

**MINUTES
CONSERVATION COMMISSION
REMOTE PARTICIPATION
March 7, 2022**

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

ATTENDANCE

David MacWilliams, Chairman	Present
Mehmet Mizanoglu, Commissioner	Present
Brian Drenen, Vice Chairman	Absent
Brian Pranka, Commissioner	Absent
Jerry Patria, Commissioner	Present
Kevin Solek	Present
Maryssa Cook-Obregon	Absent

Acting Conservation Commission Coordinator Dennis Clark was also in attendance.

MINUTES

Chairman MacWilliams made a motion to table the minutes of February 7, 2022. Commissioner Mizanoglu seconded the motion. The roll call vote was as follows:

David MacWilliams	yes	Mehmet Mizanoglu	yes
Jerry Patria	yes	Kevin Solek	yes

There were no public comments

Forest Cutting Plan The Conservation Commission received a forest cutting plan from the Mass Fisheries and Wildlife for the area abutting the North Pond property. Acting Coordinator Clark stated that the Conservation Commission should have been involved in the planning as there is a section of pine trees that wanted to be preserved. A site visit was attended by two representatives of Mass Fisheries and Wildlife, Chairman MacWilliams, Commissioners Patria and Cook-Obregon and Acting Coordinator Clark. The remediation of what had been done relative to the violation and plans for moving forward were reviewed and discussed. The Conservation Commission is responsible for managing the property. It was agreed that some of the erosion will be firmed up and to bring in some plants/brush. It was suggested that wood chips not be used as they biodegrade and can be more harmful to the lake. There is a concern with vehicles going through the property. Acting Coordinator Clark noted that North Pond was not on a priority list for funding, but would like to take whatever steps needed to be moved up on the list. At the site visit, Chairman MacWilliams learned that there may be other funding available through the state for the Town as an active community relative to trails within the

Town. Acting Coordinator Cark suggested applying for DCR funding, Restoration Grant and/or Trails Grant and to determine a way as to how to move up on the priority list.

Commissioner Mizanoglu made a motion that a letter be issued requesting to be prioritized, and what would be required to be able to move up the list for funding. Commissioner Patria seconded the motion. The roll call vote was as follows:

David MacWilliams yes

Mehmet Mizanoglu yes

Jerry Patria yes

Kevin Solek yes

Mr. Ryan Nelson, R. Levesque & Associates

Request for Certificate of Compliance 379 College Highway DEP # 292-0369 Mr. Nelson was requesting a partial release of the Order of Conditions for lots # 5, 6, 7, 8, 9, and 21. Lots 5, 6 and 9 already have a separate Notice of Intents filed and completed. Lot 7 has no work being done within the Buffer Zone. Lot 21 had a storm water basin that was partially located within the Buffer Zone which is finished and vegetated with grass. There is no more work on that lot within the Buffer Zone. There are now Order of Conditions on each lot which could misdirect a buyer to encroaching upon wetlands without them being aware of the restriction. It would be good practice to place monumentation on all lots outlining the 100 foot Buffer Zone. Mr. Nelson is now working with the builder to understand the lots that will require NOI's. Lots 7 and 8 have no current plans for development within the Buffer Zone, but there would be no assurance that encroachment will not happen once the property is purchased. It was suggested that monuments be placed on all lots identifying the boundary of the Buffer Zone.

Chairman MacWilliams made a motion to issue a partial Certificate of Compliance for lots 5. Commissioner Patria seconded the motion. The roll call vote was as follows:

David MacWilliams yes

Mehmet Mizanoglu yes

Jerry Patria yes

Kevin Solek yes

Chairman MacWilliams made a motion to issue a partial Certificate of Compliance for lots 6.

Commissioner Mizanoglu seconded the motion. The roll call vote was as follows:

David MacWilliams yes

Mehmet Mizanoglu yes

Jerry Patria yes

Kevin Solek yes

Chairman MacWilliams made a motion to issue a partial Certificate of Compliance for lots 9.

Commissioner Patria seconded the motion. The roll call vote was as follows:

David MacWilliams yes

Mehmet Mizanoglu yes

Jerry Patria yes

Kevin Solek yes

Chairman MacWilliams made a motion to continue the request for a Certificate of Compliance on lots 7, 8 and 21 until the next meeting. Commissioner Mizanoglu seconded the motion. The roll call vote was as follows:

David MacWilliams yes

Mehmet Mizanoglu yes

Jerry Patria yes

Kevin Solek yes

The Conservation Commission will look into putting Order of Conditions on entire subdivisions that could cause less problems in the future for individual lots. However, there would be more control to have an Order of Conditions on each lot.

Conservation Coordinator Chairman MacWilliams stated that 5 applications were received. Four of the applicants will be in person interview, then the Select Board will make a final decision on the two top applicants.

Beach Sand for Town Beach There has been no action taken from the Park & Rec on this issue as of this meeting, but may require a Notice of Intent.

Noble Steed Enforcement Order Acting Coordinator Clark and Chairman MacWilliams conducted another site visit at the location and noted significant erosion under and around the silt fencing that were not maintained. A letter will be issued stating that the Enforcement Order is no longer in compliance and the next step could be fines. Acting Coordinator Clark suggested that double hay bales and silt fencing be installed.

72 Mort Vining Road The Agricultural Commission requested that the Select Board consider not issuing a Right of First Refusal. Chairman Hansen, Agricultural Commission, stated that he had a discussion with the Select Board who were receptive. Mr. Hansen also contacted the property owner who may consider preservation of the open land, but not the existing dwelling and barn which is not in Chapter 61A. There is a 120 day time period which will expire on June 21. A Warrant Article will need to be completed for use of CPC funding provided the CPC vote to use their funding. Ms. Diane Gale, 5 Point Grove Road, stated that the dwelling is under Chapter 61A as long as the dwelling is occupied by a member who actively farm the land. Commissioner Solek made a motion to lend the support of the Conservation Commission on preservation of the property. Chairman MacWilliams seconded the motion. The roll call vote was as follows:

David MacWilliams yes

Mehmet Mizanoglu yes

Jerry Patria yes

Kevin Solek yes

Chairman MacWilliams will issue a letter to the Select Board conveying the vote of the Conservation Commission as interest in the land only, not the dwelling or barn.

Proposed Marina Mr. Norman Cheever stated that the proposal is strongly opposed by the LMC. There has been nothing from the potential developer that had been brought before the Conservation Commission.

Chairman MacWilliams made a motion to adjourn at 8:17 p.m. Commissioner Mizanoglu seconded the motion. The roll call vote was as follows:

David MacWilliams yes

Mehmet Mizanoglu yes

Jerry Patria yes

Kevin Solek yes

Respectfully submitted,

Jean Nilsson, Secretary

cc:
Select Board
Town Clerk

Dave MacWilliams, Chairman

Brian Drenen, Vice Chairman

Jerry Patria, Commissioner

Brian Pranka, Commissioner

Mehmet Mizanoglu, Commissioner

Kevin Solek, Commissioner

Maryssa Cook-Obregon, Commissioner

Date