

**MILLIS CONSERVATION COMMISSION
MEETING MINUTES
Room 104, Veterans Memorial Building, 900 Main St., Millis, MA
Monday, November 18, 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, Daniel Lee, Anne Rich

Members Absent: Cara Krinsky

Others present: Stephen G. MacInnes, 78 Island Rd.
Michael Walsh, 277 Exchange St.
Dan Wells, Acorn & Farm St.
Dan Merrikin, Merrikin Engineering, 730 Main St.
Bob Fox, Acorn St.
Pam Ryan, 28 Brookview Rd.
David Baker, 2 Holbrook Way
James McKay, 416 Village St.
Brutus Cantoreggi, 7 Blueberry Lane
Charles & Laura Tangerini, 139 Spring St.

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

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

Mr. Walsh presented a plan entitled “Amber’s Brook Footbridge, Oak Grove Farm, Millis, MA 02054,” dated 11-2-13 (2 sheets). Mr. Walsh stated that the new footbridge will be four feet wide and span twenty feet. It will sit five inches higher than the current bridge, he said. The Commission reviewed and discussed the plans. Mr. Walsh will revise the plans to include a wider abutment and additional gravel as discussed. He will also stamp the plan. Mr. MacInnes stated that the work will “probably not get done this year,” but more likely next summer.

On a motion made by Ms. Rich, seconded by Mr. Lee, it was voted unanimously to continue the public hearing at 7:49 p.m. to Monday, December 16, 2013, 7:30 p.m.

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

**REQ. FOR DETERMINATION OF APPLICABILITY, PUBLIC HEARING
OLD POST LLC/MERRIKIN ENGINEERING
MAP 31 PARECL 33 ACORN ST.**

The public hearings were opened at 7:50 p.m. with notice being read by Dr. Lederer, Chair.

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Mr. Merrikin presented the application/plans and stated that an additional 6.4 acre parcel (Map 31 Parcel 33) has been added to the project, in conjunction with the prior Request for Determination of Applicability for Map 31 Parcel 30. A site visit was conducted on October 19, 2013. Mr. Merrikin hopes to “wrap up” the first RDA submitted and confirm there are no resource areas on the second parcel/second RDA submitted.

Mr. Merrikin and the Commission discussed an email, dated November 12, 2013, from Mr. Michael Giampietro regarding comments on the application. Mr. Merrikin stated that he is aware of the swale Mr. Giampietro spoke of and they will file to do work in the area of the swale at a later date. He said the applicant will obtain and provide a drainage easement that will be conveyed to the Town eventually. Mr. Merrikin stated that he would work with Mr. Winiker and Mr. Giampietro at that time as they are abutters to the project.

Mr. Merrikin stated that the entire site, which is the subject of the second Request filed, has been inspected by a wetland scientist and no Resource Areas were found on the site, or within 100 feet of it. No work is proposed, he said. The Commission is in agreement that there are no resource areas on the parcel.

The Commission discussed the isolated vegetated wetland that is part of the first RDA filing (Map 31 Parcel 30) and determined it is protected under Article XIX, Millis Wetlands Protection Bylaw.

On a motion made by Ms. Rich, seconded by Mr. Lee, it was voted unanimously at 8:05 p.m. to close the public hearing on Map 31 Parcel 30.

On a motion made by Ms. Rich, seconded by Mr. Lee, it was voted unanimously at 8:06 p.m. to close the public hearing on Map 31 Parcel 33.

On a motion made by Ms. Rich, seconded by Ms. Gavin, it was voted unanimously to approve a Positive 6 Determination of Applicability for Map 31 Parcel 30, finding that the isolated vegetated wetland is protected under Article XIX, Town of Millis Wetland Protection Bylaw, Section 3. Jurisdiction.

On a motion made by Mr. Chisholm, seconded by Ms. Rich, it was voted unanimously to approve a Negative 1 Determination of Applicability for Map 31 Parcel 33.

**Request for Certificate of Compliance
DEP File #CE225-0373
134 Ridge Street
Mark Coviello**

Mr. Coviello submitted a Request for Certificate of Compliance. He also requested a waiver of Special Condition #33, Wetland Replication. He has delineated the wetland area with boulders and would like to plant wetland grass and “leave it as is” as it is already established. A site visit was not scheduled as members have been to the site independently numerous times.

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On a motion made by Mr. Chisholm, seconded by Mr. Lee, it was voted unanimously to approve the waiver request for Special Condition No. 33, Wetland Replication. The Commission is in favor of the outside limit of the wetland replication area being lined with boulders and this section is to be left undisturbed to allow the existing vegetation to overtake the area.

On a motion made by Ms. Gavin, seconded by Ms. Rich, it was voted unanimously to approve a complete Certificate of Compliance.

**28 Brookview Road
Pam and Bob Ryan
Informal Discussion**

Ms. Ryan stated that they just signed a Purchase and Sale agreement on the home. The house was built before the Rivers Act. They presented photographs of trees very close to the house which they would like to have removed. They are within forty feet of the brook. The Commission discussed the filing of a Notice of Intent, however, before making a determination, the Commission scheduled a site visit for November 23, 2013.

**Grove Street Erosion Controls/Haybales
Brutus Cantoreggi
Informal Discussion**

Mr. Cantoreggi stated that he observed the erosion controls/hay bales that the contractor put in place for the Town project on Grove Street. In his opinion, "it seems excessive" for the scope of the work. Mr. Chorey stated that he was asked to walk the area and paint/mark areas where the erosion controls were to be placed. It appears that the contractor placed many more on the site in areas not delineated by Mr. Chorey.

Mr. Cantoreggi stated that, as a concerned resident, he is "trying to do some fact finding" to find out why so much money was spent on the "excessive" erosion controls. Dr. Lederer stated that a public hearing was held on the application and plans approved. Mr. Cantoreggi will follow up with the Department of Public Works.

**Middle School/High School Grounds
Town Park/Playing Fields – Informal Discussion
David Baker**

Mr. Baker discussed his citizen petition that he had started to seek re-working the playing fields at the Millis Middle School/High School grounds, and in the Town Park. He said the petition did not go forward at Town Meeting, however, he would still like to "get discussion going" on the issue as there is a chronic lack of playing fields in Town. Mr. Baker stated that there are some drainage features that, if they could be relocated, would "really open up" the usable area to create sports fields. Mr. Baker discussed the draft "Fields Feasibility Study Scope of Work" and Site Analysis. A document entitled "Statement by Stephen G. MacInnes Regarding the Report of the Fields Committee" was received. Mr. Baker is asking if the drainage channel could be piped as an option. He stated that **no work/no project** is proposed at this time. The

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Board of Selectmen did authorize a Feasibility Study, he said. Drainage was discussed. Mr. Tangerini voiced concern about the current drainage and stated he hopes the study includes extensive engineering. He said that he would be willing to work with “anybody on this to discuss the ramifications of water runoff.”

Mr. McKay stated that drainage studies are being done now. Mr. Baker will keep the Commission informed as things progress.

Verderber Field/Tangerini’s Spring Street Farm

License Agreement - Informal Discussion

Charles & Laura Tangerini

Town Counsel had submitted a revised version of the License Agreement. Mr. Lee also made edits/revisions to the document. The Tangerini’s and the Commission reviewed the agreement. Mr. Tangerini stated that he would “like to get going” on the area to be able to get compost on it in the spring. He stated the first crop would probably be potatoes. Liability issues were discussed. Mr. Tangerini does not want anyone on the section he is farming. The Commission approved a final draft of the License Agreement. An informal site visit will also be conducted by the Commission members.

Mass Wildlife Trespass Violation/Army Corps Land

Island Road

Discussion

The Commission reviewed the email, dated November 18, 2013, from Ms. Pat Huckery regarding a Trespass Violation noted on Army Corps of Engineer land behind 132 Island Road. A boardwalk and dock were constructed through the wetland behind 132 Island Road. Mass Wildlife and the Commission conducted independent site visits. Mass Wildlife is requiring that the boardwalk, dock, boat, electrical lines and irrigation pipe be removed. Ms. Huckery also stated in her email, that once all encroachments are removed, the wetland is to be left to regrow and no further cutting of the wetland shrubs and trees is to be conducted.

On a motion made by Mr. Lee, seconded by Ms. Gavin, it was voted unanimously to issue an Enforcement Order with the requirements as set forth by Mass Wildlife.

OTHER BUSINESS:

Request for Certificate of Compliance

DEP File #CE225-0377

266 Pleasant Street – Septic Replacement

Warren Champagne

Mr. Carlson, on behalf of the applicant, submitted a Request for Certificate of Compliance. A site visit was scheduled for Saturday, November 23, 2013 at 9:30 am. (Note: A Certificate of Compliance was issued 12/2/13)

Minutes

Minutes will be approved at the next meeting on Monday, December 16, 2013.

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Scheduled Conservation Commission Meetings: December 16, 2013

There being no further business, on a motion made by Mr. Lee, seconded by Ms. Gavin, and voted unanimously, the meeting adjourned at 10:00 p.m.

Respectfully submitted,

Camille Standley, Department Assistant