

CONSERVATION COMMISSION
February 10, 2020 Minutes

1. Chairman's Welcome & Media Notification

Jay Simmons opened the meeting at 6:36 p.m. and welcomed everyone. He advised that the meeting was being taped for Public Access.

2. Quorum/Attendance:

Present, Jay Simmons, Gary Lavalette, Geoff Haworth, Daniel Doyle, Nicholas Carrigg, Nicholas Sylvia and Amy DeSalvatore

Conservation Agent, Whitney McClees was also in attendance.

3 Minutes:

- a) Approve the minutes of November 25, 2019

Mr. Haworth made a motion to approve the November 25, 2019 minutes and was seconded by Mr. Lavalette. The motion passed unanimously (7-0-0).

4. Requests for Extensions: none

5. Requests for Certificates of Compliance: none

6. Ongoing Project Discussion: 56 Balsam Street

Ms. McClees reviewed her staff report dated February 6, 2020. Ms. McClees told the Commission there was determination of applicability issued on October 16, 2019 where the applicant received a permit, after the fact, for an asphalt driveway, a portion of which was to be removed in order to reduce the amount of impervious surface on the property. The applicant amended his RDA to read "the portion of the driveway to be removed to abide by conservation laws will be that portion on the north side of the driveway (23" x 14") by original contractor who paved it." At that time, the Commission issued a Negative 3 and Negative 6 determination with three conditions.

The applicant then sent an email asking to be put on the Commission's agenda to discuss further and perhaps go to the Board of Appeals for discussion.

Ms. McClees noted that going before the ZBA has no bearing on the decision made by the Conservation Commission

Selectboard member, Dan Freitas, was present as he received a call from Mr. Lacombe (the applicant) on this situation and Mr. Freitas was concerned that it seemed after the fact of BPW approving the driveway, now it was the Conservation Commission stating that some of it had to be ripped out. He asked where perhaps there was a disconnect.

Jay Simmons stated there are multiple projects that need multiple sign-offs and this project being in the velocity zone is one of them.

Ms. McClees stated that one of the things she has implemented since coming on board is to provide addresses to all the departments in Town with addresses that would have to come before the

Commission because of where they are located. She stated that this project was an after the fact filing, and they and the applicant agreed to removing some of the asphalt back in October.

Mr. Freitas stated he wasn't before the Commission to overstep his boundaries, however he felt as a lay person the process wasn't a smooth one. He requested that perhaps the Commission look favorably on the applicant to offer a 'pass', as the applicant did everything right

Commission board member, Geoff Haworth stated he felt it was not just a customer that wasn't aware of the process, but that his contractor who should've known the rules and regulations in a velocity zone added the confusion to the project.

Ms. McClees stated this began with a violation, and then the board worked with the property owner and the property owner has agreed to remove some of the asphalt.

Mr. Simmons explained that a fine was not issued, which one could've been. He also stated that the Commission did work with the applicant and both parties agreed that a portion of the impervious surface should be removed. He also stated that zoning board of appeals doesn't set forth what the Conservation does.

Ms. Lacombe stated they have spoken to the contractor who has given them a high price to have the asphalt removed.

Mr. Haworth stated he believes the applicant should file a RDA, and that they are going way above and beyond having this discussion tonight.

Ms. McClees stated another filing is associated with more money which is what the applicant's were trying to avoid. She reviewed the conditions that were on the first filing of the notice of intent.

Mr. Simmons stated the permit they received is good for three years to do that activity, and he would recommend they work with the contractor, Ms. McClees and others to work out something. He recommended they didn't have to do something right away, but certainly not wait until the last minutes. He agreed with Mr. Haworth that they were discussing beyond what they really need to at this time

Ms. DeSalvatore stated that here is always the small claims court route with the contractor.

Mr. Lacombe stated that the contractor said he would pull the necessary paperwork and as residents thought that he did.

Mr. Haworth stated if they wanted reconsideration from the Commission, they would have to refile.

Mr. Lavalatte said he was disgusted that the contractor wouldn't work with the applicants. He said he would like to see them go back to the contractor and ask that he work with them.

7. Public Hearings:

Continued to a Future Meeting

- a) SE 023-1297, CON-19-051: **Hiller Avenue & Timothy Street, Assessors Map 28C, Lots 71 and 71A – continued to May 18**

Notice of Intent filed by Robert Roderiques for the construction of paved roadways and stormwater management systems and the installation of utilities including the placement of fill for the aforementioned work for a proposed 16-lot subdivision at the property located at Assessors Map 28C, Lots 71 and 71A. Work to take place within the Buffer Zone to Bordering Vegetated Wetland.

- b) **SE 023-1302, CON-19-066: 6 Emerson Avenue – *continued to March 9***
Notice of Intent filed by Natalie Reis for the installation of a garage, stamped patio, and concrete driveway at the property located at 6 Emerson Avenue, Assessors Map 29A, Lot 119. Work to take place within Land Subject to Coastal Storm Flowage/Zone VE and Buffer Zone to Coastal Beach.
- c) **SE 023-1296, CON-19-050: 46 Sconticut Neck Road – *continued to February 24***
Notice of Intent filed by Joshua Alves, Alexander Grey Development LLC, for the construction of an 8-house subdivision, roadway, stormwater facility, and utilities and for wetland mitigation of historical impacts at the property located at 46 Sconticut Neck Road, Assessors Map 28, Lot 24. Work to take place within Bordering Vegetated Wetland and Buffer Zone to Bordering Vegetated Wetland.
- d) **SE 023-1299, CON 023-081: Bridge Street, Assessors Map 36, Lot 15 – *continued to February 24***
Notice of Intent filed by Craig Lutz, Carapace LLC for the construction of an auto dealership with ancillary paved parking on vacant lot at the property located at Bridge Street, Assessors Map 36, Lot 15. Work to take place in Bordering Vegetated Wetland.
- e) **SE 023-1308, CON 023-095: Huttleston Avenue, Assessors Map 31, Lots 115A & 117C – *continued to February 24***
Notice of Intent filed by Dana Lewis for the construction of four 3-unit residential buildings with ancillary earthwork and utilities, along with two storage buildings and a shed at the property located on Huttleston Avenue near Gелlette Road, Assessors Map 31, Lots 115A and 117C. Work to take place in Buffer Zone to Bordering Vegetated Wetlands.
- f) **SE 023-1309, CON 023-110: 1 Bella Vista Island – *continued to February 24***
Notice of Intent filed by Heiam Alsawalhi for the reconstruction of an existing eastern groin, modification of the existing seawall, dredging the bridge channel, providing beach nourishment, a line of wooden posts and planting a lawn in the non-jurisdictional depressions, the construction of a ten-foot-wide crushed stone path to the beach, and an after-the-fact electric gate at the causeway bridge at the property located at 1 Bella Vista Island, Assessors Map 43B, Lots 326, 359, and 360. Work to take place in Land Under Ocean, Coastal Beach, Coastal Bank, Land Subject to Coastal Storm Flowage and buffer zone to Salt Marsh.

New Requests for Determination of Applicability

g) CON-023-118: 94 Raymond Street

Request for Determination of Applicability filed after-the-fact by Peter and Susan Ryder for the installation of a 6-foot by 3-foot by 1-foot concrete pad for propane storage and a fence around pad and tanks at the property located at 94 Raymond Street, Assessors Map 29D, Lot 84. Work to take place in Land Subject to Coastal Storm Flowage.

Ms. McClees reviewed the project summary from her staff report dated February 6, 2020. Ms. McClees stated the applicant has filed an after the fact for the installation of a 6'x3x1' concrete pad for securing two 100-gallon propane tanks. They are also requesting to install a fence around the pad and tanks.

Ms. McClees recommended closing the Public Hearing and issuing a negative 2 & negative 6 determination.

Mr. Simmons brought up that perhaps in the future this could come under the administrative view and not come before board, but it would be some kind of plan that the Commission could continue to discuss. He did suggest that the applicant raise the fence 6" off the ground so water can flow around it.

Mr. Simmons called for any public who wanted to make comment, there were none.

Mr. Haworth made a motion for a Negative 2 and a Negative 6 as recommended by staff and was seconded by Nicholas Carrigg. The motion passed unanimously (7-0-0).

Continued Notices of Intent:

h) SE 023-1273, CON 023-106: 3 North Street – *public hearing closed*

Request for Amended Order of Conditions (DEP File No. SE 023-1273) filed by Lee and Elizett Miguel to add sod and stone to stabilize the area beyond the approved work limit at the property located at 3 North Street, Assessors Map 13, Lot 4. Work to take place in Land Subject to Coastal Storm Flowage/Zone AE and buffer zone to Salt Marsh.

Jay Simmons recused himself from being the Chairperson but sat in the audience as an abutter. Geoff Haworth took over as Chairperson. Mr. Haworth asked the Committee to table the discussion until the end of the meeting and requested a motion.

Mr. Carrigg made a motion to table and was seconded by Nicholas Sylvia. The motion to table passed unanimously (6-0 with Mr. Simmons recused).

i) CON 023-112: Beach Street, Assessors Map 19, Lot 19

Notice of Intent filed by Daniel E. and Pamela J. Corcoran to install fill and construct a single-family home and associated site work and utility connections at the property located at Beach Street, Assessors Map 19, Lot 19. Work to take place in Riverfront Area, Land Subject to Coastal Storm Flowage, and buffer zone to the Acushnet River.

Engineer, Rick Charon was present on behalf of the applicants.

Ms. McClees reviewed her staff report. Ms. McClees stated the applicant proposed to install fill and construct a single-family home and associated site work and utility connections within FMA flood zone AE (el. 6'), within Riverfront area and buffer zone to the Acushnet River, and within buffer zone to Bordering Vegetated Wetland.

Ms. McClees reviewed the comments from BPW that they will not maintain the road and that they gave the applicant permission to put the road in themselves. She also gave an overview of where applicant wants to pave to the second driveway.

Ms. McClees discussed the alternatives analysis per her staff report. She also reviewed her recommendations per the staff report.

Mr. Charon reviewed the project. He said the hay bales are not a big deal to change and the driveway is outside of the riverfront area. He said the lot goes back to 1996 and has always been owned by the same family. A discussion was had on lot coverage. Mr. Charon said that he felt the lot coverage is small considering what it could be.

Ms. DeSalvatore asked about the road coming in from the other side which is Newbury Avenue vs. Alpine Avenue.

Mr. Charon stated that BPW approved the road from Alpine Avenue.

Ms. Desalvatore asked if there was construction in the wetland area.

Ms. McClees stated that there was a small amount of construction in the buffer zone.

Mr. Charon stated it was originally zoned industrial and is currently zoned residential.

Mr. Simmons stated he would rather see a house there then something industrial.

Ms. DeSalvatore asked if the Town would consider paving road with crushed stone.

Mr. Charon said that the BPW turned them down regarding crushed stone and now saying they're not going to pave anyway with asphalt. Protects erosion on site this way.

Mr. Haworth stated he loved the inclusion of revegetation. He said he was of the opinion crushed stone might be better in the RV parking area or pavers or crushed shells.

Mr. Simmons stated they may have to come back with a final plan as the Commission is trying to stay consistent in the last several months that they only vote when there is a final plan in front of them.

Mr. Haworth stated they would leave public hearing open and continue to next meeting with final plan, and the applicant did not have to appear then. He said they would vote at that time.

Mr. Haworth made a motion to continue to February 24, 2020 at the applicants request and was seconded by Dan Doyle. The motion passed unanimously (7-0-0).

j) CON 023-113: 12 Almond Street

Notice of Intent filed by Paul R. and Deborah H. Casey to raze the existing house and to construct a new single-family home on a flood-compliant foundation with connections to town water and sewer, associated site work, and a new elevated walkway over the marsh to coastal beach the property located at 12 Almond Street, Assessors Map 43B, Lot 8. Work to take place in Salt Marsh, Land Subject to Coastal Storm Flowage, and buffer zone to Coastal Beach and Rocky Intertidal Shore.

Rick Charon was present for applicant.

Ms. McClees reviewed her staff report and stated the applicant had requested a continuance to edit the walkway. She stated that the applicant proposed to demolish the existing house and construct a new single-family home on a flood-compliant foundation within FEMA Zone VE, El. 17' with connections to town water and sewer, plus associated site work and a new elevated walkway over marsh to coastal beach and new osprey nest on a coastal dune.

Ms. DeSalvatore asked about removing the cedar trees, if they would be removing stumps.

Mr. Charon stated they would have to remove two trees as they are in the construction area.

Ms. McClees asked Mr. Charon if DEP had received a copy of the revised plans, to which Mr. Charon stated they had.

Discussion about the propane tank being on a cement pad. Mr. Simmons stated might just be another example of an administrative approval without coming back before the Commission.

Mr. Simmons asked for public comments, to which there were none.

Mr. Simmons asked for a correction to the plan with amendment and show the silt fence and pad for propane tank and to present it to Ms. McClees. They would vote on it at their next meeting if no other changes.

Mr. Haworth asked what was going underneath the house.

Mr. Charon stated there would be parking spaces under the house for parking on a slab. They are not suggesting break away walls.

Mr. Haworth made a motion to continue to the February 24, 2020 meeting with a final plan at the applicant's request and was seconded by Gary Lavalette. Motion passed unanimously (7-0-0).

New Notices of Intent:

k) SE 023-1314, CON 023-117: 15 Grinnell Street

Notice of Intent filed by David R. Tomasia, Jr. for the construction of a 24-foot by 30-foot addition to the existing house, the reconstruction of the existing garage, the construction of a 16-foot by 32-foot in-ground swimming pool and associated concrete perimeter patio, the construction of two 12-foot by 16-foot sheds, and the conversion of the gravel driveway to pavement at the property located at 15 Grinnell Street, Assessors Map 31A, Lot 97. Work to take place in buffer zone to Bordering Vegetated Wetland.

Engineer, Dave Davignon was present on behalf of applicant.

Abutters, Jerrime Oliver and David Faustino were present.

Ms. McClees reviewed her staff report dated February 6, 2020. She stated that the project was to perform improvements to the existing house, detached garage and site with a 24x30 addition to the house; construction of an access porch, removing the 20x20 garage from its existing foundation and rebuild on the same slab, raising the slab 6". To construct a 16x32ft in ground swimming pool with an associated concrete perimeter patio, construction of two 12x16 sheds on either sonotubes or slabs, and conversion of existing gravel driveway to pavement. If in fact the garage needs to be reconstructed the driveway would expand slightly.

Mr. Davignon stated this was a buffer zone project and the primary goal was to add on to the house. He said his client has an interest in putting an in-ground swimming pool. He said the existing garage was at end of its life and he has requested his client get a structural engineer to confirm if it can be repaired or he would need to reconstruct it. He said there is currently a storage container in the back of house and

they were looking to add a couple of sheds to back of property. He said they could certainly tighten up the sill fence.

Mr. Simmons asked if all activity was within the current lawn area.

Mr. Davignon stated it was primarily all lawn.

Mr. Davignon stated on the plans he has included two different options to reflect what could be done with the garage, of course depending on the structure itself. If it's repairable or they have to rebuild it.

Ms. DeSalvatore asked what the status of the wetland line is.

Ms. McClees stated she has not been able to review it as of yet, she has not had a chance to walk it.

Mr. Simmons stated it appears more wetlands here than on the GIS mapping.

Ms. DeSalvatore stated it looked like the sheds were close to wetland line and the Commission should require sonotubes.

Mr. Davignon stated that it actually requires more digging down for sonotubes of 4' versus digging down 18" for a slab.

Mr. Simmons stated underneath most shed are dry, and he would refer to Ms. McClees to speak on the conservation impact.

Ms. McClees stated her goal would be the least impact to the wetlands. She concurred with Mr. Davignon that sonotubes is a 4' dig, versus 18".

Nicholas Carrigg asked for the distance for pool drain not to go to the wetlands.

Mr. Davignon stated it was at least a 40-50' setback.

Abutter, David Faustino, of 14 Grinnell Street was present and stated he never had a problem, don't mind what he's doing and that he is a 'good neighbor'.

Jerrime Oliver, of 19 Grinnell Street had a question about the existing garage and if he had to be rebuilt would they make it bigger.

Mr. Davignon stated it would be slightly bigger if they had to rebuild to 24x24.

Mr. Haworth asked the current size of the storage container on site.

Mr. Davignon did not know, but the neighbor Mr. Oliver said he believed it was 20'.

Mr. Haworth stated he didn't know why the request was to build two 12x16 sheds, plus the storage container. He asked why not just one shed.

Mr. Davignon stated that his client doesn't want to go to expense of full foundation. He didn't want to build something that big.

Mr. Haworth asked about how many feet back to the wetland line the sheds are. Mr. Davignon stated 19' from sheds and 9' storage container from wetland line. Mr. Haworth stated that there is no indication of what the storage container will be set on.

Mr. Haworth stated he usually likes to see sheds back 25' from the wetland line.

Mr. Davignon stated it would be hard to do within 25' and that would be ridiculous.

Mr. Haworth stated one shed is reasonable, 3 is not.

Mr. Davignon stated he feels Mr. Haworth is judging what people are using sheds for, stating that 25' makes a lot of sense with new construction but not with existing site. He said he believes it is allowable per the by-laws of the Town.

Mr. Davignon stated that Mr. Haworth was talking about something not in your wetland bylaws.

Mr. Haworth stated he would be happier if you can be 25' from buffer zone.

Mr. Davignon will ask if he can perhaps get rid of the storage container if he has the two sheds.

Mr. Simmons asked Mr. Davignon to speak to his client, and see if he's open to moving it further back. As well as to the discuss garage and possibly removing storage container and/or be satisfied with the two sheds. Mr. Simmons stated because of the questions and answers still pending they should continue the hearing.

Mr. Davignon agreed to review with his client regarding storage container and a shift over away from buffer line if necessary.

Mr. Haworth asked about the slope in the back of the pool area. Mr. Davignon stated it was 2/10ths of a slope.

Abutter, Mr. Oliver stated he didn't have an issue with the water from the new shed/garage. He said he was aware there may have been some water there when he purchased the home.

Mr. Haworth made a motion to continue to February 24, 2020 at the applicant's request and was seconded by Nicholas Sylvia. The motion passed unanimously (7-0-0).

Mr. Simmons recused himself for the 3 North Street continued Notice of Intent, but remained as an audience member as an abutter.

Mr. Haworth proceeded the discussion on 3 North Street as Chairperson.

h) SE 023-1273, CON 023-106: 3 North Street – public hearing closed

Request for Amended Order of Conditions (DEP File No. SE 023-1273) filed by Lee and Elizett Miguel to add sod and stone to stabilize the area beyond the approved work limit at the property located at 3 North Street, Assessors Map 13, Lot 4. Work to take place in Land Subject to Coastal Storm Flowage/Zone AE and buffer zone to Salt Marsh.

Nicholas Carrigg made a motion to un-table 3 North Street for discussion and was seconded by Gary Lavalette. The motion passed unanimously (6-0-0).

Mr. Haworth advised that the Commission closed the public hearing.

Ms. McClees reviewed her staff report. She stated the applicant has submitted a request for an Amended Order of Conditions for work beyond the approved work limits. The applicant added sod and stone in an effort to stabilize the area beyond the approved work limits. She also stated the request also includes shifting the replacement catalpa tree to the west slightly.

Ms. McClees recommended approving the plan dated December 13, 2019 with the conditions set forth in her staff report dated February 6, 2020.

Mr. Haworth stated after they closed the public hearing, they then received a letter from an Attorney who wanted to speak on behalf of abutters but he didn't show up. He said the letter was sent after the fact and the Commission should not be considering letter.

Ms. DeSalvatore stated her concern was that request wasn't noticed in the first place.

Mr. Haworth stated that according to our town counsel, it was discussed with Ms. McClees.

Ms. McClees stated that the abutter notification question was addressed with the Town's attorney.

Ms. McClees stated the property owner has the right to do work in the area between two lots that he owns.

Mr. Sylvia stated they received correspondence from attorney at last meeting that contradicted what town counsel was saying. Aside from property issue, the Commission does not have to permit an amendment to a filing after the fact, the Commission has purview the to ask him to file a new NOI. He said it should not be considered a 'simple addition' as it is not a minor modification.

Mr. Haworth stated the original project area was a 3 tier level. Mr. Lavalette believes that he doubled the area that he was modifying, and that was approximately 2500 square feet.

Mr. Lavalette read from a wetlands policy re: determination whether purpose of project has changed. He stated that the applicant has made more than a 'minor change' in his opinion. It was also an after the fact filing and he doubled the project. Mr. Lavalette stated he was of the opinion that it was "substantial" sod that the Commission was never able to give their opinion on whether it was okay or not. He thinks the applicant should file a Notice of Intent.

Ms. DeSalvatore stated that it was not sod but seed that was originally permitted. She does not think he would be in compliance and stated it was an after the fact filing. She stated she thinks they should just deny the request. She also stated they need to deny because it was improperly noticed to abutters.

Mr. Haworth stated that returning from sod to seed requires a lot more fertilizer and care for seed to create lawns.

Mr. Sylvia said it's highly doubtful we would've approved if it was part of the original application.

Mr. Lavalette stated it was in their purview to deny this.

Mr. Haworth stated he just want to make sure if we are denying that we have legal right to do so. All personal aspects are taken out.

Mr. Lavalette stated it was an 'after the fact filing' and feels that are constantly back treading all the time. He said it constantly feels like we are being forced to accept this, and stated that he is not going to get my vote to amend this.

Ms. DeSalvatore said, " I don't think it's a personal issue."

Mr. Haworth stated they allowed the same situation tonight on Beach Street (because it's a paper street).

Mr. Lavalette said there was no process here and feels they were forced to move on this project. He feels there's a big difference between Beach and North Street.

Mr. Haworth stated he just wanted to make sure whatever they decided tonight, they could defend.

Ms. DeSalvatore stated that Beach Street was paving it for the use at the direction of the BPW which was different than North Street.

Mr. Haworth stated he felt North Street was a permissible project under the wetlands act and it was part of an existing project. He said that the EPA put the gravel there.

Mr. Lavalette asked what the next step for us if the applicant is denied.

Ms. McClees stated because the amendment is not appealable, if the Commission denies the application: a) applicant can file for a permit under a separate filing; or b) enforcement orders are enforced and could go to court to remove sod. She said there were two avenues, they have the enforcement order that could be resolved by a new filing or the amendment or if the sod is not removed as outlined by the Enforcement Order, it would need to be acted on by the court.

Mr. Haworth asked if the stone could be approved.

Ms. McClees stated the amendment is for the stone and sod and the stone was resolved by the EPA.

Mr. Haworth reiterated that the amendments were for the stone and sod.

Ms. DeSalvatore suggested that the Commission deny the petition and asked them to refile and go before the BPW.

Mr. Carrigg stated they haven't discussed if they would even think or entertain a NOI if presented – an after the fact filing of a NOI or RDA. He questioned whether or not it was procedural they wanted to see.

Ms. McClees stated it was still an after the fact filing.

Ms. DeSalvatore suggested denying the request and have him return to his original order of conditions.

Ms. DeSalvatore made a motion to deny the amendment and asked that the applicant return the area to the original condition for work outside of the order of conditions, enforcing the enforcement order regarding the sod, which has to be removed.

Mr. Haworth said removing the sod is worsening condition and would create erosion right against the wetland.

Mr. Lavalette disagreed, stating the applicant put down sod on top of existing grass.

Ms. McClees stated there was more dirt than gravel.

Mr. Sylvia asked if they could condition it with CAP-3 since other boards and committees may have an interest. Possibly planning board.

Discussion ensued.

Mr. Haworth asked if the sod is better than what was there. Ms. McClees said she couldn't really comment on what is better. She said the sod and grass are going to get mowed. And in terms of flood control and reducing nutrients that flow into marsh, they can't control on what 'might' happen; don't see there's a huge change of what was there vs. what is not there.

Mr. Lavalette said if the sod gets compromised it was going to be a slushy mess than what was there before, the grass would die and gravel would remain. He said the roadway would not be compromised.

Mr. Haworth reiterated Ms. DeSalvatore's motion and there was no second. Motion failed.

Mr. Sylvia made a motion to deny the amendment and ask the applicant to return to original conditions and was seconded by Ms. DeSalvatore.

Mr. Carrigg on the question asked if potentially down the line they could say sod was original conditions and we could agree to that. Mr. Sylvia said, "No."

Mr. Sylvia said he would like EPA to formally advise the Commission what the original condition was.

Ms. McClees and Mr. Haworth stated that the EPA met the two of them at the property and advised them directly.

Mr. Sylvia stated that is 'hearsay' and wanted something more formally, in writing or representatives present to discuss.

On the motion, Mr. Haworth and Mr. Carrigg abstained, however the motion passed 4-0-2 in favor. Those in favor were Dan Doyle, Gary Lavalette, Nick Sylvia and Amy Desalvatore.

Jay Simmons returned as chair at 9:26p.m.

8. Violations/Enforcement Orders/Cease and Desist Notices

a) Abbey Street (Map 6, Lot 63)

Ms. McClees stated that several trees were cut down and there are two cease and desists on the property. She spoke to an individual who lives further down, who noted the trees were cut down at the end of 2019. There are wetlands at the rear end of the property.

Ms. McClees was asked to send letter. And Mr. Simmons asked members to go down to view before next meeting.

b) 44 Torrington Road

Ms. McClees spoke to the engineer about restoration project. No check received to date.

Mr. Lavalette suggested nothing should move forward until the fine is paid.

Ms. McClees shouldn't approve restoration plan until fine is paid.

c) 7 Waybridge Road

Ms. McClees reported no further work being done, stump is going to stay per a discussion she had with the applicant.

Mr. Simmons stated there was another property between Grinnell Street and Mangham Way that he will try and get more information on.

Ms. McClees said it might be out of her jurisdiction, she will await further details.

9. General Business

a) Ms. McClees reviewed bills that have been paid.

\$125 – MACC conference

207.79 – Office Supplies

\$170 and \$140 to Neighborhood News for two different meetings.

\$669.32 – to Ms. McClees for seminars and mileage.

b) Ms. McClees asked the Commission if anyone additionally is interested in going to the conference, she would like their response by the end of this week and to what workshops/classes they would like to attend so she can send in the registration. This is for the MACC Annual Environmental Conference: Saturday, February 29, 2020 in Worcester

c) April meetings – revision – 4/6 is Town Election and April 20 is Patriots day. The Commission discussed potential new dates of 4/13, 4/27 and the following Monday in May and agreed on those dates.

d) Next meeting is 2/24/2020.

Mr. Haworth made a motion to adjourn and was seconded by Nicholas Carrigg. The motion passed unanimously at 9:45p.m.

Respectively submitted,

Patricia A. Pacella
Recording Secretary