

**CONSERVATION COMMISSION
DRAFT MINUTES
February 5th 2019 at 7:00pm
Houghton Building, 697 Main Street**

PUBLIC HEARINGS AND APPOINTMENTS

REQUEST FOR A DETERMINATION OF APPLICABILITY (RDA); NOTICE OF INTENT (NOI), ABBREVIATED
NOTICE OF RESOURCE AREA DELINEATION (ANRAD), ORDER OF CONDITIONS (OOC)

Present: (Chair) Brian Berube, Emily Winner, Jeffrey Bryan, William Payne, and Rebecca Longvall (Conservation Agent)

Absent: Lori Stephenson, Kip McNamara

The Conservation Commission addressed the continued public hearing regarding the Notice of Intent filed for Lot #3 Long Hill Road. Jack Maloney of Ducharme and Dillis was present to give a summary of the revised plans dated 1/29/2019. All work has now been moved outside the buffer area and Adjacent Upland Resource Area except for the associated grading. The closest distance to the resource area is 65'. The areas within the Adjacent Resource Area and Buffer will be stabilized with grass and vegetation. The issuance of the Order of Conditions is contingent upon receiving approval from the Department of Public Works Director after reviewing the slight modification to road drainage infrastructure.

Chair Brian makes a motion to close the public hearing. Jeff seconded, all unanimously approve. Chair Brian makes a motion to approve the project as proposed for Lot #3 Long Hill Road on the plans dated 1/29/2019 stamped by Greg Roy of Ducharme and Dillis. Jeff seconded, all unanimously approve.

The Conservation Commission addressed the request for determination of applicability for 139 Green Road regarding a proposed pool and landscaping. Dana Shock was present to summarize the proposal and represent the applicant. The commission would like three conditions established within the determination; 1) no pumping of pool contents toward or into the resource area. 2) erosion controls to be in place during construction. 3) Stockpiling to occur outside of resource areas.

Chair Brian makes a motion to close the Public Hearing regarding the request for determination of applicability for the proposed pool to be located at 139 Green Road. Emily seconded, all unanimously approve.

Chair Brian makes a motion to issue a Negative 5 Determination with three conditions as discussed regarding the request for determination of applicability for the proposed pool to be located at 139 Green Road. William seconded, all unanimously approve.

The Conservation Commission addressed the request for certificate of compliance regarding 14 Wattaquaddock Hill Road.

Chair Brian made a motion to issue a Certificate of Compliance with ongoing conditions that any plantings which do not survive shall be replaced and replanted with living specimen of the same species. Jeff seconded, all unanimously approve.

The Conservation Commission continued the public hearing regarding the Notice of Intent regarding Lot 31 Nashaway Road. The DEP file number has yet to be issued therefore the applicant requested via email prior to the public meeting that the public hearing be continued until the conservation commissions next public meeting.

Chair Brian made a motion to continue the public hearing of Lot 31 Nashaway Road until February 19th 2019 at 7:00pm. Jeff seconded, all unanimously approve.

Chair Brian makes a motion to approve the minutes drafted for the meeting which took place January 15th 2019. Emily seconded, all unanimously approve.

The Commission briefly discussed ideas for Tom Denney Nature Camp conservation projects.

The next meeting dates are tentatively scheduled for: February 19th 2019, March 6th 2019, March 19th 2019.

The Commission discussed the request for certificate of compliance regarding 1 Century Mill Road. The applicant's representative Val of Goddard Consulting was present. The Commission requested a site visit. The Commission suggested if invasive have been adventitious then the applicant should remove them and plant natives their place.

The Commission discussed the most present site visit to 147 Long Hill Road common driveway development, the letter received from the applicant's wetland scientist Maureen Healy of Norse Environmental Services and options to bring developer into compliance. Present were abutters to the property; Laura Cilley and Kevin Silen voiced their concerns. The developer Walter Erickson was present with his attorney Scott Erickson. The Commission discussed the wetland replication area, slope and expired order of conditions. The commission stressed that the work proposed originally when the order of conditions was issued with the inclusion of amendments which were approved during public meetings of the conservation commission, are the items expected to be completed. The expired Order of Conditions must be addressed. Walter Erickson requested a site visit. The date and time will be coordinated.

The Conservation Commission discussed Keyes Farm subdivision violation which occurred 1/24/2019 resulting in an Enforcement Order; Cease and Desist. Present were Brandon Ducharme of Ducharme and Dillis, Robert Pace Sr, Bill of Rhinoconstruction. The applicant's representative gave a summary of the events that lead to the cease and desist along with the work that has been involved following the cease and desist. There is area by all storm basins that have been adversely impacted which include wetland resource areas, adjacent upland resource areas and a Coldwater fishery Danforth Brook. The Commission requested remediation plans for the impacted portion of the brook be submitted to the conservation commission. The only work allowed on site at this time is specific to mitigation and remediation of the resource areas. The Developer requested a release from the Cease and Desist and the Commission denied the request. The Commission did establish criteria with the developer and representatives that must be completed. Once completed the Commission has authorized the Conservation Agent to lift the cease and desist. This will occur upon confirmation of satisfactorily completing the 5 criteria established during the meeting, authorized through a letter issued by the Conservation Agent upon completion. The items necessary to complete are:

- 1) Documentation inclusive of: construction sequence for all remaining work, updates biweekly to the commission, proposed remediation work specific to Danforth Brook.
- 2) Complete the Storm Basin 1 and continue working to mitigate future adverse impacts (temporary basins throughout site where appropriate)
- 3) Erosion controls: erosion and sediment control barriers to be walked at the end of each work day and repaired.
- 4) Placing wattles within the adversely impacted wetland resource area before the inlet side of the culvert leading to Danforth Brook.
- 5) Continue Clean up this shall be a continual effort and a priority on site.

Other items may be necessary to come into compliance but are fluid and ongoing. These should all be included within the construction sequence with specific timeframe.

The Commission takes a poll, all yay.

The Commission noted they are fine with additional erosion controls along buffer specific to septic grading.

Chair Brian makes a motion to close the Public Meeting of the Conservation Commission on February 5th 2019. Jeff seconded, all unanimously approve.

Next Meeting Date: **February 19th 2019, March 6th 2019, March 19th 2019 at 7pm** in the Houghton Building.