

**CONSERVATION COMMISSION &
INLAND WETLAND AGENCY MINUTES
June 22, 2021**

I. CALL TO ORDER

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

II. ROLL CALL

Ms. Cherichetti took the roll call.

PRESENT: John Moeling, Chair; Steve Klocke, Vice-Chair; John Levin; and Jenn Balliett.
Alexis Cherichetti, staff.

III. ENFORCEMENT ACTIONS

- a) **#V21-1025 – 40 Princes Pine Road – Kelley – Show-Cause Hearing** – Clearing, removal of vegetation and deposition of woodchips adjacent to a wetland and watercourses without benefit of a permit

Ms. Cherichetti explained the procedure for a show-cause hearing. She acknowledged the pending pool application and noted that during review of that application it came to light there had been unauthorized regulated activities. She described the activities completed without a permit that are listed in the Order. She displayed aerial photographs of the property and site photographs of the rear of the property. She discussed the location and number of trees removed. She described the condition of the property prior to the activities cited in the Order.

Jim Tate, representing the owner, noted all the activities cited occurred prior to his involvement with the property. He stated that the lawn extended within three feet of the wetland. He added twelve trees were removed for insurance reasons. He acknowledged trees had been removed, but disputed the number cited, adding that two of the large trees had been removed by a neighbor immediately prior to Ms. Kelley purchasing the property. He stated the trees did not have lower branches and would have had to benefit to the wetland. He stated the woodchips are a natural product and they effectively did suffocate the ground vegetation, but that vegetation was mostly invasive, so the woodchips have had a positive effect. He observed the process was a bit crazy, but they would propose a plan. He said they cannot hold them responsible for removal of trees that her neighbor removed. He reiterated that it was mostly lawn.

Mr. Moeling disagreed with the statement that woodchip fill would be beneficial to the wetland.

*** **MR. KLOCKE MADE A MOTION TO UPHOLD THE ORDER.**

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

There was discussion regarding the condition of the property when the owner purchased the property.

Mr. Tate argued the extent of violation was less than what Ms. Cherichetti cited.

Mr. Levin noted the timing of ownership was not relevant to the finding that there was recent activity in violation of the wetland regulations on Ms. Kelley's property.

*** **MOTION CARRIED UNANIMOUSLY.**

IV. RECEIPT & DISCUSSION

- a) **#S21-572 – 20 Granite Drive – Lusardo** – Corrective Action landscaping and rock removal in and adjacent to a wetland and watercourse

Ms. Cherichetti gave an overview of this corrective action application. She reviewed the three areas cited in the previously issued order and described the corrective activities the applicants proposes. She described the wetland/watercourse system at the rear of the property and reviewed the required twenty-five foot wetland buffer previously required. She noted the applicant proposed to remove the constructed stonewalls and install the walls further from the wetland. The buffer between the wall locations would be seeded with native seed mix and planted with 5 native shrubs. She described the wetland/watercourse system in the front of the property and noted there had been an excessive amount of stone and rock placed within the wetland area. Lastly she noted the expanded driveway area that was directly adjacent to a intermittent watercourse to the western side of the property. This watercourse was the same that fed the front wetland/watercourse.

Ms. Cherichetti displayed the site plan submitted by the applicant.

Mr. Lusardo described the activities and the condition of the property. He agreed with the description of proposed work articulated by Ms. Cherichetti. He described his intentions for his property.

Mr. Klocke he was concerned about the vagueness of the submitted materials and suggested the applicant hire a professional again to assist them with the application and the depiction of proposed corrective work. He noted he felt all three areas where there had been work on the property needed additional detail and information.

The application would be on the next agenda for continued discussion.

- b) **#S21-573 – 40 Princes Pine Road – Kelley** – Corrective Action landscaping adjacent to a wetland and watercourse

Ms. Cherichetti described the submitted proposal for corrective action.

Mr. Klocke noted the woodchips were not a huge issue to him, but the removal of trees was significant. He noted the loss of the trees certainly had an impact of the wetland and watercourse system. He stated he would like to see a more aggressive replanting plan that returned shade trees to the buffer.

Mr. Jim Tate offered to include three red maples to the plan for the area in the southeast corner where the two oak trees were removed by the neighbor.

Ms. Ballient asked Mr. Tate to summarize the total proposed trees and shrubs. Mr. Tate reviewed the proposed planting plan.

Mr. Klocke requested a plan for restoration of the ground cover vegetation in the wetland buffer. Mr. Tate noted there was native ground cover coming back strongly.

Mr. Levin returned to the removal of the very large oaks and suggested a better replacement would be oaks, not maples. Mr. Tate noted the oak is very slow growing, but could propose one small oak. There was discussion regarding the habitat value and growth rate of various tree species.

V. **DISCUSSION &/OR DECISION**

- a) **#S21-569 – 40 Princes Pine Road – Tate & Associates LLC** – Installation of an in-ground pool and associated retaining walls adjacent to a wetland and watercourse

Mr. Moeling noted they will still need information about the septic system and any required changes.

- b) **#S21-570 – 40 Fullin Road – FRAP LLC** – Construction of twenty-eight (28) buildings (forty (40) residential units), with associated parking, site grading, wetland crossing and wetland

creation, landscaping, utility connections and drainage systems, adjacent to a wetland and watercourse

Ms. Cherichetti noted a third party wetland scientist, Ed Pawlak, had been retained. He was planning to visit the site next week and would then turn around and issue his written comments.

Mr. Moeling stress the Agency was interested in keeping the review process moving along as expeditiously as possible, while gathering all the information they need to make an informed decision.

VII. MINUTES

a) June 8, 2021 meeting minutes

Mr. Levin noted the list of Commissioners present needed to be updated to reflect the attendance of Marin and Holowinko.

***** MR. LEVIN MADE A MOTION TO ACCEPT THE MINUTES AS AMENDED.**

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

***** MOTION PASSED UNANIMOUSLY.**

VIII. PUBLIC COMMENT

There were none.

IX. COMMENTS OF STAFF

a) Report of the Senior Environmental Officer

Ms. Cherichetti discussed the summer schedule of meetings. The possibility of an August 24 special meeting.

There was a discussion regarding public meetings going forward and any planned return to in-person meetings. Ms. Cherichetti noted the governor's order that allowed digital meetings would be expiring July 1. She noted there was discussion City-wide regarding a plan for a hybrid meeting platform that could support digital and in-person attendance, but she had not yet heard the details of how such a plan would work.

Mr. Klocke listed some of the benefits of the on-line meeting platform, for both Commissioners and the public. There was discussion regarding the pros and cons of in-person meetings.

X. COMMENTS OF COMMISSIONERS

a) Report of the Commission Chair

VII. ADJOURNMENT

***** MS. KLOCKE MADE A MOTION TO ADJOURN.**

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

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

Meeting adjourned at 7:43PM.