

*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 21, 2009

Attending: P. Coffin, T. Aicardi, M. Ammendolia and W. Aten; Robert Sweet, 50 Milford Street; Christopher Allaire, 210 Providence Street; A. Tetreault, Highway Surveyor; Lisa & Scott Falconer, 33 Northbridge Street.

Meeting was called to order at 7:36 p.m.

R. Sweet asked if he could audio record the meeting. There were no objections.

Alan Tetreault came before members to inform them of his intention to repair and raise a pipe and install a deep sump catch basin at the corner of Taft Avenue near the Spindel's house. This will stop siltation. Members instructed him to place hay bales at the end and signed the negative Determination of Applicability.

Mr. Allaire would like to cut trees within 100 feet of Muddy Brook at his property on 208 Providence Street. He will stump and grub. Family members will be doing the work. There is a stone foundation and wall which will prevent silt from getting into the wetland. M. Ammendolia instructed Mr. Allaire to use silt fence if he believes any silt may get through to the wetland. Mr. Allaire shall call the Conservation Commission office when work begins. Members signed the negative determination.

Anne Mazar informed members that she needs a Municipal Certification from the Conservation Commission and Board of Selectmen for the Meadow Brook Woods Property. The Trustees of Reservations, Trail Riders Association and Boy Scouts have maintained town owned land in the past. W. Aten made and T. Aicardi seconded a motion to sign the Municipal Certification for Meadow Brook Woods. The motion carried unanimously. Anne believes the cabin on the property may be taken down by the Public Safety for a practice burn.

Lisa and Scott Falconer came before the commissioners in response to a letter they received from the Con. Com. regarding a potential wetlands violation on their property. T. Aicardi stopped by their property by accident looking for another location for which an RDA was filed. He noted a wetland that was behind the house possibly being filled. Scott explained that he removed boulders and Christmas trees. He filled to the top of the stone wall. He also removed trees that were dangerously close to his house. T. Aicardi instructed him to make sure silt does not go through area

where boulders were placed.

8:20 p.m. M. Ammendolia left meeting

D. Tinio performed a site visit to 10 Edward Road. The owner would like to enlarge kitchen area by 5' X 15' with a foundation off the back of the house. There was no wetland impact. Members signed the negative Determination of Applicability.

T. Aicardi performed site visit to 49 Northbridge Street. The owner would like to change the location of the one-car garage from the right side of the house to the front. Original location was approved on May 7. There was no wetland impact. Members signed the negative Determination of Applicability.

D. Tinio also performed a site visit to 37 Bellingham Street. The owner wants to construct an 11' X 20' deck on the back of the house beside the three-season porch. There was no wetland impact. Members signed the negative Determination of Applicability.

T. Aicardi visited 21 Millville St. in response to a resident's concern over a potential wetland violation. The toe of the slope near the septic break out was dug up. D. Tinio called Mr. Fino. Mr. Fino explained that his landscaper had dumped clippings in that area. Mr. Fino called the landscaper to tell him not to dump them there any more and to remove them. His tractor sunk in the dirt. Members reviewed the engineering plan for the septic system and the plan for 15 Millville Street (Imperial well). *Action: D. Willoughby to put note on calendar to have members review Request for COC for 21 Millville St. in August, 2009.*

P. Coffin expressed his concern to R. Poxon that the Conservation Commission had not received a report from the developer/engineer with a design solution in accordance with the Enforcement Order issued for 20 Uxbridge Road. Mr. Poxon responded that no one directed him to do a restoration plan. The Enforcement Order was sent to the applicant and Guerriere and Halnon. Scott Lanzetta told him that the mitigation was already done and he didn't need to do anything further. Mr. Poxon will put in writing what has been done. The catch basins have been raised and area is ready for paving. He suggested getting a wetland scientist to develop a restoration plan for across Route 16. Members agreed. P. Coffin said the construction phase was not considered in regard to handling silt. Members directed R. Poxon to keep his eye on the problem. Bob will speak with Mr. Meehan and requested a letter be sent from the Commissioners saying they would like a wetland scientist to review the impact on the wetland across the street due to the sediment.

D. Willoughby reported that D. Tinio performed site visit to 24 Taft Avenue in response to a concerned neighbor that owner was removing trees not on his property. M. Ammendolia also visited. The trees were on his property and about to fall on his house.

D. Willoughby informed members that she received e-mail from P. Nadeau saying he could not prove there was a serious problem relative to the lake caused by runoff from 49 Uxbridge Road. Therefore, they cannot do anything further.

Members acknowledged reading e-mail from F. Lapham, Shea Engineering. He is meeting with Dean Foods regarding easement for Miscoc Springs to manage erosion control.

T. Aicardi informed members that he has not visited 4 Hopedale Street yet in response to a complaint regarding 4-wheelers riding through the nearby meadow, causing erosion which is going into Muddy Brook. Mendon Police called him to see what Con. Com wanted done.

D. Willoughby informed members that she has left messages for two lawyers who were recommended by MACC for free legal advice regarding 49 Milford Street potential wetland violation. *Action: D. Willoughby to call MACC if she does not get a return call. The Commission pays yearly dues in exchange for services they offer.*

Members reviewed and P. Coffin signed junk license renewal BoS Routing Slips for David Lowell at 133 North Avenue and 4 Main Street. There were no wetland issues.

T. Aicardi made and W. Aten seconded a motion to accept the Meeting Minutes of May 7, 2009. The motion carried unanimously.

Members reviewed the Board of Selectmen Routing slips for Beth White's Junk renewal license. They agreed there were no Conservation Commission issues. P. Coffin signed.

Members reviewed a letter from Peter and Linda Hawkes regarding their sale of one building lot taxed under M.G. L. Chapter 61A. M. Ammendolia made and T. Aicardi seconded a motion to waive their right of refusal for Lot 1 Park Street. The motion carried unanimously.

R. Sweet asked if there is criterion for removing stumps. T. Aicardi replied that they are considered material or fill and cannot be in a wetland. In Mr. Sweet's case, they are part of a condition in his Request for Determination of Applicability.

Meeting adjourned at 9:20 p.m.

Respectfully submitted,

Diane Willoughby
Administrative Clerk