

**Conservation Commission Meeting Minutes
July 28, 2010**

Members Present: Louis A. Napoli, Chairman, John J. Mabon, Vice Chairman, Joseph W. Lynch, Jr., Deborah A. Feltovic.

Members Absent: Scott L. Masse, Albert P. Manzi, Jr., Sean F. McDonough.

Staff Members Present: Jennifer A. Hughes, Conservation Administrator, Heidi M. Gaffney, Conservation Field Inspector, Donna M. Wedge, Conservation Secretary.

Pledge of Allegiance

Meeting came to Order at: 7:10 PM Quorum Present.

General Business

Acceptance of Minutes: 5/19/10

- A motion to grant to approve the minutes of 5/19/10 made by Ms. Feltovic, seconded by Mr. Mabon.
- Vote unanimous.

242-1447, Modification Request, 2357 Turnpike Street (Valley Development, LLC) (Merrimack Engineering Services, Inc.)(Request to cont. to 8/11/10)

- A motion to grant the request for a continuance to August 11, 2010 meeting made by Mr. Mabon, seconded by Ms. Feltovic.
- Vote unanimous.

242-1460, COC Request, 119 Liberty Street (Pavlik) (Merrimack Engineering Services, Inc.)

- The Administrator presented that this was for the replacement of a septic system. The vernal pool certification paperwork has been submitted to Natural Heritage.
- A motion to grant the COC and bond release made by Ms. Feltovic, seconded by Mr. Mabon.
- Vote unanimous.

NACC#31, COC Request, 15 Timber Lane (Fournier) (The Neve-Morin Group, Inc.)(Request to cont. to 8/11/10)

- The Administrator presented the applicant has not moved the generator out of the 50' No Build yet.
- A motion to grant the request for a continuance to August 11, 2010 meeting made by Mr. Lynch, seconded by Ms. Feltovic.
- Vote unanimous.

Small Project

28 Jared Place (Refined Renovations, LLC)

- Jim Buhner of Refined Renovations, LLC.
- The Administrator presented that this project proposes a small wooden porch with an overhang in the area of the existing stairs.
- Wetland markers should be installed on the existing fence to prevent leaf and brush dumping in the buffer zone adjacent to a potential vernal pool, however this project is over 75-feet away.
- A motion to grant this as a small project 4.4.2 J, with special conditions that the brush be cleaned up and markers be placed on the existing fence, was made by Mr. Mabon, seconded by Ms. Feltovic.
- Vote unanimous.

*A motion to go into 15 minutes recess made by Mr. Mabon, seconded by Mr. Lynch.
Vote unanimous.*

Public Hearing at: 8:00 PM

Request for Determination of Applicability

984 Turnpike Street (Dockham)

- The applicant David Dockham, II was present.
- The Administrator presented that the project is for relocating the existing fence which is currently in the 25-foot no-disturbance to a location outside of the 25-foot no-disturbance zone. The homeowner recently purchased the house and cleared the back yard (within the existing fence) with a small bobcat, this work occurred within the Buffer Zone.
- There was an RDA in 2006 for the replacement of septic system and that work has been done.
- The applicant did not notify abutters within 300-feet of this project, immediate abutters only were notified.
- A motion to grant the request for a continuance to August 11, 2010 meeting made by Ms. Feltovic, seconded by Mr. Mabon.
- Vote unanimous.

Notice of Intent (s) (NOI)

242-1478, 1503 Osgood Street (Hera Development Corporation) (Wetlands Preservation, Inc.)(cont. from 7/14/10)

- The applicant Gary Hendren, Curtis Young of Wetlands Preservation, and Christopher Tymula of MHF Design Consultants, Inc. were present.
- The Administrator presented that Lisa Eggleston has completed her review and is satisfied with the project as proposed. Her only comment was that truck rinsing be allowed but not truck washing as stated in the O&M plan.
- Mr. Napoli discussed the construction sequence with regard to the hill and riprap area being compacted.
- Mr. Lynch discussed the safety of the turn around area for the truck access.

- A motion to close and issue a decision within 21 days made by Mr. Mabon, seconded by Ms. Feltovic.
- Vote unanimous.

242-1483, 544 Sharpners Pond Road (Horn) (The Neve-Morin Group, Inc.)(Request to cont. to 8/11/10)

- The Administrator presented that the applicant is requesting a continuance to August 11, 2010 meeting, Natural Heritage comments have not come in yet.
- A motion to grant the continuance to August 11, 2010 meeting made by Ms. Feltovic, seconded by Mr. Mabon.
- Vote unanimous.

242- , 1003 Osgood Street (Osgood Properties, LLC) (MHF Design Consultants, Inc)

- Mr. Lynch read the legal notice.
- The Applicant John Grasso, Christopher Tymula of MHF Design Consultants, Inc, Mark West of West Environmental and Abutter Peter P. Devlin, DMD were present.
- The Administrator presented that this is also being reviewed by the Planning Board and Eggleston Environmental for stormwater review due to the proximity to Lake Cochichewick.
- Abutter Peter P. Devlin, DMD discussed his concern that there is not enough parking.
- Mr. Lynch discussed the driveway being shown in the 50' No-Build and the need for an alternatives analysis to be submitted.
- Mr. Mabon discussed the need for a waiver for the roadway in the 50-foot No-Build zone and also discussed the moving of the barn.
- A motion to grant the request for continuance to August 25, 2010 meeting made by Ms. Feltovic, seconded by Mr. Mabon.
- Vote unanimous.

242-1490, 52 Empire Drive (Orchard Village, LLC) (Christiansen & Sergi, Inc.) (Request to cont. to 8/11/10)

- The Administrator presented that the applicant needs to notify abutters within 300-feet of the project and this was not done.
- A motion to grant the continuance to August 11, 2010 meeting made by Ms. Feltovic, seconded by Mr. Mabon.
- Vote unanimous.

242-1487, 80 Empire Drive (Lot 17) (Orchard Village, LLC) (Christiansen & Sergi, Inc.)(Request to cont. to 8/11/10)

- The Administrator presented that the applicant needs to notify abutters within 300-feet of the project and this was not done.
- A motion to grant the continuance to August 11, 2010 meeting made by Ms. Feltovic, seconded by Mr. Mabon.
- Vote unanimous.

242-1488, 63 Empire Drive (Lot 23) (Orchard Village, LLC) (Christiansen & Sergi, Inc.)(Request to cont. to 8/11/10)

- The Administrator presented that the applicant needs to notify abutters within 300-feet of the project and this was not done.

- A motion to grant the continuance to August 11, 2010 meeting made by Ms. Feltovic, seconded by Mr. Mabon.
- Vote unanimous.

242-1489, 58 Empire Drive (Lot 13) (Orchard Village, LLC) (Christiansen & Sergi, Inc.)(Request to cont. to 8/11/10)

- The Administrator presented that the applicant needs to notify abutters within 300-feet of the project and this was not done.
- A motion to grant the continuance to August 11, 2010 meeting made by Ms. Feltovic, seconded by Mr. Mabon.
- Vote unanimous.

Decisions

242-1478, 1503 Osgood Street

- The Administrator presented the draft conditions; the bond amount is set at \$15,500, wetland markers will be required, stormwater pollution prevention plan (SWPPP) needs to be submitted, slope stabilization, geo tech through the Planning Board, fill stabilization, riprap the slope with stone so no soil would move off the site, erosion controls must be correctly installed and maintained, silt sacks, weekly monitoring a must, stockpile area and washing of trucks needs to be controlled onsite.
- A motion to accept the Order of Conditions as-amended made by Mr. Mabon, seconded by Ms. Feltovic.
- Vote unanimous.

242-1485, 280 Candlestick Road

- The Administrator presented the draft conditions; the bond amount is set at \$1,000, wetland markers will be required (3 round and 2 square), environmental monitor, crushed stone under swimming pool spa, the three season room will be 14' x 16' and a pre-construction meeting will be necessary.
- A motion to accept the Order of Conditions as-amended made by Mr. Mabon, seconded by Ms. Feltovic.
- Vote unanimous.

242-1482, 84 Candlestick Road

- The Administrator presented the draft conditions; the bond amount is set at \$1,000, environmental monitor, condition #58 mark trees to be removed are to be cut flush to the ground and no stumping, wetland markers will be required, and pre-construction meeting will be necessary.
- A motion to accept the Order of Conditions as-amended made by Mr. Mabon, seconded by Mr. Lynch.
- Vote unanimous.
- *A motion to adjourn the meeting at: 9:45 PM made by Mr. Lynch, seconded by Mr. Mabon*
- *Vote unanimous.*