

**CONSERVATION COMMISSION &
INLAND WETLAND AGENCY MINUTES
July 9, 2019**

I. CALL TO ORDER

Mr. Verel called the meeting to order at 6:00 p.m.

II. ROLL CALL

Ms. Cherichetti took the roll call.

PRESENT: John Verel, Chair; Karen Destefanis (6:10PM), Vice Chair; Ed Holowinko; Steven Klocke; John Moeling; Lisa Shanahan; and Cheryl Brown; Thomas Keegan

III. RECEIPT & DISCUSSION

Ms. Cherichetti noted no new applications had been received.

IV. DISCUSSION &/OR DECISION I

- a) **#S19-538 – 14 Purdy Road - Arundartchuk** – Corrective Action landscaping in and adjacent to a wetland

Ms. Cherichetti recalled that she had distributed copies of the preliminary review letter that she had sent to the applicant. The letter asks for additional detail and quantification of regulated activities on the site. She noted that she has not yet heard back from the applicant. She added that the Agency's deadline for a decision is the next meeting of July 23, 2019 and she would reach out to them again.

No representative of the applicant was present at the meeting. Mr. Verel indicated the matter would be on the next agenda for continued discussion.

- b) **#S19-540 – 8 Holiday Drive - Kalmanidis** – Corrective Action landscaping and grading in and adjacent to a wetland and watercourse

Ms. Cherichetti noted a public hearing on the Significant Regulated Activity application would need to be held within 65 days of the receipt of the application, which meant on or before the August 13, 2019 meeting.

There was no one in the audience representing the applicant. She noted she was under the impression that the applicant's wetland scientist was planning to attend, but she might have misunderstood.

There was a discussion of the summer meeting schedule.

The item was tabled to the next meeting in July.

V. ENFORCEMENT ACTIONS

- a) **#V19-988 – 9 Burlington Court – Nechaeva – *Show-cause hearing*** – Corrective Action removal of unpermitted patio in and adjacent to a wetland and watercourse

Mr. Keegan and Ms. Brown recused themselves from the discussion and left the room.

Ms. Cherichetti reviewed the purpose of and process of a show-cause hearing. She noted the agenda should not indicate "corrective action removal" at this point.

Ms. Cherichetti stated they received a complaint regarding activities in the neighborhood. No one was home when they went to the property, however when they reviewed aerial photographs in the office, it was clear that there had been clearing and a patio structure had been erected in and adjacent to the wetland and watercourse. She noted the Order was issued the next day. She continued that they were

able to do a site inspection on July 3rd with the property owners. She distributed photographs of the site. She reviewed the previous wetland permits from 2015.

Ms. Destefanis arrived to the meeting.

Irina Nechaeva, property owner, introduced herself and family. She noted the activity began with her young daughter contracting Lyme disease in 2017. She was advised to keep brush tidy and also she herself is highly allergic to poison ivy, so they decided to contain the area with gravel. She noted they did not think they needed a permit. She emphasized that they care about the natural parts of the property and that they already had a sedge buffer along the brook.

Mr. Verel asked about having any comments on the Order or if the Agency members had any questions.

Ms. Shanahan expressed her sympathies regarding Lyme disease, however noted that she felt it was a clear violation of the wetland regulations and it needed to be remedied.

Mr. Moeling noted that he was pretty familiar with the area and that there was an open space property adjacent to it. He was sympathetic to their ignorance, however they must work within the rules and still protect themselves.

Ms. Shanahan asked for more information regarding the two patio structures in the photos and whether the second patio/play area was also within the wetland or the upland review area.

Mr. Moeling stated he was eager to look for a way to protect the wetland and brook, but also meet the family's needs.

Ms. Destefanis indicated that it seemed to her that most of the members wanted to have the elements within the wetland removed and restored, but that the applicant could seek to keep certain elements within the upland review areas.

*** **MS. DESTEFANIS MADE A MOTION TO UPHOLD THE ORDER WITH MODIFICATION TO REQUIRE REMOVAL OF ELEMENTS IN THE WETLAND AND TO MOVE THE SUBMISSION DEADLINE TO AUGUST 13TH.**

*** **MS. SHANAHAN SECONDED THE MOTION.**

*** **MOTION PASSED UNANIMOUSLY.**

Mr. Moeling, looking at an older photograph of the rear yard, asked if there was anything a homeowner with vines taking over wetland trees could do to manage the overgrowth. Ms. Cherichetti answered affirmatively and noted those photos had been provided by the applicant when they filed for a Declaratory Ruling.

Mr. Keegan and Ms. Brown returned to the meeting. It was noted that seven members were now present, so one of the alternates would not be seated. Mr. Keegan announced he would sit out the meeting as a non-member.

VI. BOND RELEASES/REDUCTIONS

- a) **#S17-513– 25 Huckleberry Drive South – Tarala** – Request for reduction (\$3,018.00) of bond held (\$5,985.00) for Corrective Action filling and grading in and adjacent to a wetland and watercourse

Ms. Cherichetti recapped the activities and noted the portion requested for release had been held for sedimentation and erosion control. She indicated the site was now stabilized. The other portion of the bond was for buffer plantings and the permit language required that portion be held for at least two full growing seasons.

***** MR. KLOCKE MADE A MOTION TO REDUCE THE BOND.**

***** MS. DESTEFANIS SECONDED THE MOTION.**

***** THE MOTION CARRIED UNANIMOUSLY (7-0).**

VII. APPROVAL OF MINUTES

a) June 25, 2019 meeting minutes

***** MR. MOELING MADE A MOTION TO ACCEPT THE MEETING MINUTES.**

***** MR. HOLOWINKO SECONDED THE MOTION.**

***** MOTION PASSED UNANIMOUSLY WITH ONE ABSTENTION (SHANAHAN).**

VIII. ELECTION OF OFFICERS

***** MS. DESTEFANIS MADE A MOTION TO ELECT JOHN VEREL TO SERVE A SECOND TERM AS CHAIR.**

***** MS. SHANAHAN SECONDED THE MOTION.**

***** MOTION PASSED UNANIMOUSLY.**

Mr. Verel noted they needed a Vice Chair and asked if Ms. Destefanis was willing to serve. Ms. Destefanis answered she was only if no one else wanted to do it. She asked if Mr. Holowinko had interest and he answered somewhat affirmatively. Ms. Destefanis let out a whoop.

***** MS. DESTEFANIS MADE A MOTION TO NOMINATE AND ELECT ED HOLOWINKO AS VICE CHAIR.**

***** MR. MOELING SECONDED THE MOTION.**

***** MOTION PASSED (7-1) WITH HOLOWINKO IN MOCK OPPOSITION.**

Ms. Cherichetti noted she has worked for the City for nearly 19 years and Mr. Holowinko has always been on the Conservation Commission the entire time.

IX. PUBLIC COMMENTS

There were none.

X. COMMENTS OF STAFF

Ms. Cherichetti had no comments.

XI. COMMENTS OF COMMISSIONERS

There were none.

XII. ADJOURNMENT

***** MR. MOELING MADE A MOTION TO ADJOURN.**

***** MS. BROWN SECONDED THE MOTION.**

***** THE MOTION PASSED UNANIMOUSLY.**

Meeting adjourned at 6:50PM.