

**MILLIS CONSERVATION COMMISSION
MEETING MINUTES
Room 104, Veterans Memorial Building, 900 Main St., Millis, MA
February 5, 2018**

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

The following members were present:

Dr. James Lederer, Chair
Anne Rich, Vice Chair
Ed Chisholm, Christine Gavin, Daniel Lee

Caitlin Nover, Nover-Armstrong Assoc.
Marta Nover, Nover-Armstrong Assoc.

Members Absent: Charles Tangerini

Others present: Dennis Fermano, 76 Ridge St.
Nicole Hayes, Goddard Consulting, Northborough, MA
Drew Timmis, Goddard Consulting, Northborough, MA
Bob Fox, Ridge St.
Elizabeth Gatto, 15 Pleasant St.
Amy Fawkes, 18 Ridge St.
James Lederer, 10 Paddock Lane
Dan Merrikin, Merrikin Engineering, 730 Main St.
Mary Kazis, 14 Rolling Meadow
Tim Farrar, 7 Rolling Meadow
Jonathan Barry, 6 Paddock Lane

**169 Dover Road
Informal Discussion – Driveway Restoration**

Ms. Gatto, representing Ms. Sue Horgan, the property owner, stated that she was told by Mr. Giampietro, the Building Inspector, to consult with the Commission regarding a driveway restoration within the outer riparian zone. According to Ms. Gatto, the property is for sale and the owner wishes to install a dirt driveway. There is an existing overgrown cart path which the owner is hoping to restore as a driveway by clearing the overgrown brush, leveling the area with fill/dirt and topping it off with crushed stone. There will be no asphalt used, she said. The Commission reviewed the plot plan prepared by O’Driscoll Land Surveying Co., dated January 12, 2018. Mr. Chisholm noted the Army Corps of Engineers easement on the property and recommended that they either contact them directly or avoid that area. Ms. Gatto stated that they “will be sure to move a couple of feet in the opposite direction” to avoid the easement area. The Commission agreed that they were far enough away from any area under their jurisdiction; therefore, no filing was required.

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**DEP FILE# CE225-0407, ABBREVIATED NOTICE OF RESOURCE AREA
DELINEATION, PUBLIC HEARING, CONT.**

RIDGE STREET (MAP 20, LOT 025)

(Note: As an abutter to the application, Dr. Lederer recused himself from the public hearing continuation)

The public hearing continuation was opened at 7:38 p.m. with notice being read by Ms. Anne Rich, Vice-Chair.

Ms. Nicole Hayes of Goddard Consulting, representing the applicant, presented an updated, revised plan, dated February 4, 2018. She stated that all of Nover-Armstrong's recommendations were done. A StreamStats Report and Stream Crossing Stations Sketch was presented and the DVD video of the stream crossing location monitoring was played/viewed (October 4- October 7, 2017). According to Ms. Hayes, they did meet the standard of "four days of non-flowing water" to re-classify the stream as intermittent rather than perennial. Mr. Lee stated that the local Town Bylaws require five consecutive days for monitoring. According to Ms. Hayes, "as long as it's not a drought period" and the monitoring was done "during a non-drought period."

Ms. Marta Nover, the Commission's consultant, stated that Stream Stats Reports are not appropriate to re-classify from perennial to intermittent – only intermittent to perennial. She stated that they had requested to be on-site during the monitoring; however, the applicant unfortunately did not contact or coordinate with Nover-Armstrong. She said that it is the burden of the applicant to clearly demonstrate that the stream was dry throughout the site. As documented by Goddard Consulting, certain portions of the streambed were dry during the four-day period in early October; however, the streambed was shown to hold standing water at several of the stations. Ms. Nover stated that there can be dry sections of stream, but some sections could still be flowing and considered perennial. "You can't visually see flow sometimes," she said. Ms. Hayes stated that they had "demonstrated four days of documented no-flow along the stream channel" and that they "satisfied the requirement."

Ms. Nover stated that there are still some areas that should be included on the plan. Goddard Consulting and Nover-Armstrong will coordinate a site visit together to finalize the delineation.

On a motion made by Mr. Chisholm, seconded by Ms. Gavin, it was voted unanimously at 8:18 p.m. to continue the public hearing to Monday, March 5, 2018, 7:45 p.m.

Other Business:

FY2019 Budget

On a motion made by Ms. Rich, seconded by Mr. Lee, it was voted unanimously to approve a level-funded FY19 Conservation Commission Budget.

