

*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 February 12, 2009

Attending: P. Coffin, T. Aicardi M. Ammendolia, W. Aten; Robert Sweet, 50 Milford Street; P. Ghelli, 42 Milford Street; F. Lapham, Shea Engineering; Joyce Gilmore, 23 Hastings Street; and R. Poxon, Guerriere & Halnon, Inc.

Meeting was called to order at 7:30 p.m.

F. Lapham presented an updated plan for Lot F6A Northbridge Road. There is an existing Order of Conditions. The house will be positioned further away from wetland; a deck has been added and a Cultec C-4 leach bed will be used. The level of disturbance has not changed. M. Ammendolia made and W. Aten seconded a motion to accept the revised plan for Lot F6A Northbridge Road. Motion carried unanimously.

7:33 p.m. Mr. Sweet asked permission to audio record the meeting. Members had no issue with request.

Members directed D. Willoughby to send Mr. Hilliard a letter requesting he attend a meeting to discuss the status of 60 North Avenue and his work with NRCS.

P. Coffin made and T. Aicardi seconded a motion to approve the meeting minutes dated January 8, 2009. The motion carried unanimously.

P. Coffin informed members that A. Mazar will come to a future meeting to discuss a land grant.

D. Willoughby presented proposal from Aquatic Control Technology, Inc. regarding treatment of Lake Nipmuc. They indicated in a letter that S. Smith, Lake Nipmuc Assoc., asked if they could treat the Lake for lilies in July. The Assoc. would pay for that treatment. D. Willoughby explained that she spoke with C. Cataldo. The Association would need to send a letter to the Board of Selectmen indicating they would make a gift in the specific amount indicated for the lily treatment. Once a check was received, the Con. Com. would authorize the treatment. P. Coffin signed the agreement for the aquatic management program in the amount of \$4920. *Action: D. Willoughby to invite S. Smith to next meeting and send her a copy of their report. Diane will also ask a representative from Aquatic Control Tech., Inc. to attend.*

Members reviewed the as-built plan for 50 Milford Street dam restoration. T. Aicardi explained that he viewed the 24-inch ADS pipe. The plan represented what was in place. Members discussed materials that could be used to finish banking. P. Coffin said that since half of the dam area is on P. Ghelli's property, Mr. Sweet needs to finish it in such a way that is amenable to Pat. It can be mulched or loamed and seeded. Loaming and seeding would be more stable. Action: P. Ghelli must decide by April 15. Pat will attend meeting on April 9 to do so. Members agreed that enforcement order may be released after one growing season. Mr. Sweet asked if he can remove bush near guard rail. Members directed him to mark it with a ribbon. T. Aicardi told Mr. Sweet to not bring heavy equipment in that area. T. Aicardi made and W. Aten seconded a motion to sign Certificate of Compliance for 50 Milford Street, DEP# 218-0548. The motion carried unanimously.

Members reviewed Request for Certificate of Compliance for 76 Taft Avenue. D. Willoughby informed members that D. Tinio did site visit and confirmed work was completed. Members signed complete COC.

8:12 p.m. Joyce Gilmore informed members that she sent a letter to the Conservation Commission regarding 49 Milford Street. However, the office did not receive it. Acting as a private citizen, she saw that a wetland was filled on that site. She had gone on site when Tony Depoto owned it as Oak Tree Gardens. She told him that he couldn't do anything in that area because there were wetlands. Mr. Shane bought the property from Mr. Depoto. At that time Mrs. Gilmore noticed plant waste was being thrown in the same area in the back. Nothing was done to correct it. The property was sold. R. Sweet presented aerial and close-up photos as well as the site plan for the auto body shop next door. T. Aicardi directed Mrs. Gilmore or Mr. Sweet to fill out an RDA indicating a wetland was filled. Joyce offered to go on a site walk as a private citizen. Action: D. Willoughby to call DEP once Con. Com. receives an RDA telling them that there is an on-going court-contested case for that property.

8:40 p.m. 15 Millville Street, NOI. Mr. Poxon presented plan for an artesian well to service the Imperial Plaza as a separate public water supply is needed. Mr. Meehan purchased the property. There will be a gravel access road. He will selectively cut trees to gain access. T. Aicardi asked Mr. Poxon to mark the well site in preparation for a site visit. Mr. Poxon will let D. Willoughby know when that is done. Members also directed hay bales be put around the pit for the well. The hearing will be continued to February 26 at 8:15 p.m. Action: D. Willoughby to find out if a filing w/National Heritage needs to be done.

R. Sweet asked if he can remove the rocks that are near the side of his driveway. Members directed him to add it to the next NOI he plans to submit. R. Sweet directed D. Willoughby to remove picnic area RDA for 50 Milford Street.

Members agreed that the Con. Com. will not have any future capital expenses.

Members also agreed that they do not have any additional services for which they can charge residents.

Members reviewed the petition for a zoning variance submitted by Omar Wenger. He wishes to construct a driveway through the business zone to access a residential dwelling being relocated from the business zone to a residential zone at 123Uxbridge Road. Action: D. Willoughby

to notify members when the hearing is scheduled.

D. Willoughby informed members that an engineer for Mass Highway wanted to know whether the signature on the green cards was sufficient for signature authorization for Mass Highway to go on private property for work to be done near Nipmuc Pond. Members agreed that letters should be sent to property owners requesting access.

Owner of 8 Gaskill needs partial Certificate of Compliance to obtain Occupancy Permit. Roof drainage is not complete. D. Willoughby asked owner to have his engineer submit Request for COC. *Action: T. Aicardi to perform site visit.*

Members reviewed RDA for 59 Milford Street. Members directed D. Willoughby to ask contractor to flag the wetland. The plan indicated wetland delineation was approximate. Members wanted to know who indicated proximity. Members also requested that the closest corner of the house to the wetland be staked.

D. Willoughby informed members that the DEP was willing to hold workshop or Q&A session. M. Ammendolia said he'd like to discuss official procedure for RDA's. He would also like D. Willoughby to tell DEP that a member of the Con. Com. has been on the board for 18-20 years and was recently elected selectman. His term on Con. Com. is going to run out. He wants to know what the procedure is to get reappointed.

A motion to adjourn was made at 9:31 p.m.

Respectfully submitted,

Diane Willoughby
Administrative Clerk