

**MILLIS CONSERVATION COMMISSION
MEETING MINUTES
Room 206, Veterans Memorial Building, 900 Main St., Millis, MA
Monday, October 7, 2013**

The meeting was brought to order at 7:30 p.m. by Dr. James Lederer, Chair.

The following members were present:

Dr. James Lederer, Ed Chisholm, Tim Chorey, Christine Gavin, Cara Krinsky, Daniel Lee, Anne Rich

Members Absent: None

Others present: Greg Hochmuth, Hancock Associates, 185 Centre St., Danvers
Katie Cruz, Hancock Associates, 185 Centre St., Danvers
Robert Fox, 350 Boylston St., Newton
Dan Merrikin, Merrikin Engineering
Paul Ruzsala, Onsite Engineering

**DEP FILE #CE225-0376 - NOTICE OF INTENT, PUBLIC HEARING CONT.
410 EXCHANGE STREET
OAK GROVE FARM**

The public hearing was opened at 7:30 p.m. by Dr. Lederer, Chair.

A letter was received by Mr. Stephen MacInnes of the Oak Grove Committee, dated October 7, 2013. The applicant requested a continuation of the public hearing to allow time for the final design of the foot bridge.

On a motion made by Mr. Chisholm, seconded by Ms. Gavin, it was voted unanimously to continue the public hearing, without discussion, at 7:31 p.m. to Monday, November 18, 2013, 7:30 p.m.

**DEP FILE #CE225-0379 - NOTICE OF INTENT, PUBLIC HEARING, CONT.
1465 MAIN STREET- MILLIS USED AUTO PARTS
ROBERT VALCHUIS**

The public hearing continuation was opened at 7:40 p.m. by Dr. Lederer, Chair.

Mr. Greg Hochmuth of Hancock Associates, representing the applicant, discussed the site visit conducted on September 21, 2013. He summarized the project proposal for stormwater management improvements. Mr. Hochmuth presented and discussed the Operations and Maintenance Manual. The Commission will require copies of O & M reports as a special condition.

There was discussion regarding the total proposed work area. Mr. Hochmuth will provide an updated calculation of the total work area. Mr. Chisholm stated that, in his opinion, the applicant should notify the Army Corps of Engineers notifying them of the changes and request their approval as well. The Commission required that Mr. Hochmuth revise the plan to clearly show the ACOE easement on the property for accuracy. Mr. Chorey stated that he would “like proof that the soils are not contaminated.” Mr. Valchuis stated that he takes “offense” to that

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request as he was “very diligent about” his “operation.” He stated that he had the soils tested before by EPA when he “refinanced some years ago.” Mr. Valchuis stated he has letters/documentation regarding previous soil testing. The Commission requested that Mr. Valchuis provide copies of such documentation to the Commission. Mr. Chisholm stated that it “may behoove the applicant” to dig three test pits on site for current soil testing. Mr. Valchuis stated that he would “dig three holes on site” at 1465 Main Street to test the soil.

There being no further questions and on a motion made by Mr. Chisholm, seconded by Ms. Rich, it was voted unanimously to close the public hearing at 8:20 p.m.

On a motion made by Ms. Rich, seconded by Ms. Gavin, an Order of Conditions, with Special Conditions, was unanimously approved for DEP File #CE225-0379.

**DEP FILE #CE225-0378 - NOTICE OF INTENT, PUBLIC HEARING, CONT.
1372 MAIN STREET
ROBERT VALCHUIS**

The public hearing continuation was opened at 8:29 p.m. by Dr. Lederer, Chair.

Mr. Hochmuth stated there is no impact to resource areas due to the stockpile. The applicant proposes to process the material outside the buffer zone. After the soil is removed, Mr. Hochmuth said, the property “will go back to being a storage area for Main Street Auto Parts.” Mr. Chisholm stated that “if the three test pits come out clean at 1465 Main Street, this site should be OK.” The Commission favors the processing of the soil provided it is not contaminated.

On a motion made by Mr. Lee, seconded by Ms. Krinsky, it was voted unanimously to close the public hearing at 8:34 p.m.

On a motion made by Ms. Rich, seconded by Mr. Lee, an Order of Conditions, with Special Conditions (processing contingent upon testing), was unanimously approved for DEP File #CE225-0378.

**REQUEST FOR DETERMINATION OF APPLICABILITY, PUBLIC HEARING
DPW/ONSITE ENGINEERING
WATER MAIN LOOP PROJECT**

The public hearing was opened at 8:35 p.m. with notice being read by Dr. Lederer, Chair.

Mr. Paul Ruzsala of Onsite Engineering, representing the Town of Millis DPW, presented the application and plans. He described the project for work associated with the Chlorine Contact Loop Water Mains. The project is required for Town Well Numbers 1, 2, 3, 5 and 6 to meet Massachusetts Drinking Water Regulations. Some work is proposed within the wetland buffer zone, Mr. Ruzsala said.

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Mr. Ruzala described the overall scope of the project, along with the performance standards and proposed activities. He stated that the Town is seeking a Negative Determination for the project based on the fact that the work is not anticipated to negatively impact any adjacent wetland resource area or significantly change the ability of the buffer zone to serve as protection to the wetlands. Where appropriate, the erosion controls are shown on the plan, he said.

On a motion made by Mr. Chorey, seconded by Ms. Rich, it was voted unanimously to close the public hearing at 8:49 p.m.

On a motion made by Mr. Chisholm, seconded by Ms. Rich, a Negative 3 Determination of Applicability was unanimously approved.

**REQUEST FOR DETERMINATION OF APPLICABILITY, PUBLIC HEARING
OLD POST LLC/MERRIKIN ENGINEERING
BETWEEN ACORN & FARM ST.
MAP 31 PARECL 30**

The public hearing was opened at 8:50 p.m. with notice being read by Dr. Lederer, Chair.

Mr. Dan Merrikin of Merrikin Engineering, on behalf of the applicant, 400 Old Post LLC, presented the application and plans. He stated they are working on designing a residential subdivision and have identified an isolated, vegetated wetland. He said they are submitting this application to see if this area is protected. The area in question is part of a 28.5 acre wooded parcel located between Acorn Street and Farm Street. A long, narrow vegetated wetland has been identified near the south-central portion of the site, he said. This wetland lies within a low area that is nearly flat. It has been determined to be isolated as it does not border on a creek, river, stream, pond or lake. Mr. Merrikin stated that he has been out to the site many times and has never seen standing water. As Mr. Merrikin explained, the Request for Determination of Applicability does not propose any work but is submitted to confirm the jurisdictional applicability of resource areas on the site. Mr. Merrikin stated that the State's Wetlands Protection Act does not protect isolated wetlands. The area in question is flagged, he said.

The Commission scheduled a site visit for Saturday, October 19, 2013, at 9:00 am.

On a motion made by Ms. Rich, seconded by Mr. Chorey, it was voted unanimously at 9:12 p.m. to continue the public hearing to Monday, November 18, 2013, 7:40 p.m.

OTHER BUSINESS:

**Verderber Field/Tangerini's Spring Street Farm
Informal Discussion**

Dr. Lederer will contact Town Counsel for their final draft.

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Minutes

On a motion made by Mr. Lee, seconded by Ms. Gavin, the minutes from September 9, 2013, were unanimously approved as amended.

Scheduled Conservation Commission Meetings: November 18, 2013

There being no further business, on a motion made by Mr. Lee, seconded by Ms. Gavin, and voted unanimously, the meeting adjourned at 9:35 p.m.

Respectfully submitted,

Camille Standley, Department Assistant