

**Conservation Commission Minutes 3/10/2021  
7:00 PM**

Present:

Commission Members: Chairman John Sullivan, Tim Holiner, Amey Moot, Sarah Monaco, Jim McLaughlin, Christy Violin. Absent: David Stapleton

Consultant Agent to the Commission: Janet Bowser

Applicants/Representatives: Mark Howe-129 Centre St., LLC, Joyce Hastings-GLM Engineering, Ardi Rrapi- Cheney Engineering

**Request to Amend Existing Order of Conditions**

144-856 129 Old Centre St., Mark Howe, 129 Centre St., LLC, GLM Engineering

Having been duly published, the hearing was opened for 129 Old Centre St. Present were both Applicant Mark Howe and Representative Joyce Hastings. Joyce reviewed her 3/8/21 response memo to Agent Bowser comments, 3/7/21. Joyce and Agent Bowser met onsite on 3/4/21 to inspect the property and the Request to Amend the Order of Conditions. GLM revised the plan to show the new 150' buffer zone, 70' no structure setback, and 50' no disturb setback. Joyce discussed the proposed amendment request to install a boulder wall to provide a level area in the backyard. As shown on the revised plan it is stacked boulders. Behind the wall would be a landscape fence between the wall and added fill. The revised plan also showed trees and the GLM response memo contained a tree analysis. Joyce said the current percentage of tree removal is 30%. Silt fence will be installed at the base of the fill stockpile. There was discussion about interpretation of the Tree Count Regulation under the Bylaw. There was also discussion about new amendments being subject to the new revised regulations or if they would be grandfathered under their previous approval. Commissioners considered both interpretations. The Chair will work with the Conservation Office going forward on policy documents for clarification and explanations under the new regulations. For 129 Old Centre Street, GLM added the new buffer zone and setbacks to the revised plan. There was further discussion about saving a large 34" oak tree. Tree wells were discussed for protection, as well as semi circles called "eyebrows" currently used by GLM rather than tree wells. GLM has had success with this method of tree protection. The Commission made a note to check on the oak tree in 5-10 years to see how it's health is. A note will be added to the file. There was additional discussion of water flow directions in the backyard. To further protect the trees, stacked straw bales were suggested and also additional orange construction fence around the large 34" oak tree. Conditions of approval as discussed shall be added to the revised plan as notes regarding stockpiling, the wood chip area and tree protection. Motion made and seconded to close the hearing and approve the Amendment Request as presented with modifications to the plan as discussed and signage and bounds to be installed behind the wall. Roll call vote: Amey-Yes, Jim-Yes, Tim-Yes, Sarah-Yes, Christy-Yes, John-Yes.

Agent Bowser stated that during her site inspection on 3/4/21, four violations were documented and she requested her memo with Notice of Violations for 129 Old Centre St., items 1-4 dated 3/5/21 be added to the Documents Section of the Minutes.

**Requests for Certificate of Compliance (CoC)**

144-671 54 Haven St., Greene, GLM Engineering

Agent Bowser visited the site and recommended approval with the standard note regarding Permanent Special Conditions listed on the Certificate of Compliance. Motion made and seconded to issue the Certificate of Compliance for 54 Haven Street. Roll call vote: Jim-Yes, Amey-Yes, Sarah-Yes, Tim-Yes, Christy-Yes, John-Yes.

144-825 45 Miller Hill Rd., Rafter, GLM Engineering

Joyce Hastings of GLM Engineering requested a continuance to the next meeting on 3/24/21 for this CoC Request.

144-345 9 Partridge Hill Rd., Bohlin, Cheney Engineering

Agent Bowser visited the site and recommended approval with the standard note regarding Permanent Special Conditions listed on the Certificate of Compliance. Motion made and seconded to issue the Certificate of Compliance for 9 Partridge Hill Rd. Roll call vote: Tim-Yes, Sarah-Yes, Amey-Yes, Christy-Yes, Jim-Yes, John-Yes.

**Discussion/Signatures**144-442 47 Walpole St., Hingorini, Complete CoC signed in 2005, never recorded at Registry of Deeds

The Commission discussed The Request for a new signature on a CoC at 47 Walpole St., which has a previous 2005 issued and signed CoC that was never recorded at the Registry of Deeds. Motion made and seconded to sign the Certificate of Compliance. Roll call vote: Tim-Yes, Sarah-Yes, Amey-Yes, Christy-Yes, Jim-Yes, John-Yes.

144-219 47 Walpole St., OOC iss. 1997, work never done, CoC never filed, then filed new plan in 2005 for new septic design for #144-442

The Commission discussed The Request for CoC at 47 Walpole St for work approved in 1997 but never started. Applicant then filed a new plan and septic design under DEP# 144-442 (listed above). Motion made and seconded to issue the Certificate of Compliance. Roll call vote: Tim-Yes, Sarah-Yes, Amey-Yes, Christy-Yes, Jim-Yes, John-Yes.

**Discussion-Channing Pond Update**

Jim McLaughlin received an estimate from Mike Callahan, Beaver Solutions with a StreamStats Report dated 1/29/21. He will circulate to Commission members for feedback.

**Correspondence**Organic Farming Letter received from Russell Gutterson

There was a discussion of Community Supported Agriculture (CSA) and the possible lease of land for organic farming. Town Counsel will be consulted for questions of possibilities for next year. Access and water source for farming is a consideration. The Commission suggested perhaps DLCT could help with this recent correspondence. The Commission is not equipped this season, but will investigate the possibility of next season.

**Minutes**

7/22/20

Motion made and seconded to approve the minutes of 7/22/20 with Agent Bowser changes. Roll call vote: Tim-Yes, Sarah-Yes, Amey-Yes, Christy-Yes, Jim-Yes, John-Yes.

8/12/20

Motion made and seconded to approve the minutes of 8/12/20 with Agent Bowser changes. Roll call vote: Tim-Yes, Sarah-Yes, Amey-Yes, Christy-Yes, Jim-Yes, John-Yes.

8/26/20

Motion made and seconded to approve the minutes of 8/26/20 with Agent Bowser changes. Roll call vote: Tim-Yes, Sarah-Yes, Amey-Yes, Christy-Yes, Jim-Yes, John-Yes.

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**Minutes (cont.)**

9/23/20

Motion made and seconded to approve the minutes of 9/23/20 with Agent Bowser changes. Roll call vote: Tim-Yes, Sarah-Yes, Amey-Yes, Christy-Yes, Jim-Yes, John-Yes.

10/14/20

Motion made and seconded to approve the minutes of 10/14/20 with Agent Bowser changes. Roll call vote: Tim-Yes, Sarah-Yes, Amey-Yes, Christy-Yes, Jim-Yes, John-Yes.

11/4/20

Motion made and seconded to approve the minutes of 11/4/20 with Agent Bowser changes. Roll call vote: Tim-Yes, Sarah-Yes, Amey-Yes, Christy-Yes, Jim-Yes, John-Yes.

**Agent's Report**Red Robin Pastures 40B Project Wetland Issues

An Agenda is posted for a 4:30 site visit on 3/11/21 using Facebook Stream. A 1-page letter outlining the Commission's concerns and questions about the project is to be submitted to the Zoning Board of Appeals (ZBA) by April. Agent Bowser will draft the letter for Commission review at the next meeting. The Chair said the Commission will have input toward that letter after viewing the Facebook site visit stream previously discussed. The Commission discussed the possibility of using Paul McManus of EcoTec to certify the Potential Vernal Pool (PVP) located on an adjacent property with owner permission. Agent Bowser will notify Land Use Planner Courtney Starling that the Commission may request that Paul McManus certify the PVP.

Minor Modifications-53 Claybrook Rd., DEP #144-830

Agent Bowser discussed the minor plan modifications. The applicant will draft a list of items she believes can be done with a field change.

Review approval of Septic System and Well Permits within the new 150' Wetland Buffer Zone

There was discussion of Board of Health (BOH) Regulations regarding septic systems outside the 100' buffer and well permits. Any work within 150' should file with the Commission. For wells, any well within 150' should apply to the Commission and require a Request for Determination of Applicability (RDA) filing.

Motion made and seconded to adjourn at 10 PM. Roll call vote: Tim-Yes, Sarah-Yes, Amey-Yes, Christy-Yes, Jim-Yes, John-Yes.

## Documents:

- Consultant Agent Bowser Comments/Recommendations Memo dated 3/7/21
- 129 Old Centre St. Notice of Violations email dated 3/5/21 to Mark Howe from Agent Bowser
- 129 Old Centre St. GLM Revised Plan, dated 3/8/21
- 129 Old Centre St. GLM Response Memo dated 3/8/21 to Agent Bowser Violations email dated 3/5/21
- 129 Old Centre St. GLM Response Memo with Tree Count Analysis Trials 1, 1A, 2 & 2A dated 3/8/21 to Agent Bowser Comments/Recommendations Memo dated 3/7/21
- 54 Haven Street Request for CoC, As-Built Plan
- 9 Partridge Hill Rd. Request for CoC
- Red Robin Pastures Schematic Plan Sheets dated 12/21/20
- 53 Claybrook Rd email from Jay Gallagher dated 3/2/21