

CONSERVATION COMMISSION MINUTES
4TH FLOOR CONFERENCE ROOM
8/25/16



Present: Lionel Cloutier, Garrett Davieau, Kyle Bradley, Tony George, David Whitaker and David Koonce.

DOCUMENTS & EXHIBITS

78 Hale St. - Pictures

35 Island Rd. - Plans

708 Spring St. - Plans

CALL TO ORDER

The meeting was called to order at 7:00 p.m. by Chairman Davieau.

NEW BUSINESS

Kyle Bradley made a motion, 2nd by Lionel Cloutier - **vote** unanimously approved the minutes of 7/28/16.

Kyle Bradley made a motion, 2nd by Tony George - **vote** unanimously approved to pay the secretary.

HEARING

7:05 p.m. RDA (After-the-fact-filing) 78 Hale St., Jeffrey Priest, Installation of a fire pit & swinging benches Applicant, Jeffrey Priest represented himself.

Mr. Priest gave an update of the project which is now complete. Agent Koonce reported that there was no wetland impact and no water run-off issues. The fire pit and swing set is in the 50' no-disturb area that requires a waiver. He requests the ash residue be deposited outside of the buffer zone as well as the dump seed cases from the bird cage. Commissioner Tony George had concerns about how Mr. Priest disregarded the board's instructions by not returning the week after coming before the Commission. Agent Koonce stated he was delayed in getting the paperwork to Mr. Priest.

Kyle Bradley made a motion, 2nd by Tony George - **vote** unanimously approved a Negative Determination.

7:15 p.m. RDA, 35 Island Rd., Bryan Day, construction of attached garage Applicant Bryan Day represented himself.

The project entails the construction of a 26' x 26' (676 square foot) attached garage and 14' x 26' (364 square foot) basement totaling 1040 square foot building footprint. The garage is 80' back from the water on one corner and 92' on the other and is 100' outside of the no build set back. Agent Koonce recommends water run-off erosion control and to be contacted for an inspection once it is in place.

Kyle Bradley made a motion, 2nd by Lionel Cloutier - **vote** unanimously approved a Negative Determination.

7:20 p.m. NOI, (cont'd), 54 Pinewood Dr., Robert VanDyke, Construction of a single-family house The applicant, Mr. VanDyke represented himself.

The project entails the construction of a new single-family house, and repair & regrading of the existing excavated slope adjacent to the Isolated Wetland. The house satisfies all set back requirements. Agent Koonce has concerns of the eroding & deterioration of the steep slope. He recommends the repair to the slope, backfill & grade to stop the erosion. The hearing was continued to give Mr. VanDyke time to provide the abutter return cards. The board allowed the repair on this property to begin. Agent Koonce recommends a favorable order of conditions for house construction and associated lot. All other issues have been addressed except for the piles of fill dumped in the buffer zone on the left side. Agent Koonce will meet with the site

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foreman. Commissioner, Tony George had safety concerns about the stumps being dumped in the hole at the base of the slope. Mr. VanDyke will do a site visit.

Kyle Bradley made a motion, 2nd by Lionel Cloutier - **vote** unanimously approved to close the hearing.

Kyle Bradley made a motion, 2nd by David Whitaker - **vote** approved by all except Tony George for a Favorable Order of Conditions.

Lionel Cloutier brought up the lack of drainage around the 18" pipe in the pit. He commented that the open ditch was not safe. Mr. VanDyke stated that water flows down Bayberry St. to the water shed. Agent Koonce stated that it was not a jurisdictional wetland.

7:25 p.m. NOI, (cont'd) NOI, Gardner Rd., Jamison VanDyke, Construction of a new road & associated drainage infrastructure to serve three proposed industrial lots, installation of utilities, grading and landscaping.

The hearing has been continued. Additional information needs to be obtained from the National Heritage Association.

NEW BUSINESS DISCUSSION:

Kyle & Dana Kilfoil, (708 Spring St.) - Started construction of an addition in 100' Buffer Zone without Commission approval. The owner, Carol Seidenberg, received a special permit for an in-law apartment from the Zoning Board. She thought it gave her permission to begin the work. The contractors did not know there were wetlands on site. Trees were cut down for a foundation. It was discovered there was a 75' offset so the addition was moved 82' from the nearest wetland. The area is relatively flat and wooded. Crushed rock is needed for the roof run-off. They are requesting to continue the project. John Walker, Environmental Technology will file a Request for Determination for Applicability for the September meeting. Agent Koonce recommends they file a Notice of Intent. They may continue the work with the condition they notify the abutters and install a silt fence. The Commission will authorize Agent Koonce to sign off on the Building Permit. Lionel Cloutier made a motion, 2nd by Tony George - **vote** unanimously approved Agent Koonce to sign off on the Building Permit with the conditions that no direct run off from water and no erosion from water run-off.

Philip White 16 Monomonac Dr. East - Construction of shed in 100' Buffer Zone without Commission approval. Commissioner, Tony George requested himself from the discussion. He worked for Mr. White many years ago. Mr. White's neighbor gave him the materials to build a 14' x 20' shed in the 100' Buffer Zone. The shed is not on a slab, but on posts. It is outside of the 50' no disturb zone. Agent Koonce stated an RDA should have been filed. The shed is not a permanent structure. He will need a waiver. He needs a plot plan showing the shed location.

John Devito, 6 Island Rd. - Started building a deck within 30' of water and within 50' of the no disturb zone. The deck being build is 12' and is larger than the original deck. The Commission had concerns that the deck was closer to the water. Mr. Devito wants to sell his home. His realtor advised he needed to rebuild the deck for safety. The only issue is the sono tubes. The footings in the deck are not complete. Agent Koonce recommends an RDA. Mr. Devito asks if he can continue the work because the entrance to the house is not safe. Kyle Bradley made a motion, 2nd by Lionel Cloutier - **vote** unanimously approved to allow Agent Koonce to sign the Building Permit. No work can continue until the Building Permit is issued. Agent Koonce will e-mail Mr. Devito the RDA Form.

Extension of Order of Conditions (345-0556) Otter River State Park - The Order of Conditions for the annual drawdown for Beamon Pond at the Otter River State Park has expired. They are requesting an extension to continue the maintenance and have a time drawdown in the fall. They are asking for two extensions: 1 ½ yr. extension and a 3 year extension. Kyle Bradley made a motion, 2nd by Lionel Cloutier - **vote** unanimously approved the extensions.

Bushey Bridge - Trash dumping - A report was made of trash being dumped at Bushey Bridge. Agent Koonce reported the trash dumping began when the boulders were moved. He feels if the boulders were moved back it will discourage the dumping.

John Walker - Catch basins installed at Baldwinville Rd. to assist the flow of water. The water runs down the hill from the culvert pipe. The contractor wants to build a house on site and would like to move the catch basin 600 square feet to another area. He would replicate the area. This is a jurisdictional local by-law. Agent Koonce needs it to be designed by an engineer and file a Notice of Intent.

OLD BUSINESS

DISCUSSION - Filing Fees

Commissioner Garrett Davieau suggested a special meeting be scheduled just to discuss the filing fees. The meeting was scheduled for Thursday, September 15, 2016.

ADJOURNMENT

Kyle Bradley made a motion, 2nd by David Whitaker - **vote** unanimously approved to adjourn the meeting.

The meeting adjourned at 8:47 p.m.

Respectfully submitted,

Patty Driscoll, Secretary

Garrett Davieau

Lionel Cloutier

Kyle Bradley

David Whitaker

Tony George