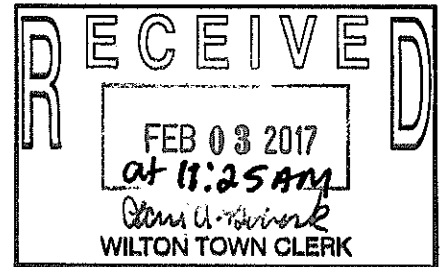




MINUTES

January 26, 2017



PRESENT: John Hall (Chair), Liz Craig, Tom Burgess, Kathie Mandel

ALSO PRESENT: Mike Conklin, Director of Environmental Affairs; Liz Larkin, Recording Secretary; George Cross, Property Owner; Robert Mitchell, Property Owner

ABSENT: Mark Andrews, Rick Stow, Nick Lee (notified of intended absences)

I. CALL TO ORDER

Mr. Hall called the meeting to order at 7:31 p.m.

II. PUBLIC HEARINGS

A. WET#2429(S) BRUBECK TRUST – 221 Millstone Road & 67, 69, 73, 85, & 87 Hickory Hill Road – renovation of existing wetlands, construction of new wetland crossing, and development within upland review areas of six lots that were subdivided in 1954 and re-subdivided in 1968

Mr. Conklin advised that the commission requires a quorum to open the Public Hearing, and with the absence of the quorum, the Hearing will be scheduled to open at the next meeting on February 9, 2017.

III. APPLICATIONS READY TO BE REVIEWED

A. WET#2430(I) CROSS – 105 Old Belden Hill Road – “corrective action” to perform no corrective action

Mr. Conklin, Ms. Craig, Mr. Burgess, Ms. Mandel, and Mr. Hall confirmed they have visited the site. Mr. Conklin provided background on the violation.

Mr. Conklin noted Mr. Cross originally submitted a minor level permit application, which Mr. Cross changed to an intermediate level permit. Mr. Hall asked if there were trees removed from the regulated area. Mr. Conklin responded the area was shrubby and machinery was used to grade the area. He also confirmed the clearing work continued onto the neighboring property where a Cease & Desist was also issued. That neighbor expeditiously applied for a corrective

action permit and later completed the restoration work required by the commission.

Mr. Hall asked Mr. Cross if he disputes the regulated area. Mr. Cross said his dispute is with the original Notice of Violation Letter which states he had accepted 167 truckloads of material. Mr. Cross stated the previous property owner cleared the area of trees and left the debris on site. He noted the only work he finished was to hand remove the debris and added that the mile-a-minute vine and other invasives were discovered. Mr. Cross stated the fill on the report is consistent with a home construction site and removing it will offer no benefit and may allow the vine to spread. Mr. Hall asked how removing the fill would affect the vine and offered that planting natives is the best way to avoid invasives overtaking the area. Mr. Conklin concurred that fill could be removed, and the area replanted with native plant species.

Ms. Craig stated there is an opportunity to have an ideal wet meadow which his family would enjoy. Mr. Cross confirmed that he would like to have trees back there to which Ms. Craig stated they would come back. Ms. Craig asked if he has mowed the area. Mr. Cross responded that he has not as he does not want to create more violations. Mr. Hall advised that the commission encourages restoration and protection of regulated areas. Mr. Cross asked if he could remove the fill noted on the plan as Area 2 and plant a native meadow mix. The commission explained developing a plan to remove the fill material and restoring the area with a native meadow seed mix is the direction he should take to mitigate the area. Mr. Cross stated he would be willing to remove 1 – 2 inches of fill, restore the area with topsoil and plant a meadow. Ms. Craig recommended New England Wetland Plants for the plantings.

Mr. Conklin stated that the commission will need to approve a plan which includes a sequence, access, and timeframe. Mr. Hall agreed and asked Mr. Cross to prepare a plan which spells out the methodology and timeframe which will allow the commission to set a bond.

Mr. Conklin noted some debris in what could potentially be a regulated area at the bottom of the plan. Mr. Cross rebutted that his property is staked and the debris is not on his property. Mr. Conklin stated he would re-visit the property to inspect.

With no further questions or comments, the review was continued until the next meeting on February 9, 2017.

B. WET#2431(I) MITCHELL – 152 Hurlbutt Street – “corrective action” to address filling and dumping of debris in a regulated area

Mr. Conklin, Mr. Hall, Ms. Craig, Mr. Burgess, and Ms. Mandel indicated they visited the property. Mr. Conklin provided the background of the violation in that he observed a small debris pile in a regulated area which triggered a notice of warning that was never received by the homeowners. Mr. Conklin described the pile as getting bigger as the months passed and more questionable fill was deposited so a Notice of Violation was issued. Mr. Conklin advised that the owners have been moving in a positive direction to correct the violation, including hiring a soil scientist.

Mr. Conklin showed the proposed plan includes the removal of the mixed fill and replanting with native wetland plants. Mr. Mitchell stated he had a staging area for his construction but the debris was not from his project. Mr. Hall asked Mr. Conklin if he thought the restoration plan

proposed is reasonable. Mr. Conklin confirmed that it is reasonable and suggested a deadline be set for the mitigation. Mr. Conklin suggested waiving the bond and planting shrubs and installing boulders by May 1, 2017.

Mr. Burgess MOVED to APPROVE WET#2431, with a completion deadline of May 1, 2017 and waiving the need for a bond, SECONDED by Ms. Mandel and CARRIED 4-0-0.

IV. APPLICATIONS READY TO BE ACCEPTED

Ms. Craig MOVED to ADD a Minor Regulated Activity Application to the Acceptance List, SECONDED by Mr. Burgess and CARRIED 4-0-0.

A. WET#2433(M) WALTERS-FRANCIQUE – 129 Skunk Lane – install 10' x 14' shed 12 ft. from the wetlands

Mr. Conklin noted that this application was submitted for a shed 12 ft. from the wetlands. Typically a minor permit is approved by staff, but with the proximity to the wetland, he thought it would be better if the commission made the determination. He asked that commissioners visit the site prior to the next meeting where a vote should take place. When asked for his professional opinion, Mr. Conklin stated the runoff slopes away from the wetland so he sees no adverse affects.

V. APPROVED MINOR ACTIVITIES - None

VI. CORRESPONDENCE – None

VII. OTHER APPROPRIATE BUSINESS

A. Approval of Minutes – January 12, 2017 Meeting Minutes & January 14, 2017 Site Walk Minutes

Ms. Craig MOVED to APPROVE the minutes, SECONDED by Mr. Burgess, and CARRIED 4-0-0.

VIII. ADJOURN

Ms. Craig MOVED to ADJOURN at 8:23 pm, SECONDED by Mr. Burgess and CARRIED 4-0-0.

Respectfully Submitted,
Liz Larkin
Recording Secretary, Environmental Affairs

