

**MILLIS CONSERVATION COMMISSION
MEETING MINUTES
VIRTUAL/REMOTE MEETING VIA ZOOM PLATFORM**

June 8, 2020

The remote ZOOM meeting was brought to order at 7:35 p.m. by Dr. James Lederer, Chair.

The following members were present:

Dr. James Lederer, Chair

Anne Rich, Vice Chair

Ed Chisholm, Christine Gavin, Ram Charan Khalsa, Carol Hayes

Marta Nover, BETA Group, Inc.

Camille Standley, Administrative Assistant

Members Absent: Daniel Lee

Others present: J. Richard Tarara, 266 Orchard St.
Daniel Merrikin, Legacy Engineering, 730 Main St.
Beau Grassia, 39 Main St., King Café
Joyce Hastings, GLM Engineering
Scott Miccile, Toll Bros., Inc.

266 ORCHARD STREET

TARARA – INFORMAL DISCUSSION

Mr. Tarara was sent a letter, dated May 13, 2020, from the Commission requesting his attendance at the meeting to discuss some clearing in proximity to wetlands.

Mr. Tarara stated that he has been cleaning up his yard/clearing brush, but has not done any digging or dredging. He presented a Power Point showing photographs of a garden area that was removed, along with removal of skunk cabbage. According to Mr. Tarara, he removed approximately twenty feet of brush that had overgrown and caused damage to the existing rear fence. He would like to re-establish the lawn and install a new fence to protect enclosure of the swimming pool.

Dr. Lederer stated that he did visit the site with Mr. Tarara. He instructed Mr. Tarara that a Request for Determination would need to be filed for the work already done (“after-the-fact”) and the proposed fence installation.

**DEP FILE#CE225-0426, NOTICE OF INTENT, PUBLIC HEAR., CONT.
RIDGE STREET OPEN SPACE DEVELOPMENT (“EMERSON PLACE”)
T.D. DEVELOPMENT, LLC**

The public hearing continuation was opened at 8:00 p.m. by Ms. Rich, Vice Chair. (Dr. Lederer recused himself from the public hearing as he is a direct abutter to the proposed project.)

Mr. Merrikin, representing the applicant, stated that revised plans had been submitted and BETA was in the process of reviewing them. Mr. Merrikin requested a continuance.

**MILLIS CONSERVATION COMMISSION
MEETING MINUTES
VIRTUAL/REMOTE MEETING VIA ZOOM PLATFORM**

June 8, 2020

On a motion made by Ms. Rich, seconded by Ms. Hayes, it was voted at 8:04 p.m. to continue the public hearing to Monday, July 13, 2020, 7:30 p.m. By Roll Call Vote: Rich – aye; Chisholm – aye; Gavin – aye; Khalsa – aye; Hayes – aye. The motion passed unanimously.

**DEP FILE #CE225-0403 AMENDED OOC– 39 MAIN STREET; KING CAFÉ
CEASE & DESIST - BEAU GRASSIA**

Ms. Hastings of GLM Engineering, representing the applicant, reviewed the plan submitted entitled, “Grading As-Built Plan,” dated May 28, 2020. She stated that this plan is an “interim as-built” plan. According to Ms. Hastings, “basically everything is the same...a row of cedars were planted and an A/C unit is there.” The retaining wall is in the Amended Order Of Conditions, she said. The elevations are “exactly the same as before,” Ms. Hastings stated.

Mr. Grassia stated that he has been working on the erosion controls which have been damaged from the wind. Mr. Chisholm stated that the barrier/erosion control is not buried as it should be and is not located where GLM shows it on the plan. Mr. Chisholm said that he has been to the site and the locations of the barriers are on Army Corps of Engineers (ACOE) land and “not anywhere near where they are shown on the plan.” Mr. Chisholm asked Mr. Grassia if he had received approval from the ACOE for installation of the barriers on their property. Mr. Chisholm stated that the Commission needs something in writing from GLM as to why it is that way. He said it is not installed properly and that is why it is not working. The Commission wants the erosion control barriers to be installed as they are shown on the plan dated December 31, 2018. Mr. Chisholm suggested that if they haven’t already, GLM should go out to the site and look.

Ms. Hastings stated that she will prepare a plan and detail what was proposed and what is on-site now. Discussion will be continued to Monday, July 13, 2020 at 8:00pm.

**DEP FILE#CE225-0400, AMENDED ORDER OF CONDITIONS
REGENCY AT GLEN ELLEN – TOLL BROTHERS, INC.
FIELD CHANGE REQUEST - FOOTBRIDGE REHABILITATION**

Mr. Miccile stated that they are seeking a field change for permission to re-build the footbridge over Bogastow Brook. There will be no ground disturbance, he said.

Ms. Nover of BETA Group, the Commission’s peer reviewer, stated that they reviewed the request. BETA confirmed there would be no resource area disturbance and requested that the erosion controls be “tightened up,” which they were as shown on the sketch provided. Ms. Nover requested that the applicant schedule BETA to be on-site for this work. She recommended that the work be approved as a field change.

Mr. Chisholm stated that the Commission needs a letter from a structural engineer, along with a stamped plan, for the file record. A copy of the stamped plan must also be sent to Mr. McKay, DPW Director. Mr. Miccile stated that he will provide a stamped plan, along with a certified letter.

**MILLIS CONSERVATION COMMISSION
MEETING MINUTES
VIRTUAL/REMOTE MEETING VIA ZOOM PLATFORM**

June 8, 2020

On a motion made by Mr. Chisholm, seconded by Ms. Rich, it was voted to approve the field change request, upon receipt of the certification letter, for the footbridge rehabilitation at Regency at Glen Ellen. By Roll Call Vote: Lederer - aye; Rich – aye; Chisholm – aye; Gavin – aye; Khalsa – aye; Hayes – aye. The motion passed unanimously.

Other Business:

DEP File #CE225-0421 – 1275 Main Street

Brian Dmytryck - Site Visit

The Commission conducted a site visit on May 16, 2020, due to work observed outside of the scope of the Order of Conditions issued, Clear-cutting of trees and re-grading of land within the Bordering Vegetated Wetland was observed. A Cease & Desist letter will be sent and Mr. Dmytryck will be requested to attend the July 13, 2020 meeting.

Minutes

A motion was made by Ms. Hayes, seconded by Ms. Gavin, to approve, as written, the ZOOM minutes from June 8, 2020. By Roll Call Vote: Lederer – aye; Rich – aye; Chisholm – aye; Gavin – aye; Khalsa – aye; Hayes – aye. The motion passed unanimously.

Scheduled Conservation Commission Meetings: July 13, 2020
August 10, 2020

There being no further business, a motion was made by Mr. Khalsa, seconded by Ms. Rich, to adjourn the remote meeting at 8:36 p.m. By Roll Call Vote: Lederer – aye; Rich – aye; Chisholm – aye; Gavin – aye; Khalsa – aye; Hayes – aye. The motion passed unanimously.

Respectfully submitted,

*Camille Standley,
Administrative Assistant*