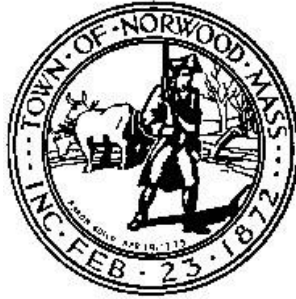


CONSERVATION COMMISSION

STEPHEN WASHBURN, CHAIRMAN
CATHERINE WALSH, VICE CHAIR
CARLY ROCKLEN, TREASURER
JOHN GEAR
HEATHER MILLER
PETER BAMBER



**ENVIRONMENTAL PLANNER/
CONSERVATION AGENT**

HOLLY JONES, MSCI

OFFICE MANAGER/SR. ADMIN. ASST.
LYNN MARCHAND

**Conservation Commission Meeting Minutes
January 5, 2022
7:30 P.M.**

Present remotely: Stephen Washburn, Catherine Walsh, Carly Rocklen, Heather Miller

Present in-person: John Gear

Also Present: Holly Jones, Environmental Planner/Conservation Agent.

The January 5, 2022 hybrid meeting was held in Town Hall, Room 24 and remotely using GoToMeeting software.

The meeting was called to order by Chairman Stephen Washburn at 7:30 p.m. followed by a roll call.

Public Hearings:

1. 87 Plantation Circle Notice of Intent No. 251-0531 N2021-14

Applicant: Daniel Cook Representative: Mitch Maslanka, Goddard Consulting, LLC
Project Description: The addition of a 2-story garage, back deck, and front and rear porches within buffer zone to bordering vegetated wetlands.

The Chair read the public hearing/project description into the record.

Mr. Daniel Cook recapped previous information and updated the Commission on proposed changes to meet the requirements. He said there would be 2000 square feet of impervious driveway, markers in the ground along the edge of the grass before it meets the wetlands in the front and back to indicate protected resource areas, installation of needed plantings in the grass area according to the planting/restoration plan. Mitigation guidelines, propagated by Wellesley, were used. Ms. Jones updated the Board on her conversation with Town Counsel. She suggested that the Board could adopt this approach to mitigation. Mr. Cook stated the addition it would not involve any grading and all stormwater would be mitigated to the underground storage through the pervious pavement. Mr. Gear said the Commission has never given any leeway with building in the no-build zone. He said they shouldn't approve it since they don't currently have guidelines and it would be setting a bad precedence. He said they should adopt some guidelines/regulations and then apply it to this case and future cases. Mr. Cook offered a no build zone in exchange for buffers, cleaning up debris pile, and 2000 permeable pavement driveway.

Mr. Washburn and Ms. Miller also agreed with Mr. Gear that changes shouldn't be born from an application but from the process of adopting regulations. Discussion was had regarding policies vs. regulations. Before the next meeting, the Commission asked for guideline language and it could be added to the next agenda for discussion and a vote before this application.

Motion: Mr. Gear made a motion to continue to the next meeting following the discussion/approval or non-approval of some sort of guidelines.

Ms. Walsh seconded the motion.

Motion passed unanimously, 5-0 by roll call vote.

2. 106 Access Rd Notice of Intent No. 251-0533

Applicant: Michael Colomba

Representative: Gabriel Padilla

Project Description: Addition to a commercial building in the buffer zone of a bordering vegetated wetland.

The Chair read the public hearing/project description into the record.

Representing the applicant, Mr. Gabriel Padilla said he sent the revised plan to Matt Walsh/Building Commissioner and Ms. Jones clarifying the use of the addition and the additional parking spaces was going to have and all the info requested at the last meeting. Ms. Jones said the changes made it so site plan review by the PB was no longer required. She noted that there was a tree cutting violation of approximately 11 trees in total on December 22nd at a residential address (235 Ridgewood Dr.) behind 106 Access Rd. 4 of the trees were on the 106 Access Rd. property.

Mr. Padilla shared his screen and reviewed the site plan and the 7 trees cut that were cut by the neighbor. He stated only 4 of the trees that were cut were on the subject property. He showed pictures of the stumps; 2 were healthy and 2 were rotted out. Ms. Miller asked who was responsible for the other trees that were cut. Ms. Jones said it was up to the discretion of the Commission. She issued an enforcement order to the owners of 235 Ridgewood Drive. Mr. Padilla said he is amenable to doing restoration of the 4 trees on their property.

1:1 diameter of trees cut, trees were too big (30" trees). Mr. John Zimmer will be coordinating with Mr. Padilla on a plan what would work for remediation and have it to Ms. Jones tomorrow. Mr. Washburn said he would like to have a proposal to review by an expert in that area and have the arborist or wetland scientist recommend what would be beneficial to the site in the future. Ms. Miller asked if it was ever considered to have off-site remediation if restoration in the area would do more harm than good? Mr. Gear and Ms. Walsh said it's possible. Ms. Rocklen stated she would like to see some restoration on the site; bushes, etc. Ms. Jones recommended a continuance in anticipation of a proposal for mediation.

Mr. Washburn said he would like to see a proposal before deciding.

Motion: Ms. Walsh made a motion for a continuance to the next meeting in anticipation of a restoration proposal. Ms. Gear seconded the motion.

Motion passed unanimously, 5-0 by roll call vote.

Wetland Issues and Updates:

1. CoC request: 512 Walpole St.

The Chair read the public hearing description into the record.

Ms. Amanda Hicks of GBI stated the previous structure was destroyed by fire and reconstruction was within the previously disturbed area. She said that the area is stabilized and all work has been done in accordance with the order of conditions. Ms. Hicks stated that they are requesting a certificate of compliance due to the scope of work being completed.

It was noted that there is one bare patch soil behind the garage but that it is unlikely to move. Mr. Washburn asked if the bare patch would be seeded or left as-is. Ms. Hicks said she wasn't sure but if required she would make sure that it is done. Mr. Gear said he would be okay with issuing the certificate providing Ms. Hicks reseeded the bare patch.

Motion: Mr. Gear made a motion to issue the CoC request providing the bare patch is reseeded. Ms. Miller seconded the motion.

Motion passed unanimously, 5-0 by roll call vote.

2. CoC request: 249 Vanderbilt Ave.

Mr. Matt Smith of Norwood Engineering said this was in follow up to meeting in September. He said the building was built many years ago and over the years there have been five Orders of Conditions on the subject property and that the request is that the Commission grant Certificates of Compliance in order to close everything out with the understanding that no further work will be performed unless they come back before the Commission with a Notice of Intent. He noted that 4 of the 5 certificates had been issued and that they are requesting another one for the 5th Order, #251-440. He stated that an as-built plan has been submitted, that the addition has not been constructed and that the utilities and parking are mostly finished. Ms. Jones said she performed an inspection and compared the NOI plan and as-built plan and mostly complied with the Order before this one. She stated that she would be comfortable with the Commission issuing a CoC finding that the Order of Condition is invalid and expired, the stormwater detention basin matches what is on the previous order and is in good condition.

Mr. Washburn stated he would entertain a motion to issue the Certificate of Compliance based on the state of the site matching the as-built with the understanding that any further development would require a Notice of Intent.

**Motion: Ms. Walsh made a motion to issue the Certificate of Compliance based on the state of the site matching the as-built with the understanding that any further development would require a Notice of Intent. Ms. Gear seconded the motion.
Motion passed unanimously, 5-0 by roll call vote.**

Potential Violations:

1. 235 Ridgewood Drive and 106 Access Rd—tree cutting in a bordering vegetated wetland

The Chair read the violation description into the record.

No one was present to represent 235 Ridgewood Drive.

Ms. Jones recommended that they ratify the order that the Commission issued (for the cut trees on their property) and modify it to include

Ms. Walsh felt the property owner who hired the contractor to remove the trees and removed trees on the adjacent property should be responsible for all of them. Ms. Walsh said the owner should come to the Commission with a proposal and both property owners should be held equally responsible.

Ms. Miller noted that some of the trees were a hazard due to being rotten inside.

Ms. Rocklen suggested using this as an educational opportunity as most people don't associate wetlands with woodland areas. Asked about species of trees that were cut. Holly said she asked that the species be identified and note habitat value, water protection that were provided by the trees, and suggest that we take a similar approach with a plan proposed by a qualified professional so the Commission could assess it. Discussion was had regarding contacting the property owner and possible options of the Commission if they didn't respond.

**Motion: Ms. Walsh made a motion to ratify the enforcement order and have Ms. Jones issue it with the language described. Mr. Gear seconded the motion.
Motion passed unanimously, 5-0 by roll call vote.**

2. 1384 B Washington St—potential clearing and gravel dumping in riverfront

The Chair read the violation description into the record.

Ms. Jones said it was a friendly enforcement order and the recipient had been very cooperative. She suggested ratifying enforcement order requiring clean-up beyond parking lot and replacement of fence.

Motion: Mr. Gear made a motion to ratify the enforcement order.

Ms. Miller seconded the motion.

Motion passed unanimously, 5-0 by roll call vote.

Conservation Commission Business:

1. Stormwater Bylaw

Ms. Jones noted that she had been working on the bylaw for several months. This bylaw is required by our MS4 permit from the EPA, and the draft came from NepRWA and was approved by the EPA. The biggest, most recent change to the bylaw is that we are thinking that instead of the ConCom, the town's Engineering Department should be the stormwater authority and issue permits for land disturbance & stormwater connections. They have more stormwater expertise and it help keep our meetings and my workload more manageable. Tony Mazucco thinks that the ConCom should be the 'sponsor' of this Bylaw for town meeting. We are looking for comments, potential edits, and then hopefully a vote to approve the bylaw and recommend to send it to the Board of Selectmen for the Town Meeting Warrant.

She suggested discussion, revisions, or a vote to approve it send to the BOS for inclusion on the March Town Meeting Warrant which would be published in February. By the next meeting, the Commission would need to vote.

Ms. Miller noted one correction that needed to be made; wetlands management act should be changed to the wetlands protection act.

2. Endean Orchard Subcommittee update

Ms. Walsh and Mr. Walsh stated that there was a need to reach out to the nursery regarding nutrient advice, irrigation, stormwater soil profile correction, and also coordinating and integrating efforts with Mark Ryan and Susan Claire/Community Gardens for the long term success of the project. Discussion was had regarding inviting the above mentioned folks/entities for a group discussion at a subcommittee level. Ms. Jones said she would follow-up with Mr. Bamber regarding his availability.

3. CPC report

Ms. Walsh said they had received 9-10 applications and supplemental information. Ms. Bouchard was setting up meetings to do presentations and to set up for next CPC meeting. Ms. Jones said she would represent the Conservation applications and that members were welcome to attend and speak to the proposed projects.

4. Agent update

Ms. Jones gave an update on the Mill pond dam removal: pond has started being dewatered and construction will start imminently, preparing staging area and will start doing check dam so sediment stays in place, Thanks to Nicholas Flannery, the engineering intern at the DPW who is working with Mark Ryan and Andy Murphy on updating the Emergency Action Plan for Ellis Dam for 2022.

Ms. Rocklen asked Ms. Jones for updates so they could see some aspects of the dam removal. Ms. Jones said there is an active Order of Conditions and it is Conservation Land. She noted that they may need PPE; hardhats etc. if they wanted to do an inspection.

Adjournment:

**Motion: Mr. Gear made a motion to adjourn. Ms. Miller seconded the motion.
Motion passed unanimously, 5-0 by roll call vote.**

Meeting adjourned at approximately 9:10 p.m.

Next hybrid meeting: January 19, 2022 @ 7:30pm in Town Hall, Rm. 24 & via GoToMeeting

Respectfully Submitted by Lynn Marchand