NOI # 292-0228 Mark Reed stated that this was a buffer zone project only for widening a portion of College Highway for easier access into the American Inn, which was completed in 2002. Coordinator Clark conducted a site visit and found the project to be in compliance with the Order of Conditions. Chairman Pratt made a motion to approve the Certificate of Compliance. Vice Chairman MacWilliams seconded the motion. The roll call vote is as follows:

| | | | |
|-------------------|-----|----------------------|-----|
| Christopher Pratt | yes | Brian Pranka | yes |
| David MacWilliams | yes | Jerry Patria | yes |
| Mehmet Mizanoglu | yes | Maryssa Cook-Obregon | yes |

Mr. Mark Reed, GKS Corporation / 796R College Highway

Request for a Certificate of Compliance DEP # 292-0213 Mark Reed submitted an as built plan for work only done in the Buffer Zone. A majority of the work was outside of the Buffer Zone. Coordinator Clark conducted a site visit for and found the project to be in compliance with the Order of Conditions. Vice Chairman MacWilliams made a motion to approve the Certificate of Compliance. Commissioner Mizanoglu seconded the motion. The roll call vote of the Committee was as follows:

| | | | |
|-------------------|-----|----------------------|-----|
| Christopher Pratt | yes | Brian Pranka | yes |
| David MacWilliams | yes | Jerry Patria | yes |
| Mehmet Mizanoglu | yes | Maryssa Cook-Obregon | yes |

Ms. Carla Hoffman, Property Owner

Nick Pandolfi, Elite Construction

34 Grove Street – Informal Discussion Carla Hoffman informally presented plans for a future Request for Determination (RDA) on the property to add a deck and replace steps within 100 feet of the Buffer Zone. There is also a section on a steep slope where two barriers with plantings in the center is proposed. The Commissioners stated that a silt fence including straw bales is required to be shown on the plan. Mr. Cheever, LMC Representative, noted that a previous presentation to the lake Management Committee depicted a deck over the water. Mr. Pandolfi explained that his submitted rendering of the deck area was misrepresenting the location, and that there no deck proposed above the water. The RDA will be on the agenda for November 2nd.

Mr. Flipe Cravo, R. Levesque & Associates

NOI DEP# 292-0374115 Fred Jackson Road Chairman Pratt opened the Public Hearing by reading the legal ad as posted in the Reminder Publication on 10/19/20. The proposal is for a single-family home with a garage, septic system, and yard area, including a wetland delineation on a subdivided parcel of land. There will be a future proposal to divide portions of the land for a total of four lots including two standard lots and two estate lots. The property was formally had a Forest Cutting Plan approved for logging the area. Mark Stinson, DEP, noted that there are questions regarding the proposed delineation and a culvert under the access road. Also, the area is in NRCS protected habitat area. Mr. Cravo noted that a newly revised plan does move the dwelling closer to Fred Jackson Road. Coordinator Clark stated that there was no prior approved determination for the proposed wetland delineation and that now is not a good time of the year to approve a delineation, and suggested that if the client desired to move forward with an approval of the delineation before spring that the Commission may require a third-party wetland consultant for confirmation. Mr. Cravo briefly presented a digital plan that has not been submitted to Commission as a revision for review as of this meeting. The Commissioners agreed to schedule a site visit after they were notified by the Consultant that all areas identified on the revised plan are marked in the field for identification including the wetland delineation, access road, house, septic location, and yard area. Mr. Cravo agreed to do so. Chairman Pratt made a motion to approve a continuation of the Public Hearing until November 2nd. Commissioner Patria seconded the motion. The roll call vote is as follows:

| | | | |
|-------------------|-----|----------------------|-----|
| Christopher Pratt | yes | Brian Pranka | yes |
| David MacWilliams | yes | Jerry Patria | yes |
| Mehmet Mizanoglu | yes | Maryssa Cook-Obregon | yes |

Mr. Michael Doherty, Planning Board Chairman Mr. Doherty attended the Zoom meeting to discuss the draft Conservation Restriction on The Greens East. Vice Chairman MacWilliams related a conversation with the developer and the owner at the location and was of the understanding that area near the old snack shack on College Highway was to be used as a parking area for the public to access the open space. Coordinator Clark stated that The Flexible Residential Development Bylaw includes concessions to infrastructure including smaller roadways and smaller lot sizes so the Town should be allowed public access to the open space in return for the concessions made. At this time the Planning Board has not included “public access” in the Conservation Restriction. Mr. Doherty stated that the open space will belong to the homeowners as part of an association and that it was not clear if the public should not be allowed on what essentially is private property. Liability issues were discussed. Coordinator Clark noted that if the Conservation Commission does not approve the proposed Conservation Commission Restriction, a third party may be required to hold the CR for the open Space that includes the responsibilities of monitoring and enforcing the restrictions. Mr. Doherty stated that this item would be on the Planning Board agenda for their meeting on October 20th for a brief discussion. The Chair, Chris Pratt tabled the discussion until the next meeting.

New England Scenic Trail Coordinator Clark stated that the trees are in the process of being removed for the ADA accessible trail. Crestview Construction was awarded the bid contract.

Swamp Trail Coordinator Clark stated that he is working with the Doug Cameron from the Commonwealth to ensure ADA compliance. At present the boardwalk is too steep to accommodate a wheelchair under ADA specifications. Vice-Chair Dave MacWilliams explained that there are two

potential plans, one of which is for lowering the top portion, the other is for raising the boardwalk which may be the more difficult option. The plan of jacking the boardwalk was proposed by the Commonwealth as they are working with the Town to bring this project into ADA compliance.

Congamond Heights Association CHA President, Ms. Gauthier submitted a revised 5-year plan with the revisions as discussed at the previous Conservation Commission meeting.

Town Hall Access Coordinator Clark discussed access with Tammy Spencer, Health Director. Ms. Spencer suggested that any Board, Commission, or Committee member be escorted into Town Hall when it is necessary for them to enter the office area of the building.

Norman Cheever, Lake Management Committee Mr. Cheever stated that Mr. Saunders would be submitting an additional payment for the LPP Program. The ramp at North Pond has been removed for the season. There is a proposal for a boat house at Middle Pond for the police boat. Mr. Cheever also noted that there are two foundations being constructed at 7 & 9 Lakeview Street. He was of the understanding that the property owners would need to return to the Conservation Commission before construction could begin on the second dwelling. Coordinator Clark stated that the second dwelling was not located within the 100-foot Buffer Zone on the plan but will go to the site and measure the distance to the water.

As there was no further business to discuss, Commissioner Patria made a motion to adjourn the meeting at 8:10 PM. Commissioner Mizanoglu seconded the motion. The roll call vote of the Commission was as follows:

| | | | |
|-------------------|-----|----------------------|-----|
| Christopher Pratt | yes | Brian Pranka | yes |
| David MacWilliams | yes | Jerry Patria | yes |
| Mehmet Mizanoglu | yes | Maryssa Cook-Obregon | yes |

The next regularly scheduled meeting of the Conservation Commission is 11/02/2020.

Respectfully submitted,

CC 10192020

Jean Nilsson, Secretary
cc:

Select Board
Town Clerk

Christopher Pratt, Chairman

Vice Chairman MacWilliams

Jerry Patria, Commissioner

Mehmet Mizanoglu, Commissioner

Brian Drenen, Commissioner

Brian Pranka, Commissioner

Maryssa Cook-Obregon, Commissioner

Date