

it would be more of an improvement. Delineation has been done, flags are up. EG: wants to check wetland Delineation on site. DB: Is the swale collecting road run off? LJ: Water does come from this area. DB: Then I can't approve this plan as concern that materials are coming down the slope. JK: What does PRZ mean? LJ: Protect Root Zone. Next week, the applicant meets with ZBA. **Requesting a continuation to 10/16. In the meantime, LJ will make sure area is flagged for a site visit. Consensus to allow a continuation.**

8:00 Notice of Intent DEP #300-913, 77 Westwood Dr, Mark & Jodie Gosselin. Addition and site work in the buffer zone. NOI for addition and site work in the buffer to an intermittent stream. Lenny Jalbert along with applicants was present. Documents submitted: Abutters notification and Tear Sheet

Scope: To the left of the drive there is a shed. Proposing to take it down and relocate in rear of the house. Install a 30x32 addition onto the back of house, with an exterior deck. Also to install a small deck/stair in front of the house. To the left of garage are broken stairs. Proposing to install new steps and wall. At the top of the drive, install drywall for discharge from roof run off. Planters will be removed. There is an intermittent stream on the left side. JK: The dead tree should be removed, contact the tree warden to get it removed as its town property. DB: How much excavation will take place? LJ: A 4' frost wall and addition. The shed will be set on blocks. EG concern to dig into hill side and concern with storage area for stuff, would like to see that the edge is protected near the buffer zone and a planting plan along that edge. DB: Agree with plan but requests the OOC to state no digging into the slope due to pond above. LJ: Erosion controls will be hay bales with silt fence. DB wants to eliminate the silt fence. LJ: Then we will put in 12" waddles.

Motion: To close the public hearing, approve the proposed plan dated 8/19/14 under the MA WPA and Town Bylaw and issue an Order of Conditions with special conditions for no digging into the slope and plantings along swale edge, suggested arborvitae: DB: 2nd: DG Discussion: Nothing Additional. Vote: 4-0.

8:15 Notice of Intent DEP #300-912, 20 Goodrich Rd, Mary Hartpence. Repair of septic system in the buffer zone. **Requested a continuation to a meeting on 11/6)**

8:30 Request for Determination of Applicability, 39 Draper Woods Rd, Brian Milam In-ground pool in the buffer zone. (cont from 8/21) **Continued from the previous meeting over concerns for the slope of the proposed pool and intrusion into the buffer zone. Requested a continuation to the next meeting on 10/16)**

Enforcement

- **261 Holland Rd, Christine Zelenak: Work in the Buffer Zone and Wetlands.** GC & CM conducted a site visit yesterday. Spoke with William Zelenak previously regarding the pile of soil and tires to be removed from the buffer zone to the intermittent brook on his property. Now appears top soil was being spread. Silt fence was not properly installed and was not working. Tried to get Mr. Zelenak to work with us in seeking his cooperation, but due to his demeanor, the agent was forced to return to the property with an enforcement order. The order requested: erosion controls need to be put in by tomorrow, near the south side of property. Filter fabric to be tucked in properly. The larger area between the barn and the house looks recently regarded and seeded but without erosion controls. Installed erosion controls in 2012, when septic work was done, so the Agent thought Mr. Zelenak would be aware of the wetlands, erosion controls etc. Requesting by 10/16 we would like a restoration plan showing the seeded area. The erosion controls are to remain in place until the area is stabilized. GC hand delivered the enforcement yesterday afternoon. The Commission signed the Enforcement Order; the original copy was handed to CZ this evening. The applicant had no questions. GC and Mr. Zelenak and his Attorney friend, Maurice McCarthy have a meeting at 8:30am tomorrow, for GC to show where erosion controls need to be installed. CZ: We didn't own property during the septic repair.
- **29 Main Street, Clearview Construction. Work in buffer zone and BVW.** Leonard Jalbert, Jalbert Engineering representing applicant. Surveyed in 2006, the fill on site is over 20 yrs. old. No fill was installed recently, just wood chips. LJ saw no wood chips in the wetland. There is an erosion control barrier located at the slope and thus it's prevents fill into the wetland, so the site is barricaded. Wetland has not been surveyed yet. However, LJ suspects the encroachment at the rear of the property where tire tracks occurred may not be on his property after all. Once LJ has a delineation, he will discuss with GC and then have another site visit. A Cease and Desist is currently in process. **Requested a continuation to 11/6 meeting as it will take a few weeks for a submission to be done. EG feels they graded in the wetland based on new scratches on boulders and to extend the enforcement order. GC: Note a change to EO, the name was incorrect. Requesting signatures for the correction.**

3 Cherrybrook Cir. DEP #300-837. Working beyond the work limit line in the RFA. Fred Trifone, Trifone Design and Pat McClone. Owner is seeking direction from the Commission tonight. **Agent Briefing:** A few weeks ago issues were noticed.

- The work is being done outside the work limit lines in the riverfront area. Hay bales were up prior to construction and now the boulders have been removed that defined the line. There is no longer a clear work limit line in place, appears to be a yard now. Plans are not being followed. Even if boulders are moved back, I'm concern the owner still won't adhere to the work limit.
- We originally allowed 2 sonitubes for the deck. Two more sonitubes were put in without being discussed with Conservation.
- The plan shows 5000 sf, which is more than what we initially allowed, which was 4876 sf. Conservation is frustrated as we try to work with you but more work is done that is not to plan.
- The DEP sign is not up.
- Existing erosion controls are failing. The silt sack in the catch basin has grass growing out of it.

PM Response: DEP sign is up now, the road cleaned, and erosion controls are being taken care of. I'm afraid that too much lawn seed was put in. Used retaining wall to eliminate steep slope due septic system thus extended out an additional 20' for more front yard. Perhaps I can put notations on the deed. The (2) additional deck supports was a temporary measure, to stabilize during construction. DG: Will they be removed? PM: The deck would have to be re-engineered as it's unstable. DB: Not one plan has all of your construction proposals shown. Nothing is set on a plan. PM: Fired the original engineer and hired Fred Trifone. I thought I had up to 5000 sf, so that was my error. DB: 90% of these items would be violations. FT: The house shifted from original plan.

- (EG) Summary of Issues: 4848sq v. 5000sq, a larger envelope due to boundary markers removed, 2 vs. 4 sonitubes. GC: Feel it's a problematic site for the next owner. Suggest a permanent marker, like boulders and a split rail fence. PM: Where would fence go? GC: Along the work limit line, behind the house & the east side of the house. Otherwise, how will the next owner know? PM: It wasn't on my deed when I bought it, but it will now be recorded on the deed with a recorded plan. Feel fence is unreasonable. GC: How do we communicate the work limit line? EG: Requested a plan to show all of our issues addressed on the plan. GC: Perhaps concrete markers in between boulders marked with "riverfront area, no cutting etc."
- No enforcement order was issued as they were addressing some of these problems at this time. FT: Are these (4) boulders on proposed plan, ok? EG: No. GC: We would like 2 more, near the Retaining wall but not sure about how many should be put in the back.
- **EG: Commission is requesting delineation of where the work area envelope, SF will remain at 4876, 2 sonitubes to be removed and concrete markers between proposed boulders Vote: 3-1 (DB)**

New Business:

- DB suggests paperwork and an agenda on Friday afternoons prior to the Thursday meeting. The current process is that we get plans 2 days before our meeting. EG suggested that we get completed plans and hear the presentation from the applicant before we go on site visits. GC: That is going to be tough as would be then requiring at least 2 meetings per applicant. Let's think about it and revisit at our next meeting.
- Re-organize the Commission: DG has not been re-appointed since August. EG tried to follow up with interim TA for direction. No update yet.
- Future planning for our Meetings: Due to holidays, proposing our January meetings to the 2nd & 4th Thursdays instead of 1st and 3rd. DB will clear with Trials committee as they meet on the 2nd Thursdays.
- JK is requesting a copy of the Smith plan. 46 acre Allworth Plan, concerned that nothing is noted on the regeneration portion of the plan. Since it's an 85% cut, there should be regeneration noted.

Old Business : None

Request for Certificate of Compliance

- **248 Big Alum Rd, DEP #300-889. William Parker.** A stairway to the cottage. GC inspected and the site is stabilized. Commission signed COC.
- **173 Cedar Street, Replace septic system.** Site visit conducted. The area is stabilized. Commission signed COC.

Letter Permits:

- **8 Mt. Dan Road, Tom Liro.** 3 trees (cont. from 9/18). Cont for planting recommendations. Plan will be ready for the next meeting.

Forest Cutting Plans

- **Farquhar Road:** Still waiting on a Landing Plan
- **148 Fiske Hill Road, 7.2 acres, Kevin Smith.** EG: Abstained as daughter is an abutter. JK and GC conducted a site visit. Found the landing and wetland crossings are in good locations. Tony Grossi is doing the work. 1 crossing only. Note:

can't cross over the pipeline. It's a Hold Cut. It's a small area. The water source is the small pond. Cutting will be below the pond. **Recommendation for BOS: To approve. 3-1 Consensus (EG), but is still concerned with abutter notification process.**

- **Streeter Road, Michael Kearney Trust.** Timber salvage of tornado damage. Waiting for a revised plan. JK and GC conducted a site visit. Mary Redetzke was present too. It's a steep area with a significant amount of sheet flow per pictures provided by Redetzke. The forester is aware of this and established 100' buffer strip behind the house. Feels that adequately addresses this concern on this property. GC: Have your concerns been addressed?
 - Randy Redetzke, Abutter: I feel that 100' buffer should be fine. Not sure much else can be done at this point. Since there is some recovery from the tornado damage, I don't expect too much activity in there.
 - Don Hamilton, Abutter: I'm disturbed with the map showing rows. Given the pitch of hill and velocity of water coming off, feels it's a highway for water coming down to my house. GC: feels that concern is there, but feel maybe the haul road on the plan was illustrated in a generic way. DH: Glad to see it cut as it's a fire hazard. Will there be a post cutting remedy? JK: Securing the skid rows would fall under the State's "Best Management Practices". DH: Concern with water, not opposed to the salvage operation. JK: For clarity, is the water off the skid trails or the hillside? DH: I just don't want more water. Are you concerned with erosion? GC: Yes, we are aware of erosion. JK: Best Management Practices does mention that if it's open enough, they could seed it or put in physical constraints. Seeding, like a conservation mix to prevent erosion, but in a forest setting that's hard to establish. JK: A lot of regeneration in a skid trail is tough to accomplish due to the area being so compacted. DH: Can the skid trails be re-directed? JK: Yes, anytime during the project. GC: Overseeing of the site would be by the State Forester. The plan is a guide, but once in field it will probably change. Since this is a salvage cut, only trees that have been seriously damaged due to the tornado will be cut. This is not a typical cut. If a tree has over 50% crown, they will remain along with saplings. Once the work is completed, a closure review is completed. DH: Can we say that the pits that have been created by water flow under the ground will occur on my property? JK/GC: We can't say for sure as that is more a geological matter. Not sure what is the cause for those pits. EG: We can't personally promise that a problem won't happen, even though Best Management Practices are used. JK: Suggest taking a picture and submit to GC. DB: Add in the OOC, that in the plan, we indicate that if applicable, we can adjust the width and that Conservation Commission has the right to increase that 100' buffer zone requirement to 200' buffer zone on that slope. JK: Request to extend to a 125' to compensate for the slope. Abutters were notified by the incorrect logger, not sure that the new logger notified Abutters. DH was notified on 9/22/14 with a letter, no plan, signed by Cliff Curboy. GC: There is no notified abutter notification required by Conservation. DB: Feels that forester needs to provide clarity. GC: Not within our jurisdiction to require abutter notification, not for us to approve or deny. . We are given a plan to review to make sure the WPA and Town Bylaw is upheld. Not for us to discuss if the abutter process is correct or not. Recommendation: to approve the plan as submitted but with a 125' filer strip vs 100': JK, 2nd: DB Discussion: DG can we put in a recommendation to BOS that there are concerns as it appears abutters are not properly notified. That it should be earlier in process not at the end of the process. Vote: 2-2 (DB/EG). Motion: Denied. DB: Rejected the forest cutting plan due to concerns over abutter notification process and two plans for the same property have been sent to the abutters without clarification of which is the current plan.
- **Fiske Hill Road, 46 acres, Allworth LLC.** EG abstained as his daughter is an abutter. JK and GC conducted a site visit with the State Forester. The landing is on Fiske Hill, not McGilpin. Lots of terrain in this plan. Appears the wetland crossings and the haul routes were in appropriate locations. JK: Some concerns with (2) areas, 1 ac each, as harvesting in the wetlands. Although, the State can harvest 50% of the volume in a wetland but no trees were marked so how can you determine the 50%? Recommendation to BOS: Consensus to approve.

Correspondence: Nothing to report

Agent Report: See Old Business

Meeting Adjourned: 10:03 pm Motion: DB 2nd: EG Vote: Unanimous

Next Meeting: Thursday, October 16, 2014 at 7:00 pm

A copy of tonight's meeting can be found on our Town's website or is available upon request via the Audio Department: 508.347.7267

The items listed, which may be discussed at the meeting, are those reasonably anticipated by the Chair.~ Not all items listed may in fact be discussed and other items not listed may also be brought up for discussion to the extent permitted by law.~ For those items that will be discussed, the Conservation Commission will address its questions and concerns with a proponent before allowing the public to weigh in on the topic being discussed with the proponent.~ For public discussion of non-agenda items, such discussion will be handled during the Walk-in period or as allowed by the Chair.

