

**MILLIS CONSERVATION COMMISSION
MEETING MINUTES
Room 130, Veterans Memorial Building, 900 Main St., Millis, MA
August 14, 2017**

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
Tim Chorey, Christine Gavin, Cara Krinsky, Daniel Lee

Marta Nover & Laura Krauss, Nover-Armstrong
Wayne Carlson, ConCom Volunteer

Members Absent: Ed Chisholm

Others present: David Faist, P.E., McClure Engineering, 119 Worcester Rd., Charlton
Thomas Bellefontaine, 224 Pleasant St.
Shawn Nuckolls, Toll Brothers, 134 Flanders Rd., Westboro
Scott Miccile, Toll Brothers, 134 Flanders Rd., Westboro
Ryan O'Rourke, Toll Brothers, 134 Flanders Rd., Westboro
Austin Turner, Bohler Engineering
Brian Madden, LEC Environmental
Nicole Hayes, Goddard Consulting, 291 Main St., Suite 8, Northboro
George Yered, 87 Acorn St.
Joe & Dee Cormican, 72 Ridge St.
Scott Rorrie, 8 Ridge St.
Joe & Amy Fawkes, 18 Ridge St.
Jennifer Farrar, 7 Rolling Meadow
James & Jacqueline Lederer, 10 Paddock Lane
Stanton Sooklal, 90 Ridge St.
Robert Holmes, 88 Ridge St.

**DEP FILE# CE225-0407, ABBREVIATED NOTICE OF RESOURCE AREA
DELINEATION, PUBLIC HEARING
RIDGE STREET (MAP 20, LOT 025)
PAUL HOLIAN, JR.**

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

The public hearing was opened at 7:30 p.m. with notice being read by Ms. Anne Rich, Vice-Chair.

Ms. Nicole Hayes of Goddard Consulting, representing the applicant, presented the application and plans. Ms. Hayes discussed the existing conditions on the site and stated that Mr. Scott Goddard delineated the wetlands in September of 2016. The applicant is seeking confirmation by the Commission of approximately 8,000 linear feet of Bordering Vegetated Wetlands (BVW) boundaries on the site. Also requested is confirmation that the perennial streams (rivers) mapped on the site are intermittent and that no Bordering Land Subject to Flooding

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(BLSF) exists on the site. The site consists of one lot totaling 40.84 acres located west of Ridge Street. The site is currently undeveloped and comprises upland forested land and vegetated wetland areas.

Ms. Jennifer Farrar of 7 Rolling Meadow, an abutter to the application, stated that when they purchased their property, there “were constraints on my land that ran with my land” due to the wetlands delineated. Ms. Farrar said that they “faithfully complied with” the Commission’s “constraints for years and thought this was settled 12 years ago.” She raised concerns and questioned that if the delineation line at the rear of her property changes, how will that affect her? A portion of the wetlands delineated on the plan do extend to private properties.

Ms. Rich stated that there were still site visits to conduct and nothing would be confirmed/decided at tonight’s hearing.

Ms. Marta Nover, the Conservation Commission’s wetlands consultant, stated that she and her staff visited the site twice. They provided their comments to Goddard Consulting as well as the Commission. She stated that there are five series of wetlands out there. There were large areas, she said, that are wet and need to be surveyed and flagged in the field. According to Ms. Nover, several resource areas are not shown on the plan; there is a complex of vernal pools and a perennial stream is flowing, she said. In summary, Ms. Nover said that the ANRAD plans do not represent all jurisdictional areas and they “are not in agreement with the line in the field.” Ms. Nover and Mr. Goddard will coordinate and conduct a site visit together.

On a motion made by Mr. Chorey, seconded by Ms. Krinsky, it was voted unanimously at 7:51 p.m. to continue the public hearing to Monday, September 11, 2017, 7:45 p.m.

**DEP FILE# CE225-0405, NOTICE OF INTENT, PUBLIC HEARING, CONT.
224 PLEASANT STREET, ELAINE DONOVAN
DAVID FAIST, MCCLURE ENGINEERING, INC.**

The public hearing continuation was opened at 8:00 p.m. by Dr. Lederer, Chair.

Mr. David Faist of McClure Engineering, representing the applicant, presented the revised plan (dated June 14, 2017, revised July 18, 2017). The revised plan shows the mitigation area as discussed at the last hearing on July 17, 2017. The applicant also requested a waiver (as stated on Note 6 of the plan) to allow construction of the proposed above ground pool and deck within the 0-50’ buffer.

On a motion made by Mr. Lee, seconded by Ms. Rich, it was voted unanimously to approve the waiver request as stated on the plan.

On a motion made by Mr. Lee, seconded by Ms. Rich, it was voted unanimously at 8:08 p.m. to close the public hearing.

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An Order of Conditions was discussed. A Special Condition stating that wetland mitigation/re-vegetation as shown on the approved plan must be established before a Certificate of Compliance is issued.

On a motion made by Mr. Chorey, seconded by Mr. Lee, it was voted unanimously to approve an Order of Conditions, with Special Conditions, for 224 Pleasant St., DEP File #CE225-0405.

**DEP FILE#CE225-0400, NOTICE OF INTENT, PUBLIC HEARING, CONT.
84 ORCHARD STREET – GLEN ELLEN SENIOR RESIDENTIAL COMMUNITY
DEVELOPMENT-TOLL BROTHERS, INC.**

The public hearing continuation was opened at 8:11 p.m. by Dr. Lederer, Chair.

Mr. Turner of Bohler Engineering, representing the applicant, presented an update on the status of the final revised plans (dated August 11, 2017) and the latest submitted documents. He stated that they have been working with Nover-Armstrong to finalize everything in preparation to close the hearing on August 22nd.

In the event of an Order of Conditions being approved, some potential draft special conditions, prepared by Nover-Armstrong, were discussed and clarified. There was discussion regarding demarcating the 50-foot buffer/do not disturb zone on the site. Ms. Nover will work with Mr. Turner to develop a plan.

On a motion made by Ms. Rich, seconded by Mr. Lee, it was voted unanimously at 9:24 p.m. to continue the public hearing to Monday, August 22, 2017, 7:30 p.m.

**DEP FILE#CE225-0399, NOTICE OF INTENT, PUBLIC HEARING, CONT.
ORCHARD STREET – GLEN ELLEN- WATER MAIN EXTENSION
TOLL BROTHERS, INC.**

The public hearing continuation was opened at 9:25 p.m. by Dr. Lederer, Chair.

Mr. Turner of Bohler Engineering, representing the applicant, stated he would work with Ms. Nover on the last few items remaining in the hopes of closing the public hearing on August 22nd.

On a motion made by Ms. Rich, seconded by Mr. Chorey, it was voted unanimously at 9:26 p.m. to continue the public hearing to Monday, August 22, 2017, 7:45 p.m.

**DEP FILE#CE225-0406, NOTICE OF INTENT, PUBLIC HEARING, CONT.
ORCHARD STREET – GLEN ELLEN- UTILITY (SEWER) IMPROVEMENTS
TOLL BROTHERS, INC.**

The public hearing continuation was opened at 9:26 p.m. by Dr. Lederer, Chair.

Mr. Turner of Bohler Engineering, representing the applicant, stated that he provided responses to Ms. Nover's letter and revised the plans as requested for final review.

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On a motion made by Mr. Chorey, seconded by Ms. Rich, it was voted unanimously at 9:27 p.m. to continue the public hearing to Monday, August 22, 2017, 7:50 p.m.

Other Business:

**DEP File #CE 225-0392 - Tractor Supply Company
Request for Certificate of Compliance**

A Request for Certificate of Compliance was received. Mr. Wayne Carlson, representing the Conservation Commission, met with Mr. Michael Dryden of Bohler Engineering to conduct a site visit on August 8, 2017. According to Mr. Carlson, the slope has been stabilized, grass is on the detention basin and “all looks good.”

On a motion made by Ms. Rich, seconded by Ms. Gavin, it was voted unanimously to approve a complete Certificate of Compliance for Tractor Supply Co., DEP File #CE225-0392.

Payroll Signatories FY18

On a motion made by Dr. James Lederer, seconded by Ms. Christine Gavin, 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 for FY18.

**Collt Manufacturing
1375 Main Street**

Storage of Material in Wetland Resource Area

There was no response from Collt Manufacturing after the first letter and the bin and its contents are still onsite. Another Cease & Desist letter will be sent, certified mail.

(Note: an email was received on 9/1/17 from Ms. Lisa Sellers at Collt Manufacturing stating that the material (owned by another party) will be moved by a contractor the week of September 4th)

Minutes

On a motion made by Ms. Rich, seconded by Ms. Krinsky, the minutes from July 17, 2017, were unanimously approved as written.

Scheduled Conservation Commission Meetings: *August 22, 2017 (*Tuesday,
special meeting for Toll Bros.,
GECC only)
September 11, 2017

There being no further business, on a motion made by Ms. Rich, seconded by Ms. Krinsky, and voted unanimously, the meeting adjourned at 9:40 p.m.

Respectfully submitted,

Camille Standley, Administrative Assistant