

Conservation Commission**February 14, 2022****Minutes**

1. **Chairman's Welcome and Media Notification:** Mr. Haworth opened the meeting at 6:32p.m. Ms. McClees read the protocol for Zoom meetings and open Public Meeting Law. Ms. McClees advised that the meeting was being conducted remotely, consistent with Chapter 20 of the Acts of 2021. The legislation suspends the requirement of Open Meeting Law to have all meetings in a publicly accessible physical location.

For this meeting, the Conservation Commission convened by telephone and video conference via Zoom as posted on the Town's website identifying how the public may join. The meeting was recorded and will be televised at a later date; some attendees participated by phone and video conference and used chat on Zoom.

2. **Quorum/Attendance:** Present: Chairman, Geoff Haworth, Karen Isherwood, Gary Lavalette, Michael Kelly, Jacob Galary, Corey Pietraszek and Amy DeSalvatore (joined late). Non-voting consultants, Ron Medina and Chelsea Isherwood were also present. Staff: Whitney McClees, Conservation Agent
3. **Review and approve minutes**
 - a) Mr. Haworth made a motion to approve the January 3, 2022 meeting minutes and was seconded by Ms. Isherwood. The motion passed unanimously via roll call vote (6-0).
4. **Public Hearings** pursuant to the Massachusetts Wetlands Protection Act (M.G.L. c. 131, s. 40) and/or the Code of the Town of Fairhaven Chapter 192, Wetlands:

Request for Continuance

- a) SE 023-1356, CON 023-229: **12-18 Rio Way – request for continuance to March 21**
Notice of Intent filed by George Mock, Nye Lubricants, Inc., for stormwater upgrades and reductions in impervious surface associated with building upgrades at the property located at 12-18 Rio Way, Assessors Map 19, Lot 242. Work to take place in the Riverfront Area and 100-foot buffer zones to Coastal Bank and Coastal Beach.

Mr. Haworth made a motion to continue 12-18 Rio Way, SE 023-1356, CON 023-229 to March 21, 2022 and was seconded by Mr. Galary. The motion passed unanimously via roll call vote (6-0).

Request for Determination of Applicability

- b) CON 023-264: **130 Ebony Street**
Request for Determination of Applicability filed by John Hinds for a new determination whether an area is subject to the Commission's jurisdiction under the Wetlands Protection Act and Fairhaven Wetlands Bylaw on the property at 130 Ebony Street, Assessors Map 43A, Lots 235, 236 & 237. No work is proposed as part of this request.

Ms. McClees gave a summary and brought the Commission up to date on the property. This is a Request for Determination, but they are not looking for approval of any work. The applicant is simply looking to determine if the property is under the Commission's jurisdiction, under the Wetlands Protection Act (WPA) and the Fairhaven Wetlands Bylaw. This property went before the Commission in 2019, with a Request for Determination. The Commission determined a

portion of the property was subject to the Wetlands Bylaw; subsequently, the applicant submitted a Notice of Intent for an Order of Conditions under the Bylaw, in order to reconstruct the house on the property.

They would like a determination on whether or not the area in question behind the house is a jurisdictional resource area. Previously, the Commission determined the area was an Isolated Vegetated Wetland (IVW). The applicant's wetland scientist submitted information, included in the Commission's packet, which assesses the vegetation levels, soils, presence of hydrology, and any other information relevant to delineating a resource area, under either the WPA or the Bylaw.

Ms. DeSalvatore joined the meeting at 6:43p.m.

Cameron Larson, Wetland Scientist with Environmental Consulting & Restoration, LLC, represented John Hinds. He was hired by the property owner to review the site and to prepare the Request for Determination, including whether the site falls within the jurisdiction of the Wetland Protection Act or the Fairhaven Wetlands Bylaw. A site Review was completed in December 2021.

The area in question is a naturally wooded area along the southern portion of the site. The site was reviewed using the criteria established in the manual for delineating Bordering Vegetated Wetlands (BVW), developed by the MA DEP for the MA Association for Conservation Commissions. It establishes three criteria for BVW: vegetation, hydrology, and soil conditions.

As noted in the report, ECR did find hydrologic soils. The area is dominated by upland vegetation: oak, holly, and invasives, including Japanese Knotweed, multi floral rose, bittersweet, wild garlic and raspberry. In order to be determined a BVW, they need to meet criteria for both soils and vegetation. It was ECRs determination that the area does not meet that criterion, based on the lack of wetland vegetation. ECR is now asking the Commission to make a determination, as to whether or not this area falls within jurisdiction. ECR included a discussion of the winter delineation in the report, he is aware that between November 15 and March 31 the Commission does not typically accept delineations. That policy is based on the fact that during the winter months there can be snow conditions making it inadequate to view the herbaceous vegetation and frozen conditions preventing access to the soil. During the December 2021 delineation, there was no snow or frost that impeded the review of vegetation and soil.

Ms. McClees stated the native species in the area was primarily tree coverage. She agreed most vegetation – if not too obscure – is easy to determine in early winter, especially trees and shrubs that have distinctive features. If the ground is frozen, it would prevent the use of an auger to study soils. When the site is predominantly invasives, such as this site, they are easier to pick out.

The Fairhaven regulations state that if enough information is provided to overcome the winter policy, then the Commission is able to make an assessment, in that normally unacceptable window of time.

Mr. Haworth asked the property owner of his special circumstances that would waive the winter policy.

John Hinds, property owner, stated nothing will change between now and the summer. He was looking for a determination to remove prickly shrubs.

Mr. Larson understands there was some die back, due to the inspection taking place in December, but is confident conditions were perfect for a wetland determination.

Ms. DeSalvatore stated the 2019 report was not arguing the predominance of upland vegetation; concerned about losing protection by removing vegetation, such as trees. Would like to wait until summer for a delineation to protect the resource area.

Ms. Isherwood stated that according to the 2019 report, the area did not meet Isolated Land Subject to Flooding (ILSF). She inquired if this determination is whether it is an Isolated Vegetated Wetland (IVW).

Ms. McClees answered Ms. Isherwood's questions regarding ILSF vs. IVW. The 2019 report specifically named ILSF, because it did not meet that criterion through the WPA. The issued determination in 2019 stated that one portion of the property was subject to the Fairhaven Wetland Bylaw, as an IVW. This process is looking to reverse that determination, so it is not jurisdictional, under either the WPA or the Fairhaven Wetlands Bylaw.

Mr. Lavalette was part of the site visit on the property and is confident with Mr. Larson's assessment of the property. He would like it taken out of the Conservation Commission's jurisdiction.

Mr. Galary concurred with Mr. Lavalette.

Mr. Haworth made a motion to close the public hearing for 130 Ebony Street, CON 023-264 and issue a Negative 1 and Positive 6 Determination that states lot 237 falls under the jurisdiction of the Fairhaven Wetland Bylaw as an Isolated Vegetated Wetland and was seconded by Ms. DeSalvatore. The motion failed (1-6), with Ms. DeSalvatore as the sole vote in favor.

Mr. Haworth made a motion that the area in question is not under the jurisdiction of the Fairhaven Wetlands Bylaw and will close the public hearing for 130 Ebony Street, CON 023-264, and issue a Negative 1 and Negative 6 Determination. The motion was seconded by Mr. Galary. The motion passed via roll call vote (6-0-1); Ms. DeSalvatore abstained.

Abbreviated Notice of Resource Area Delineation

c) **SE 023-1366, CON 023-251: Bridge Street, Map 36, Lot 15J**

Abbreviated Notice of Resource Area Delineation filed by Paul Downey, Fairhaven Properties, LLC, requesting confirmation of all jurisdictional resource areas under the Wetlands Protection Act and Fairhaven Wetlands Bylaw at the property located at Bridge Street, Assessors Map 36, Lot 15J.

Ms. McClees detailed this had previously been discussed by the Commission with a request for the applicant to submit additional information and have the Commission's peer reviewer examine the report. This process has occurred and revised plans have been submitted by the applicant. The peer reviewer saw no issues with the information the applicant provided. Based on peer reviewer's comments and the revised plan that was submitted by the applicant, the recommendation is to close the public hearing and issue an Order of Resource Area Delineation, under both the Wetlands Protection Act and the Fairhaven Wetlands Bylaw.

Steven Gioiosa of SITEC Environmental Consultants presented the project and concurred with Ms. McClees' summary. He stated the applicant is comfortable with the delineation performed

by the peer reviewer, along with comments by the Conservation Agent. He is now asking the Board to vote to approve the delineation as is presented on the final plan.

Mr. Haworth made a motion to close the public hearing for Bridge Street, Map 36, Lot 15J, SE 023-1366, CON 023-251, and issue an Order of Resource Area Delineation under the wetlands Protection Act and the Fairhaven Wetlands Bylaw approving the following modified Wetland resource area boundaries and associated flags shown on the Existing Conditions Plan for Self-Storage Facility, Assessor's Map 36 – Lot 15J, Fairhaven, Massachusetts, prepared by SITEC, Inc. for Fairhaven Properties, LLC, as revised February 2, 2022: Bordering Vegetated Wetlands A (A2) – flags A1-A30; Inland Bank, (Top of Bank: Intermittent Stream) RB (RB2) as Top of Bank line falls within the boundaries of the Bridge Street property (Map 36, Lot 15J) – between flags RB11 to RB14 and at flag RB2- 8; and the 100-foot buffer zone associated with both resource areas. The motion was seconded by Ms. DeSalvatore and passed unanimously via roll call vote (7-0).

Notices of Intent

d) SE 023-1345, CON 023-206: **2 Oxford Street**

Notice of Intent filed by Robert Weeks, 2 Oxford Street, LLC, for the construction of a fixed pier, gangway, and floating docks at the property located at 2 Oxford Street, Assessors Map 13, Lot 1. Work to take place in Land Under the Ocean, Land Containing Shellfish, Land Subject to Coastal Storm Flowage, and the 100-foot buffer zone to Coastal Beach.

Ms. McClees briefed the Board by presenting a recent revision. The plan has Special Permit and Variance approval from the Zoning Board of Appeals. Based on all items previously discussed with the DMF, and National Heritage and Endangered Species Program, the Conservation Agent recommended to close the public hearing and issue an Order of Conditions under the Wetlands Protection Act and the Fairhaven Wetlands Bylaw, with conditions outlined in the February staff report.

Mr. Haworth asked about the shellfish mitigation fee, which Ms. McClees confirmed it was submitted by the applicant when the Notice of Intent was filed.

Rich Rheume, of Prime Engineering, reviewed the plans and concurred with Ms. McClees.

Ms. Isherwood asked about the pipe listed on the Order of Conditions (number 13).

Rich Rheume believes it is a town drainage pipe and has nothing to do with the residential property.

Ms. Isherwood made a motion to close the public hearing and issue an Order of Conditions for 2 Oxford Street, SE 023-1345, CON 023-206, under the Wetlands Protection Act and the Fairhaven Wetlands Bylaw with the 34 recommended conditions listed in the staff report dated February 2, 2022, and the approved plans dated January 26, 2022. The motion was seconded by Ms. DeSalvatore and passed unanimously via roll call vote (7-0).

e.) SE 023-1374, CON 023-258: **89 Akin Street**

Notice of Intent filed by Daniel Pounds for the removal of the existing house and construction of a new residence with town water and sewer connections and associated site work at the property located at 89 Akin Street, Assessors Map 30B, Lots 54-67. Work to take place within Riverfront Area and the 100-foot buffer zone to Bordering Vegetated Wetland.

Ms. McClees discussed with the Board that the applicant has made some revisions to the plans. When MA DEP issued the file number, it was noted that an Alternative Analysis was needed to be submitted; this has been received and is included in the packet. The analysis submitted was composed of two different options: (1) considering this project as new construction and pulling the house further back out of the riverfront area, thereby increasing the cost of sewer installation connection and relocating the driveway closer to the street, inside the riverfront area and; (2) considering the project as a redevelopment, given that there is an existing house and the majority of the property is lawn. This will locate the new house no closer to the stream than the existing structure and leaves the driveway entirely outside riverfront area. This will reduce the amount of impervious service within the riverfront area, and the removal of two storage containers will allow a portion of the inner 100-foot riverfront area revegetate.

Based on the information provided, the second option better protects and restores the wetland, since the driveway and vehicles are further away from the resource area. Eliminating the lawn in the wetland resource area will allow the area to revegetate. The Conservation Agent is inclined to agree with the applicant's assessment of a redevelopment project, but that is up to the Commission's determination. All of the work falls within the existing disturbed area and the proposed structure is no closer to the stream than the existing structure. All required benchmarks for the Alternative Analysis were met, including cost and location. Locating a portion of the house within the riverfront area is not more detrimental than the current uses within the riverfront area. The agent recommended to close the public hearing and issue an Order of Conditions under both the Wetlands Protection Act and the Fairhaven Wetlands Bylaw, with the conditions outlined in the February 2, 2022 staff report.

Engineer, Rick Charon, of Charon Associates, Inc. believes a redevelopment would provide an improvement to the property. Disturbed wetland areas have been reclaimed down at the northern end of the lawn and will be replanted. There will be a demarcating rail fence, and all containers will be moved 100 feet of the inner riparian zone and 100 feet from the stream. The placement of the house will allow gravity to support a sewer connection. If treated as a new construction and the house is pushed down below the riverfront area to a minimum setback on the south side, then problems may arise. In addition, the proposed placement will allow 300 feet of less disturbance than the existing house and much better grading. The lawn area will experience more absorption of rain runoff. 1/8 to 1/10th slope running down that side of the lawn.

Ms. DeSalvatore asked if the rail fence will be located right at the wetland line or the 25-foot line.

Mr. Charon stated the fence will be along the wetland line, and added they are already restoring an area that had been encroached on, which the applicant has agreed to revegetate.

Ms. Isherwood made a motion to close the public hearing for 89 Akin Street, SE 023-1374, CON 023-258, and issue an Order of Conditions under the Wetlands Protection Act and the Fairhaven Wetlands Bylaw, with the following conditions: 1-39 as recommended in the staff report dated February 2, 2022 and the approved plan dated February 1, 2022. The motion was seconded by Ms. DeSalvatore and passed unanimously via roll call vote (7-0).

f) SE 023-1369, CON 023-255: **10 Diamond Street**

Notice of Intent filed by Ruby and Jaime Medeiros for the construction of a garage, mud utility room, and expansion/reconstruction of the existing dwelling at the property located at 10

Diamond Street, Assessors Map 29, Lots 46 & 72. Work to take place in Land Subject to Coastal Storm Flowage and the 100-foot buffer zone Bordering Vegetated Wetland.

Mr. Haworth made a motion to continue 10 Diamond Street, SE 023-1369, CON 023-255 to March 7, 2022, and was seconded by Gary Lavalette. The motion passed unanimously via roll call vote (6-0).

g) SE 023-1376, CON 023-262: **Nasketucket Bay**

Notice of Intent filed by Northeast Maritime Institute for a 2-acre aquaculture development area in Nasketucket Bay off Fish Island at all times of the year to: (1) plant and grow shellfish on and off the bottom; (2) place shellfish in or under protective devices; and (3) to grow shellfish by means of racks, bags, or floats. Work to take place in Land Subject to Coastal Storm Flowage, Coastal Waters, Land Under Ocean, and Land Containing Shellfish.

Ms. McClees briefed the Board that comments from Natural Heritage have been received and they have no concerns, no time of year restrictions, or any additional items to be incorporated into the Order of Conditions, aside from existing recommended conditions. The Harbormaster and Shellfish Warden stated that when the project directly affects land containing shellfish there is a shellfish mitigation fee, however he felt that the aquaculture program directly benefits shellfish and is for the purpose of shellfish and not recommend the shellfish mitigation fee. She recommended to close the public hearing and issue an Order of Conditions, under both the Wetlands Protection Act and the Fairhaven Wetlands Bylaw, as outlined in the February 4, 2022 staff report.

Ms. Isherwood made a motion to close the public hearing for Nasketucket Bay SE 023-1376, CON 023-262, and issue Order of Conditions under both the Wetlands Protection Act and the Fairhaven Wetlands Bylaw, with the following conditions: 1-19 as recommended in the staff report dated February 4, 2022. The motion was seconded by Mr. Lavalette and passed unanimously via roll call vote (7-0).

h) SE 023-1377, CON 023-263: **128 Huttleston Avenue**

Notice of Intent filed by Michael Sullivan, Wash Ashore Car Wash, for the redevelopment of the 1.5-acre property into a proposed car wash and auto detailing facility, including associated parking, access drives, vacuum stations, landscaping, stormwater measures, and utility infrastructure, at the property located at 128 Huttleston Avenue, Assessors Map 25, Lots 240C and 243. Work to take place in the 100-foot buffer zone to Bordering Vegetated Wetland.

Ms. McClees discussed this project is also going before the Planning Board March 8, 2022. The project is proposing to remove impervious surfaces adjacent to wetland boundaries, increase the distance of the buffer zone, and do extensive revegetation within buffer zone areas. The applicant submitted information for the purpose and function of the rain garden on the western side of the property, as well as the vegetated filter strips on the southeastern portion and rear of the property. Revegetation of the 25-foot buffer zone will be along the eastern side of the property and all structures will be outside the 50-foot buffer zone.

The proposed car wash will recycle 95% of the water used and will be tied into town sewer and water. All utility poles will be removed and taken underground. Invasives along the eastern edge of the property will be incorporated into an Invasive Species Management Plan.

This project will need Planning Board review and their comments should be incorporated. If Planning Board does elect to do a stormwater peer review, the Commission may want to

consider asking them to incorporate Wetland regulations. The updated stormwater standards state that all MA stormwater standards are incorporated into the local standards.

Owner, Christian Mulkern, gave an overview of his environmentally friendly car wash that will utilize a reclaim system that reuses 95% of all the water used on site; it will be filtered through a biological system and reused.

Ms. Isherwood would like to see a peer review on the stormwater to ensure there are no conservation concerns.

Ms. DeSalvatore asked how they contain water on the site.

Christian Mulkern explained how the tunnel is enclosed with a trench and funnels water into underground filters and a biological system.

Geoff Haworth asked what chemicals are used on site and on how will they protect the neighboring wetlands from these substances.

Christian Mulkern answered that the biological system is sensitive to containing all substances and all chemicals are biodegradable and do not interfere with the bacteria in the treatment system. It is essentially a self-contained wastewater treatment plant. He requested to continue to the March 21, 2022 meeting.

Nicholas Clini, of Atlantic Designs added that the property is under an acre, so certain restrictions will be applied. They have designed the rain garden and its treatment to handle any kind of settlement before it reaches the wetlands. There is a rip rap apron at the facility exit that will capture Total Suspended Solids (TSS). There is also a significant train to catch anything leading into the wetlands. Many safeguards exist under stormwater standards.

Mr. Lavalette stated the BPW has own set of regulations and they may have to conform to these standards.

Mr. Clini answered that detailed bays are connected to sewer lines, instead of stormwater drainage; there is a gas and oil interceptor coming out of a detail bay. This then connects to a sewer man hole where reclaim overflow will enter into the highway/state sewer. The oil/water filtration separator includes a maintenance plan.

Geoff Haworth made a motion to continue 128 Huttleston Avenue, SE 023-1377, CON 023-263, to March 21, 2022 and was seconded by Amy DeSalvatore. The motion passed unanimously via roll call vote (7-0).

i) SE 023-1370, CON 023-256: **Winsegansett Avenue, Map 42A, Lots 232, 232A & 233**

Notice of Intent filed by Alexander and Elizabeth Kalife, Trustees of the Kalife Residence Trust, for the reconstruction of the existing garage with a flood-zone compliant garage at the property located at Winsegansett Avenue, Assessors Map 42A, Lots 232, 232A & 233. Work to take place in Land Subject to Coastal Storm Flowage and the 100-foot buffer zone to Coastal Beach.

Ms. McClees stated the applicant would like the Commission to accept the alternate peer review proposal from Coastal Geologic Professional Services and that the applicant will submit the additional \$60 peer review fee. They would like to continue to the March 7, 2022.

Mr. Haworth made a motion for Winsegansett Avenue, Map 42A, Lots 232, 232A & 233, SE 023-1370, CON 023-256, to change the peer reviewer from the Woods Hole Group to Coastal Geologic Professional Services and have the applicant submit an additional peer review fee of \$60. The motion was seconded by Mr. Galary and passed unanimously via roll call vote (7-0).

5. **Violations/Enforcement Orders/Cease and Desist Notices**

a) 25 & 29 Mangham Way

Ms. McClees stated the applicant's representative submitted a further revised plan, which included tree plantings, extending the Conservation seed mix in a straight line across the rear of the property, from the widest point of the 25-foot no disturb zone, rather than planting the shrub border. The Board will decide between a shrub border along the 25-foot No Buffer Zone, versus having seed mix spread across the entire 25-foot outside the disturbed area.

Bruce Webb with Ecosystem Solutions explained that due to outside factors, the applicant is looking to reduce costs and would like to forgo the shrub border. They agree the area requires restoration and have agreed to have the area reseeded with an upland conservation mix. There will be 25-foot plus No Disturb, extending from the wetland boundary. The maple trees, which were planted along wetland boundaries block motorized access.

Ms. McClees stated she has been in touch with the adjacent property owners, and they need to give approval for work done on their property. The Commission has an Enforcement Order for each property. If the adjacent owner withdraws approval to do work along their property, the Commission can then follow up on the Enforcement Order and require it to be restored.

Ms. Isherwood does not want to lose the 25-foot shrub border that protects the newly planted maple trees.

Ms. DeSalvatore supported Ms. Isherwood's concern and would like the shrub border.

Mr. Haworth also agreed with the shrub border, which will provide protection from vehicles, ATVs, lawn mowers, etc.

Mr. Webb stated the existing willow trees already do a good job preventing entry into the wetland. He asked the Commission if they would be willing to compromise on a physical barrier protecting the 25-foot No Touch, which could be installed at a lower cost.

Mr. Haworth stated in response that a permanent physical barrier should be installed. This is part of the original approval when building the home. He does not want to see mowers and motorized equipment. A snow fence would only be temporary and inadequate. He does not want to see the Commission have to monitor the property on a regular basis.

Mr. Lavalette suggested a two-pole rail fence run across the property, with the seed mix for stabilization. He would also be open to alternative barriers that are more cost effective.

Mr. Kelly is sympathetic to the applicant's financial burdens, but would also prefer the extra investment for protection.

Mr. Haworth suggested the Board gives the applicant time (maybe 6 months) to financially recover, before installing the barrier. He recommended Mr. Webb to go back to his client to discuss this proposal.

b) SE 023-1341, CON 023-194: North Street Marsh, Map 15, Lot 43

Ms. McClees brought Board up to date stating that at the last meeting the Commission voted for a fine of \$900, which has been paid. The remaining \$300 would be discussed at this meeting. She briefly discussed that no revisions were submitted for this meeting.

Lee Miguel felt Mr. Gioiosa was supposed to submit information regarding the type of filter fabric required.

Mr. Haworth presented the original plan used, when filing to build the fence, along with the updated plan, which was submitted after the rocks were placed.

Mr. Miguel does not agree with the plans and does not think Steve Gioiosa made the plans.

Ms. McClees stated the second plan Mr. Haworth presented is the proposed restoration plan that was submitted in response to the crushed stone placed in this area. She explained to Mr. Miguel that this plan does not represent the current conditions, because it is what the restoration plan will look like once complete.

Mr. Miguel believes there has been a miscommunication from the start. He is willing to work with the Board, but is under the impression that the rocks filter sediment and do not harm the south marsh. This is his argument, but he would like to do the right thing. He feels the stock pile area on the plan is ambiguous.

Mr. Haworth suggested he consult with Mr. Gioiosa and get everything together by February 22, 2022 to discuss on March 7, 2022.

Ms. Isherwood noted to have the 6 bullet points on page 3-4 of the staff report addressed on March 7, 2022.

6. Correspondence

- a) Carrie Hawthorne presented her interest in the non-voting position. She works with MA Audubon as an educator and through community engagement. Given her background, the Commission's work interests her and she would like to become more civically involved with her community.

Ms. DeSalvatore made a motion to approve Carrie Hawthorne's application for the final non-voting consultant vacancy, until reappointment. The motion was seconded by Mr. Lavalette and passed unanimously via roll call vote (7-0).

7. Ongoing Projects

8. Upcoming Projects

Ms. McClees stated she received an after-the-fact Request for Determination, addressing an Enforcement Order issued in 2020. She also received a request for a Certificate of Compliance.

9. General Business

a) Bills:

- \$342.72 for Conservation Agent's 2021 mileage
- \$275 to Fairhaven Neighborhood News for legal ads for the December 13, 2021 and January 3, 2022 meetings
- \$562.50 to LEC Environmental Consultants for Bella Vista project oversight
- \$300 to MACC for annual environmental conference for Ms. McClees and Ms. Isherwood

- b) FY23 Budget: Staff options discussed at the January budget meeting, supported a part-time Conservation assistant. We will not know the results until the Town Administrator presents the recommended budget to the Select Board for approval.

Mr. Haworth advocated for full-time assistant to the Conservation Agent. Hearings and filings have increased over the years and there is a big demand on the department. Last year, filing fees alone brought in \$23,000.

Ms. Isherwood shared another way to bring in revenue could be to have applicants pay a fee for the agent to go out on site. She also added that reforming the Open Space Committee will add an extra load of work on the Conservation Agent. She advocated for a full-time assistant.

Mr. Lavalette brought up the grant money Ms. McClees has brought in to the town. He believes there is the possibility of more grant opportunities, if she had more time to research.

- c) 2022 Town Meeting Articles: Ms. McClees has put in placeholders for town meeting articles coming up in May. One is the proposed amendments to the Wetland Bylaw. There is also a placeholder for a potential transfer (for tax title land with majority wetlands) to the Commission. Ms. McClees also spoke with the chief of police to bring forth a General Bylaw to allow the Commission to issue tickets, as opposed to just issuing fines.

Mr. Haworth stated modifications to Chapter 192 should be discussed in a public hearing, to ensure more public transparency and gauge public response.

- d) Next Meeting: March 7, 2022

- 10. **Any other business** that may properly come before the Commission not reasonably anticipated 48 hours in advance of the meeting.

Mr. Haworth made a motion to adjourn at 9:08p.m. and was seconded by Ms. DeSalvatore. The motion passed unanimously via roll call vote (7-0).

Respectfully submitted,

Kelly Camara, Recording Secretary