

MINUTES  
CONSERVATION COMMISSION  
HYBRID PARTICIPATION  
August 7, 2023

**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

**MINUTES**

Vice Chairman Cheever made a motion to approve the minutes from June 26<sup>th</sup> and July 17<sup>th</sup>.  
Commissioner Patria seconded the motion. The roll call vote was as follows:

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

**Public Comments**

Diane Juzba, 145 Feeding Hills Road, made a statement concerning Crepes Tea House. Ms. Juzba wanted to go on record opposing any type of renovations as they have not previously adhered to submitted plans, including not making provisions for ADA accessibility.

**PUBLIC HEARING**

**NOI 662A College Highway DEP# 292-0412** Chairman MacWilliams opened the continuation of the Public Hearing. There was no one in attendance for the project in person or on Zoom. Vice Chairman Cheever made a motion for a continuation. Commissioner Solek seconded the motion. The roll call vote was as follows:

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

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

**24/26 Nicholson Hill Road Local Bylaw # 454-0127** Chairman MacWilliams opened the Public Hearing by reading the legal ad as posted in The Reminder Publication on July 31, 2023. Mr. Levesque

presented a plan for a two family dwelling most of which is located within the 50 foot Buffer Zone of an isolated wetland. Mr. Lou Berelli stated that the current use will be for a residential dwelling for his family and a secondary dwelling for his mother-in-law. However, in the future the secondary dwelling may be used as a rental property. The plan showed storm water collection at the rear of the property and another small basin in the front. A storm water management plan has been submitted to the Planning Board and DPW. The rear is sloped and will have a rain garden with erosion control of biodegradable material that will eventually allow for vegetation to grow through. A portion of encroachment was the result of the driveway location as there was no other option in its placement on the parcel. Another encroachment was for the placement of the septic system which was mostly outside the 50 foot. The other encroachment was grading on the eastern side of the property. As there was no further discussion, Vice Chairman made a motion to close the Public Hearing. Commissioner Patria seconded the motion. The roll call vote was as follows:

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

Commissioner Reardon made a motion to accept the project with monuments in the form of 8 boulders in conjunction with the retaining wall, the standard Order of Conditions, and a \$10,000.00 bond. Commissioner Mizanoglu seconded the motion. The roll call vote was as follows:

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

Mr. Roland Ludorf

**21 White Street NOI # 292-0413** Chairman MacWilliams opened the Public Hearing by reading the legal ad as posted in The Reminder Publication on July 31, 2023. Mr. Ludorf presented a plan to repair an existing sea wall. The construction will be for drop in concrete blocks which will not require heavy equipment, will not disturb the shoreline, and are safe and economical. The 8 X 24 X 36 foot blocks, made by Arrow Concrete, will set directly on the lake bottom and prevent erosion particularly from ice. As there was no further discussion, Vice Chairman Cheever made a motion to close the Public Hearing. Commissioner Patria seconded the motion. The roll call vote was as follows:

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

Commissioner Mizanoglu made a motion to approve the project with the standard Order of Conditions and a \$10,000.00 bond. Commissioner Reardon seconded the motion. The roll call vote was as follows:

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

Mr. Darly Philo, Owner

**11 North Pond RDA** Chairman MacWilliams opened the Public Hearing by reading the legal ad posted in The Reminder Publications on July 24, 2023. Mr. Philo explained that a tree had fallen into the lake and a second tree has a vertical crack which is approximately 50 feet from the lake and also has the potential for falling into the water. Randy Brown, Tree Warden, did inspect the tree but did not issue an Emergency Certification for removal. Mr. Philo explained that A & B Tree Service will remove both

trees. The one still standing will be removed in segments via a crane and the stumps will remain. Vice Chairman made a motion for a negative determination of removal of both trees. Commissioner Patria seconded the motion. The roll call vote was as follows:

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

## **NEW BUSINESS**

Mr. Steve Long  
Mr. Glen Land  
Mr. Robert Gramaldi, Owner  
Mr. Bob Baker, Owner

**SOL Source Power** Mr. Long and Mr. Land attended the meeting to present a conceptual plan for two solar fields, one on 787 College Highway, and the other on 43 Will Palmer Road. The project will require acceptance of both locations for financial feasibility. The preliminary plan presented showed wetlands and the area to be clear cut of all timber for the panels and supporting the infrastructure. Based on the geology of the land, there were several areas that are seasonally wet. The Conservation members reviewed the plans which were not defined in details, such as the perimeter fencing and actual wetland boundaries. The Commissioners did agree to conduct a site visit prior to the plans officially being presented for potential approval.

**Congamond South Pond Association** Mr. Devlin Thomas and Ms. Anna Griskus Attended the meeting to discuss the five year plan for beach maintenance. To date there has been very little erosion at least partially due to the plantings at the top of the beach. Mr. Thomas stated that a porta-potty was added and serviced once a week. There is a tree that the Association would like removed within 100 feet of the lake. The Commission stated that a Request for Determination will be necessary prior to removal of the tree. Mr. Thomas would also like to place a buoy as boats are coming close to shore. According to the LPP, a buoy can be placed in the lake as long as it is not more than 75 feet from shore.

**2, 4, 6 Silvergrass** Mr. Gregg Hamlin attended the meeting to discuss the boulders on the Order of Conditions for the property. Mr. Hamlin noted that the boundaries delineating conservation restricted land in other properties had signs. There are several readily available through the internet, will be more cost effective, and can define a specific location better than a boulder. The Commission members did like the sample signs presented, but also cautioned Mr. Hamlin that boulders are more permanent and will last longer than signs. Another option would be for plantings along the border line of the wetland area. Alternative options may be discussed prior to issuing an Order of Conditions on future Notice of Intents. Chairman MacWilliams made a motion to approve the signs in place of the boulders on the specific properties of 2, 4, and 6 Silvergrass only. Commissioner Patria seconded the motion. The roll call vote was as follows:

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

**56 Berkshire Avenue** Coordinator Pooler contacted Ms. Crampton during a pre-construction inspection concerning an erosion control monitor. Ms. Crampton agreed to take on the responsibility. Vice Chairman Cheever made a motion to accept Ms. Eve Crampton as erosion control monitor for 56 Berkshire Avenue. Commissioner Reardon seconded the motion. The roll call vote was as follows:

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

**Granville Gorge** Commissioner Reardon placed plastic on the face of the kiosk. As it appears that Mr. Drenen has/will not complete the project, the Commission will undertake the project. Chairman MacWilliams will contact Mr. Drenen to determine what materials are needed, and if he has already purchased them.

## OLD BUSINESS

Mr. Rob Levesque, R. Levesque & Associates

**7 & 9 Lakeview Street Dep # 292-0371** Mr. Levesque attended the meeting to request a Certificate of Compliance for the properties. Mr. Levesque noted that there was a change in the plans and did have an “as built” plan showing bordering land subject to flooding as well as being adjacent to the bank resource are of the 50 foot buffer. The driveway for #7 was altered further to the west. Attorney Stanley Komack was on Zoom representing Martino DeBeddetto, owner of #7. Chairman MacWilliams made note that the “as built” plans were not submitted prior to the work being done. Mr. Levesque stated that changes were being made during the construction process that were documented. There is an existing shed for a water pump and rip rap that was in existence in July during a site inspection that is also not on the as built plan. There is legal issues between neighboring properties. Chairman MacWilliams was of the opinion that the Certificate of Compliance should be on hold until the legal issues are settled so that the bond can be released and the property declared outside of the flood zone so flood insurance is not needed. Chairman MacWilliams made a motion for a continuance until September 18<sup>th</sup>. Commissioner Mizanoglu seconded the motion. The roll call vote was as follows:

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

**230 College Highway** Ms. Doreen Garde attended the meeting to review the site visit at Sterrett Drive. There appears that only a small portion of the trails are on conservation land, thus the Commission can only grant what would be allowed under their prevue. Chairman MacWilliams made a motion to allow horseback riding on conservation land on Coes Hill and to act as a steward on behalf of the Commission for “eyes and ears” and do general trail maintenance on the property. Commissioner Patria seconded the motion. The roll call vote was as follows:

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

**31 Sam West Road Possible Wetland Violation** As of this meeting, there is no update.

**157 Feeding Hills Road DEP # 292-0380** No one was in attendance for this issue.

**81 Point Grove Road Porta-Potty** Commissioner Patria had contacted the owner who chained it with a heavy weight thus preventing it from tipping over.

**12 Hillside Road** The Commissioners received a copy of the MDAR report. There appeared to be inconsistencies with the opinion of the water flow if the brook was straightened. Chairman MacWilliams was against straightening the brook. During heavy rain, the brook does have an increased flow, but dissipates quickly. The Conservation Commission will require an NOI to peruse the issue.

**Open Space Subcommittee** The Committee agreed to have a meeting just to address all the aspects of this proposal.

**Norm Cheever** Vice Chairman suggested that a site visit be done prior to Public Hearings. At times, the applications are not submitted in a timely manner.

**North Pond** Mr. John Bock volunteered to be a steward for the property and is sending in reports to Coordinator Pooler. It appears that the site is improving with less trash.

**Ron Senna from 149 Feeding Hills Road** Mr. Senna made note that the gazebos that exist are not what was approved. Chairman MacWilliams explained the proposal was a change in plans.

Chairman MacWilliams made a motion to close the regular scheduled meeting to enter into Executive Session at 9:37 in accordance with M.G.L. Chap 30A, Exception #4 Move to go into executive Session to discuss the deployment of security personnel or devices, or strategies with respect thereto; and not return to Open Session. Vice Chairman Cheever seconded the motion. The roll call vote was as follows:

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

Respectfully submitted,

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Jean Nilsson, Secretary

cc:  
Select Board  
Town Clerk

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Dave MacWilliams, Chairman

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Norman Cheever, Vice Chairman

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Jerry Patria, Commissioner

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Mehmet Mizanoglu, Commissioner

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Kevin Solek, Commissioner

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Andy Reardon, Commissioner

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Date