

*Damon Tinio, Chairman
Peter Coffin, Vice Chairman*



*Timothy Aicardi
Michael Ammendolia
William Aten*

TOWN OF MENDON

Conservation Commission
Mendon Town Hall
20 Main Street
Mendon, Massachusetts 01756

Meeting Minutes of May 22, 2008

Attending: D. Tinio, P. Coffin, M. Ammendolia and T. Aicardi; Robert Sweet, 50 Milford Street; Pat Ghelli, 42 Milford Street; Michelle Walsh/BRWA, 5 Myrtle Street; Meg Osgood, 5 Ashkins Drive; Kay Ghelli, 230 West Street, Milford; William Helsing, Land Planning, Inc. and A. Mazar.

Meeting was called to order at 7:40 p.m. when a quorum was reached.

Members reviewed a plan Shea Engineering redlined which showed that the wetland line is further from the limit of work. Sono tubes will be used. Members agreed to rescind the positive Determination of Applicability signed on May 8, 2008. They requested that hay bales or silt fence be placed along the edge of the lawn where land starts to slope. Members signed the negative determination with aforementioned condition.

Members reviewed the Request for Determination of Applicability (RDA) for 54 Blackstone Street. The owner would like to install an inground pool in the buffer. It is 150' to the wetland. Members signed the negative determination of applicability.

Members also reviewed the RDA for 9 Forest Park Drive for an inground pool. T. Aicardi performed the site visit. Members signed a negative determination of Applicability.

Members reviewed the RDA for 6 Kinsley Lane. D. Tinio informed members that there is no wetland that would be impacted. Members signed the negative determination of applicability.

Members reviewed the RDA for 52 Mowry Street (deck replacement w/larger deck) and 28 Lovell Street (above-ground pool placement) and 16 Park Street (20' X 43' inground pool) *Action: P. Coffin to perform site visits.*

Action: D. Tinio to perform site visit at 77 Neck Hill Road to determine if a 26' X 32' detached garage to the left of the driveway in the backyard would have wetland impact.

D. Tinio performed site visit at 11 Uxbridge Road, New England Steak and Seafood to determine if a 10' X 30' deck on the west side of the building would have a wetland impact. Members signed a negative determination.

Members agreed that there would be no wetland impact from construction of a house at 198A Providence Street. Members signed a negative determination.

Action: T. Aicardi to perform site visit at 216 Providence Street now that area has been staked.

8:07 p.m. Michelle Walsh provided copies of the Blackstone River Watershed Association Annual Report. One will be placed on the Con. Com. bulletin report so residents can view. Michelle explained function of BRWA; water quality monitoring, canoe access program, and support of Blackstone River Coalition. The Water Quality Monitoring Report Card lists the Mill River upstream of Deer Run Drive & Hartford Ave. East. They are doing monthly testing to determine cause of high levels of nitrates. Other parameters are also tested. Cold-water fisheries include Muddy Book

and Spring Brook. S. Smith informed members that she has started to distribute a Homeowner's Guide for those who live near a waterway. She provided copies for the Con. Com.

8:30 p.m. W. Helsing, Engineer for 50 Milford Street, explained that the wetland where the soil was placed upon has been delineated. The area was excavated about two to four feet down by Mr. Sweet, supervised by an engineer, to where the original soil was located. M. Ammendolia read the report from Scott Heim, Northeast Ecological Service. William explained terminology contained in the report. Mike requested a copy of the log that was not included in the report. Mike also requested that the plan be underplayed so that the old and new wetland delineations can be seen. P. Coffin outlined options that he felt were feasible. The first was to replicate the wetland that was covered with soil. The other was to remove the soil that was placed in the wetland. D. Tinio asked if abutters had any questions. P. Ghelli said she wasn't sure which solution would be better. She voiced her concern that the wetland should not have been filled to begin with. After some discussion with the board over the pros and cons of each option, Mrs. Ghelli decided she would prefer the wetland to be restored. M. Ammendolia noted for the record that R. Sweet used vulgar language towards Mrs. Ghelli. Members will do a site visit. T. Aicardi made motion to continue the hearing in order to perform a site visit. M. Ammendolia seconded the motion. The motion carried unanimously. The types of plantings need to be determined on the next engineering plan. Members requested that the wetland replication area be marked. The site visit is scheduled for Thursday, May 29 at 6:00 p.m. R. Sweet requested that no abutters be on the site. Mr. Sweet and Mrs. Ghelli left the meeting. Mrs. Ghelli returned to the meeting room visible upset, with lip quivering. When asked what was wrong she said she was threatened by Mr. Sweet. Mr. Sweet said he was just coming in to enjoy the meeting. Mr. Ammendolia asked Mrs. Ghelli if she wanted to go next door to the Police Station and file a complaint. Mrs. Ghelli said that she did not. M. Ammendolia walked Mrs. Ghelli to her car.

Members informed A. Mazar that they had read the final version of the Conservation Restriction on the "Fino" property on Milford Street. They had no questions or comments.

Members reviewed a plan and letter from Shea Engineering regarding 39 Vincent Road. Due to ledge, "The pool was moved further away from the house and lowered by 2.8 feet from the original proposal." There will be 7 feet less area to fill. Members required no further action.

D. Tinio informed members of his correspondence with D. Grasseschi. He requested that the Con. Com. be kept informed of how silt flow into storm drain on Route 16 is being remedied. D. Tinio reviewed with other members the pictures he took during the Nipmuc Pond survey.

D. Willoughby informed members of changes she made to the May 8 meeting minutes after sending the draft to members. She removed the word 'existing' in the third paragraph before the word fence. She also changed '50' yards to '5' yards in the seventh paragraph. P. Coffin made and M. Ammendolia seconded a motion to approve the meeting minutes dated May 8, 2008. The motion carried unanimously.

P. Coffin made and M. Ammendolia seconded a motion to approve the meeting minutes dated April 24, 2008. The motion carried unanimously.

Members reviewed and D. Tinio signed off on Board Of Selectmen License Routing slips for the Renewal of Junk Licenses. They were for Mr. David Lowell, 133 North Avenue & 4 Main Street and Beth White, 50 Cape Road.

9:32 p.m. M. Ammendolia made and D. Tinio seconded a motion to go into executive session to discuss pending litigation. A roll call vote was taken: D. Tinio, yea, P. Coffin, yea, T. Aicardi, yea, and M. Ammendolia, yea. The motion carried unanimously.

9:39 p.m. M. Ammendolia made and T. Aicardi seconded a motion to reopen the meeting. The motion carried unanimously.

Members agreed they did not want to schedule another June meeting yet. They will determine future meeting dates at next scheduled meeting.

A motion was made to adjourn at 9:40 p.m.

Respectfully submitted,

Diane Willoughby
Administrative Clerk