

**MILLIS CONSERVATION COMMISSION
MEETING MINUTES
Room 130, Veterans Memorial Building, 900 Main St., Millis, MA
Monday, June 23, 2014**

The meeting was brought to order at 7:25 p.m. by Dr. James Lederer, Chair.

The following members were present:

Dr. James Lederer, Ed Chisholm, Christine Gavin, Cara Krinsky

Barbara Thissell, P.E., ConCom consulting engineer

Members Absent: Tim Chorey, Daniel Lee, Anne Rich

Others present: Bob Quinzani, 132 Island Rd.
Jim McKay, Millis DPW
Paul Harkey, 84 Plain St.
Dan Wells, Hickory Hills, Wetlands Scientist
Robert Fox, 275 Turnpike St., Canton, MA 02021
Daniel Merrikin, Merrikin Engineering
Stephen Wilkes, 90 Farm St.
Jim Talabach, 98 Farm St.
Daniel Callahan, 97 Farm St.
Wayne Carlson, 261 Union St.

132 Island Road

Bob Quinzani

Enforcement Order Nullification

Mr. Quinzani met with the Commission and stated that he had complied with all requirements of the Enforcement Order. He stated that Ms. Huckery of Mass Wildlife conducted a site visit in March and all encroachments were removed as instructed. Mr. Quinzani presented photographs of the area. The Commission thanked Mr. Quinzani for his cooperation in this matter.

On a motion made by Ms. Cara Krinsky, seconded by Ms. Christine Gavin, it was voted unanimously to nullify and close out the Enforcement Order dated November 18, 2013.

DEP FILE #CE225-0383 - NOTICE OF INTENT, CONT., PUBLIC HEARING

41 AUBURN ROAD

JOHN & MARTHA KERNS

The public hearing continuation was opened at 7:30 p.m.

Mr. Wayne Carlson, representing the applicant, discussed the site visit conducted on May 30, 2014, wherein the Commission confirmed the accuracy of the wetland flagging. The Commission reviewed the plan. Mr. Carlson stated that they would need a variance/waiver from the Commission's "fifty foot rule." Mr. Carlson stated that they understand there will be no lawn allowed. He stated that "roughly" two feet of fill would be added.

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Ms. Krinsky stated concerns regarding a neighboring home wherein potential buyers came before the Commission to expand the backyard, and they were denied. She asked how the Commission could approve new home construction when expansion of a backyard was denied due to the disturbance that would be caused to the wetlands. There was discussion regarding elimination of contours and not raising the ground so there would be less of a disturbance. Bound placement was discussed. Mr. Carlson will revise the plan to show the placement of the permanent bounds and the elevation of 147' will remain.

On a motion made by Mr. Chisholm, seconded by Ms. Krinsky, it was voted unanimously at 7:55 p.m. to continue the public hearing to Monday, July 28, 2014, 7:35 p.m.

REQ. FOR DETERMINATION OF APPLICABILITY, PUBLIC HEARING
TOWN WIDE ROADWAY MAINTENANCE

DPW

The public hearing was opened at 8:00 p.m. with notice being read by Dr. Lederer, Chair.

Mr. James McKay presented the application and described the work to take place which would include:

- Reconstruction of Irving St., reconstruction of King Philip Dr., reconstruction of Causeway Street approximately 2500' east and west of driveway of #60 Causeway Street, paving Himelfarb St., paving Middlesex St., crack seal various streets, cold plane trenches, tack and repave.
- On Main St., Plain St., and Exchange St. cold plane trenches/potholes/manholes, catch basins, tack and repave.

Mr. McKay stated that they would like to use "straw wattles" for the erosion controls in the areas where needed. He said the areas marked with the word "limits" on the sketches attached to the Request would have the erosion controls. Mr. Chisholm stated that a representative of the Commission would walk the site and make a determination as to the locations of the erosion controls.

On a motion made by Dr. Lederer, seconded by Ms. Krinsky, it was voted unanimously at 8:05 p.m. to close the public hearing.

On a motion made by Mr. Chisholm, seconded by Dr. Lederer, it was voted unanimously to issue a Negative 3 Determination of Applicability, with the condition that a Commission representative walk the site with Mr. McKay to determine erosion control locations.

(Note: the Commission recessed for 25 minutes due to temporary lack of quorum)

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DEP FILE #CE225-0381 - NOTICE OF INTENT, PUBLIC HEARING, CONT'D.
HICKORY HILLS SUBDIVISION
ACORN STREET & FARM STREET

The public hearing continuation was opened at 8:30 p.m. by Dr. Lederer, Chair.

Mr. Merrikin, representing the applicant, 400 Old Post LLC, updated the Commission on the new submittals and revised plans provided for the application. According to Mr. Merrikin, all “technical issues” have been resolved and legal documents are currently under review by Town Counsel.

Mr. Merrikin reiterated that there are three areas of jurisdictional work and that 99% of work to be done is in upland areas. Mr. Merrikin described the three areas:

Work proposed within Wetlands Protection Act and/or Wetlands Protection Bylaw
Jurisdictional Areas:

- (1) Farm Street sewer work for extension of an existing sewer main from Farm Street to the intersection of Cedar Street. The beginning of the work is in the buffer zone. This is a limited project.
- (2) Acorn Street stormwater system improvements which includes work within the buffer zone of a bordering vegetated wetland which lies on the opposite side of Acorn Street.
- (3) Work within the buffer zone of the isolated vegetated wetland for installation of storm drain inlet. Applicant required to maintain existing drainage patterns.

He stated that the Notice of Intent was filed for the subdivision infrastructure only and **not** for housing development on individual house lots. Any and all lot development would require separate filings, he said. He summarized the drainage patterns and proposed drainage.

A letter to the Commission from Meg and Steve Wilkes, dated June 21, 2014, was received by the Commission regarding the potential vernal pool in the Isolated Vegetated Wetland. A photo had been taken of a yellow spotted salamander in the backyard of one of the abutters.

Ms. Thissell summarized her review letter dated June 23, 2014. She stated that she concurs with Mr. Merrikin’s drainage calculations. She recommended special conditions should an Order of Conditions be approved. Mr. Merrikin stated that there had been a question about the property owner of Map 31 Parcel 3 not being notified of the public hearing. According to Mr. Merrikin, the property is owned by Mr. Thomas Roche and he was notified personally by Mr. Merrikin and he was aware of the project.

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Mr. Talabach stated his concerns regarding the wildlife in the area and the sighting of the yellow spotted salamander. Mr. Merrikin stated that this does not change the findings and that two wetland scientists found no evidence of vernal pool characteristics. Mr. Wells stated that the salamanders may breed in that area and surrounding areas. He said that when he conducted his site visit on April 17, 2014, there was no evidence of breeding being supported. Ms. Thissell explained that the picture does “not count as evidence.” A wetland scientist has to see it or witness the vernal pool habitat. Mr. Merrikin stated that they are not doing any work in that area as part of this application, therefore there is no need of further discussion on the topic.

There was discussion regarding stormwater discharge and groundwater drainage devices. Ms. Thissell explained the design and purpose of the drainage calculations in relation to tree removal.

Mr. Merrikin stated that he has no further information to submit and requested that the Commission close the public hearing. There were no further questions.

On a motion made by Mr. Chisholm, seconded by Ms. Krinsky, it was voted unanimously at 9:18 p.m. to close the public hearing.

On a motion made by Mr. Chisholm, seconded by Ms. Gavin, it was voted unanimously to approve, with conditions, an Order of Conditions for DEP File #CE225-0381.

OTHER BUSINESS:

**DEP File #225-0324
Certificate of Compliance Request
35 Main Street**

The Commission scheduled a site visit for Friday, July 11, 2014, at 6:30 PM.

**DEP File #225-0315
Certificate of Compliance Request
189 Pleasant Street**

The Commission scheduled a site visit for Friday, July 11, 2014, at 7:00 PM.

Payroll Signatories FY15

On a motion made by Dr. Lederer, seconded by Mr. Chisholm, the Conservation Commission unanimously voted, pursuant to MGL Chapter 41, Section 41, to authorize *either* Dr. James Lederer or Ms. Anne Rich to sign/approve payroll.

Minutes

Approval of the minutes from May 19, 2014 will be voted on at the next meeting.

Scheduled Conservation Commission Meetings: July 28, 2014

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There being no further business, on a motion made by Mr. Chisholm, seconded by Ms. Gavin, and voted unanimously, the meeting adjourned at 9:22 p.m.

Respectfully submitted,

*Camille Standley
Department Assistant*