

CONSERVATION COMMISSION MINUTES
2ND FLOOR AUDITORIUM
2/23/17



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

Reporter Greg Vine recorded the meeting.

DOCUMENTS & EXHIBITS

215 East Monomonac Rd. - pictures & e-mails

NEW BUSINESS

Kyle Bradley made a motion, 2nd by Lionel Cloutier - **vote** unanimously approved to accept the minutes of 10/27/16 and 1/26/17. Kyle Bradley made a motion, 2nd by Tony George - **vote** unanimously approved to pay the secretary.

Extension to Order of Conditions 345-0293 (Lake Monomonac herbiciding)

A request has been made by Brandy Wine Farms to put off the vote for the extension to the Order of Conditions for 345-0293 (Lake Monomonac herbiciding) to the March 23, 2017 meeting. Brandy Wine Farms wants to present some documents and read something into the record that Agent Koonce did not have a chance to review. Chairman Davieau questioned why Brandy Wine Farms was not present at this meeting to voice their concerns. Agent Koonce stated they were informed this matter was on the agenda. Garrett said we would extend them grace until the next meeting.

Rene Tambling came before the Commission asking to get started treating the lake due to DEP permit restraints. This is an annual renewal. Agent Koonce stated that it is reasonable to get started.

Agent Koonce stated that we need to issue an Order of Conditions for the draw-down of the lake. There needs to be a public hearing. Since we get a large turn-out, we need to use the auditorium. The Commission decided on April 13, 2017 as the agreeable date that was available for the hearing to be scheduled in the auditorium.

HEARING

7:05 p.m. **NOI, Rice Rd. Map 11, Lot 1, Cory Rice, Construction of a new four-bedroom single-family house, associated driveway access, and septic system**

The applicant requested a continuance to the March 23, 2017 meeting. Agent Koonce did a site visit and found too much snow on the ground for a wetland delineation. Kyle Bradley made a motion, 2nd by David Whitaker - **vote** unanimously approved a continuance to March 23, 2017.

7:10 p.m. **NOI, Gardner Rd. Map 9, Lots 106 & 62, Jamison VanDyke, Construction of a new road & drainage infrastructure to serve three proposed industrial lots, installation of utilities, grading, and landscaping**

The applicant requested a continuance. The subdivision is under review with the Planning Board. The plans have been revised according to the town's consulting engineer's comments. Agent Koonce stated our consultant will do a review of the wetland replication plan to have a response by the March 23rd meeting so we can close the hearing. Kyle Bradley made a motion, 2nd by Tony George - **vote** unanimously approved to continue the hearing to the March 23, 2017 meeting.

NEW BUSINESS

Possible Violation: Hale St.

Lionel Cloutier received a call about a possible violation regarding an excavator going across someone's property near wetlands. They believed they were trespassing. The excavator was 60' from the wetlands. The operator was clearing trees and had permission from the true owner's property. It was found that no violation had occurred. Mr. Cloutier used the Assessors' Map and Parcel to determine the property lines. After walking the property, he discovered the stream naturally divides the property lines.

Possible Violation: 215 East Monomonac Rd.

Tony George noticed a resident cutting and removing trees 25' from the wetland without permission. Agent Koonce did not see any damage or violation in the buffer zone. He stated fallen trees were being removed. Agent Koonce read the by-law exemption allowing the cutting of trees for one's own use as long as 50% of the ground cover is left. Property owner, Mr. Pezzolesi did comply with the exemption. No vegetation was disturbed. Because he was working 25' from the stream, Agent Koonce wanted a second opinion. He spoke to Judy Schmidt from DEP. She did not see a violation. Tony George related his e-mails with Eugene Benson, Assistant Director of Conservation with the MACC. He recommended that the board should state what can & cannot be done. Property owner, Kristin Pezzolesi present at the hearing, stated how the stream is the only source of water for their livestock. She requested in writing the outcome of the Commission's decision. Agent Koonce requested notification of any tree cutting being done.

OLD BUSINESS

Joint Meeting with the Board of Selectmen

Chairman, Garrett Davieau discussed the joint meeting with the Board of Selectmen that was held to get a fee structure approved. Agent Koonce will modify the fee structure. A public hearing will be scheduled for March 23, 2017 to discuss the proposed fee structure. Reporter, Greg Vine asked how the fee structure will be modified. Agent Koonce responded that some fees would be lowered in certain categories.

Chairman Davieau pointed out other ways the fees could be used by the town. It could be used for the development of Ingleside, and used to promote outdoor activities. It was not just to cover our funds. Agent Koonce stated that 9 out of 10 Building Applications had wetland issues. Also the bulk of the cost was not covered by the fees. It was at the tax payer's expense. It should be covered by the applicant.

Garrett Davieau has other thoughts regarding fees for compressor stations if that ever came to town. The fees could pay for a consultant to check groundwater pollution. This would be considered for the next round of fees. Agent Koonce stated the pipelines are not exempt from the Town's By-Laws. Report, Greg Vine asked the Chairman the concerns related to the compressor stations. Garrett explained some of the concerns. Basically he wants a structure in place to allow the Commission to do a review for residents to make sure everyone is safe.

Tony George commented on the fee structure. He stated that several towns and cities do not list their fees. Some have fees to just come before the Commission. He feels they are fair. Chairman, Davieau is mindful that this is a working class town.

MACC Letter to Governor Baker

Agent Koonce stated 80 communities have signed on to the letter to Governor Baker regarding construction of a new interstate natural gas pipeline.

Next meeting is scheduled for March 23, 2017.

ADJOURNMENT

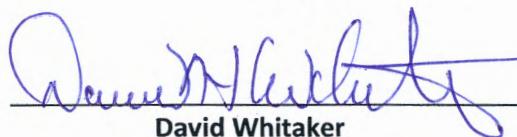
Kyle Bradley made a motion 2nd by Lionel Cloutier - **vote** unanimously approved to adjourn.

The meeting adjourned at 7:49 p.m.

Respectfully submitted,

Patty Driscoll, Secretary

Garrett Davieau

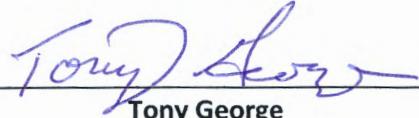


David Whitaker

Lionel Cloutier



Kyle Bradley



Tony George

