

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

June 22, 2015

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, Cara Krinsky, Daniel Lee

Members Absent: Tim Chorey

Others present: Tim & Lara Davis, 23 Pleasant St.
Steve Gilbert, SFG Engineers
Robert A. Pettis, 123 Acorn St.
Kathleen & James Giles, 43 Auburn Rd.
Dan Merrikin, Merrikin Engineering, 730 Main St., Ste. 2C
Marta J. Nover, Nover-Armstrong, 124 Main St., Carver
Siobhan Clayton, 49 Acorn St.
William Labarge, 27 Pleasant St.
Wayne Carlson, Carlson Survey

NOTICE OF INTENT, PUBLIC HEARING
DEP FILE # CE225-0389 - 23 PLEASANT STREET
THOMAS PEMBERTON

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

Mr. Gilbert, representing Mr. Pemberton, presented the application and plans. The property consists of a single family home with a shed and an in-ground pool located in the back yard. The applicant proposed to pump any water from the existing pool and remove the existing concrete apron around the pool, along with the existing shed. Clean fill will be dumped into the existing pool, he said, and it will be compacted to remove voids. Fill will be brought up to within 6" of finish grade. The final 6" of fill will consist of screened loam, and will be seeded with a mix of stabilizing grasses. There will be no change in elevation, he said. There will be no filling of any resource areas. According to Mr. Gilbert, prior to the start of demolition, a siltation barrier will be installed adjacent to the demolition site.

The Commission reviewed the plan. Mr. Lee requested that the plan be revised to extend the siltation barrier along the existing asphalt driveway. Mr. Gilbert will make the change. Mr. Gilbert stated that they would use the existing asphalt drive for access to the work site.

Mr. William Labarge of 27 Pleasant Street, an abutter to the property, asked what recourse he would have if the proposed work caused flooding in his yard. Mr. Gilbert stated that the "runoff will continue to go down towards the wetlands; that will not change," he said. The grade will remain the same, he said. Mr. Chisholm instructed Mr. Labarge to contact the Commission if this is not the case.

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(Note: no site visit was scheduled as the Commission visited the property on November 22, 2014, for a Request for Determination filing.)

There being no further questions and on a motion made by Ms. Rich, seconded by Ms. Krinsky, it was voted unanimously to close the public hearing at 7:40 p.m.

On a motion made by Ms. Krinsky, seconded by Mr. Lee, it was voted unanimously to issue an Order of Conditions, with Special Conditions, for 23 Pleasant Street, pending receipt of the revised plan. (Note: the revised plan was received and the Order of Conditions was issued on June 30, 2015.)

**DEP FILE #CE225-0383
41 AUBURN ROAD
STEPHEN & RACHEL MCCLARY
INFORMAL DISCUSSION**

Mr. and Mrs. McClary were sent a letter from the Commission requesting they attend the meeting. Work/clearing beyond the scope of the Order of Conditions issued for the property was observed.

Mr. Carlson spoke on behalf of the McClary's. According to Mr. Carlson, Mr. Kerns was issued the Order of Conditions for the property. He then sold the property to Mr. Lorusso, who built the home. Mr. Carlson stated that when "the house went from Mr. Lorusso to Mr. McClary, he never got the Order of Conditions." Mr. McClary stated he was unaware of any Order of Conditions when they purchased the property. He said that the seller's attorney "missed it." Mr. McClary will contact his attorney to correct the deed for the property. Mr. McClary stated they will not be doing any more clearing on the property.

Mr. Carlson stated that he would prepare an as-built plan for the property for the Commission to review. He may want to request a modification to the Order of Conditions to allow a shed. Mr. Carlson will be in touch with the Commission.

**43 AUBURN ROAD
JAMES & KATHLEEN GILES
INFORMAL DISCUSSION**

The Commission conducted a site visit on Wednesday, May 27, 2015, at 6:30 p.m., with Mr. and Mrs. Giles. It was observed that the trees and underbrush had been removed all the way to the edge of the wetlands. Mr. and Mrs. Giles were informed they must restore the disturbed area within the wetland buffer zone. They must plant at least five (5) native trees and plant native ground (not grass) cover in the disturbed area. Since the disturbed area was deeply rutted, the Commission agreed it would be acceptable for the Giles's to use a small construction vehicle to smooth the rutted area before planting. Stump grinding will not be permitted. Ms. Gavin will email a list of planting suggestions. Mr. Giles will provide (via email) a plan showing the proposed plantings before starting the work for the Commission's review and approval.

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**HICKORY HILLS SUBDIVISION
SEDIMENTATION ISSUES
UPDATE/DISCUSSION**

Mr. Merrikin, representing the applicant, updated the Commission on the status of the sedimentation issues. Mr. Merrikin stated that the Stormwater Basin will be completed shortly and loaming and seeding will take place. There were no problems during the recent rain storms, he said. Mr. Merrikin summarized his letter, dated June 22, 2015, which addressed the issues noted by Nover-Armstrong. Much of the recommended work has been completed, Mr. Merrikin said.

Ms. Nover stated that she visited the site earlier in the day. She noted that the discharge across the street was clear. She said that it appears no additional siltation is leaving the site. "There are quite a bit of disturbed areas which still need diligence with maintaining the basin/swale," Ms. Nover said. Mr. Merrikin said that the roads will be paved in the next 2-3 weeks. Once the road is paved, the shoulders will be loamed and seeded, he said. Ms. Nover reiterated that the detention basin needs to be constructed as soon as it is dry enough. There are still a lot of exposed surfaces. Mr. Merrikin stated that they would like to finish the work before cleaning the wetlands.

Ms. Siobhan Clayton of 49 Acorn Street expressed some concern regarding the temporary detention basin. Mr. Merrikin explained that every house in the subdivision is designed to have one and it will be rebuilt/re-constructed.

Mr. Pettis of 123 Acorn Street expressed his concerns regarding the subdivision. He stated that "the retention pond was supposed to be built before any building permits were issued." Mr. Merrikin stated that the lots Mr. Pettis was referring to were three ANR lots on the street. Mr. Pettis stated that he wanted to be sure that the applicant would "clean the frog pond" and "do everything according to the bylaws." He provided a water sample to the Commission. Dr. Lederer assured Mr. Pettis that the Commission would do everything within their jurisdiction to seek remediation for the wetlands.

Mr. Merrikin stated that he will keep the Commission informed. Ms. Nover will conduct another site visit in 2-3 weeks.

OTHER BUSINESS:

Minutes

On a motion made by Ms. Krinsky, seconded by Mr. Lee, the minutes from May 18, 2015, were unanimously approved as written.

Scheduled Conservation Commission Meetings: August 10, 2015

There being no further business, on a motion made by Ms. Rich, seconded by Mr. Chisholm, and voted unanimously, the meeting adjourned at 8:45 p.m.

Respectfully submitted,

Camille Standley, Department Assistant