

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

October 5, 2020

The remote ZOOM meeting was brought to order at 7:00 p.m. by Dr. James Lederer, Chair.

The following members were present:

Dr. James Lederer, Chair

Carol Hayes, Vice Chair

Ed Chisholm, Christine Gavin, John Steadman

Julia Stearns, BETA Group, Inc.

Laura Krause, BETA Group, Inc.

Camille Standley, Administrative Assistant

Members Absent: Daniel Lee

Others present:

Daniel Merrikin, Legacy Engineering

Michael Giampietro, 12 Lawrence St., Milford, MA

Scott Goddard, Goddard Consulting

Doreen Hayes, 3 Dean St.

Thomas Roche, Roche's Building Co.

Scott McPhee

**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 7:00 p.m. with notice being read by Ms. Hayes, 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, summarized the revised plans. He stated that an updated Form 3 with the final resource area impacts was submitted.

Ms. Stearns of BETA Group presented the proposed special conditions should an Order of Conditions be approved.

On a motion made by Mr. Steadman, seconded by Mr. Chisholm, it was voted at 7:29 p.m. to close the public hearing. By Roll Call Vote: Chisholm – aye; Gavin – aye; Hayes – aye; Steadman - aye. The motion passed unanimously.

On a motion made by Mr. Steadman, seconded by Ms. Gavin, it was voted to approve an Order of Conditions, with Special Conditions, for DEP File #CE225-0426, Ridge Street/"Emerson Place" Open Space Development. By Roll Call Vote: Chisholm – aye; Gavin – aye; Hayes – aye; Steadman - aye. The motion passed unanimously.

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DEP FILE#CE225-0428, NOTICE OF INTENT, PUBLIC HEARING, CONT.

121 ORCHARD STREET - GIAMPIETRO

The public hearing was opened at 7:31 p.m. with notice being read by Dr. Lederer, Chair.

Mr. Giampietro presented the application and revised plan. He stated he is before the Commission not as the Building Inspector, but as a citizen. The Notice of Intent is for construction of a single-family dwelling with detached accessory building. Mr. Giampietro and his wife will be living in the proposed home. An Order of Conditions was issued for this location (different applicant) on June 18, 2008, however, the construction never took place.

Drainage was discussed. Mr. Giampietro stated that all run-off flows down gradient to the wetlands and drainage easement.

Mr. Chisholm stated that erosion control “is key” as the potential for runoff during construction is a concern. He said that this must be watched closely as construction goes on. Mr. Giampietro assured the Commission that he would be on site and would be sure of the placement of adequate erosion controls. He stated he would monitor it closely. Mr. Giampietro will also remove any tree/brush debris off-site. There was no further discussion.

On a motion made by Mr. Steadman, seconded by Ms. Hayes, it was voted at 7:50 p.m. to close the public hearing. By Roll Call Vote: Lederer – aye; Chisholm – aye; Gavin – aye; Hayes – aye; Steadman – aye. The motion passed unanimously.

On a motion made by Ms. Hayes, seconded by Ms. Gavin, it was voted to approve an Order of Conditions, with Special Conditions, for DEP File #CE225-0428, 121 Orchard Street. By Roll Call Vote: Lederer – aye; Chisholm – aye; Gavin – aye; Hayes – aye; Steadman - aye. The motion passed unanimously

**DEP FILE#CE225- , ABBREV. NOTICE OF RESOURCE AREA DELINEATION
PUBLIC HEARING**

12 EVERGREEN TERRACE – SOUTHEND FARM LLC

The public hearing was opened at 7:51 p.m. with notice being read by Dr. Lederer, Chair.

Mr. Merrikin, representing the applicant, presented the application and plans. He stated that the first phase of Southend Farm is almost completed. They are now working on subdivision design for the area presented. The application applies to approximately 68.0 acres of land at 12 Evergreen Terrace. The ANRAD filing seeks delineation of Bordering Vegetated Wetlands, Isolated Vegetated Wetlands, and Riverfront Area.

Ms. Stearns of BETA Group stated that a site visit was conducted September 24, 2020. The applicant is in the process of addressing their comments made in a letter dated September 30, 2020. Mr. Merrikin requested a continuance as he and the botanist are working on BETA’s comments.

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On a motion made by Ms. Hayes, seconded by Mr. Steadman, it was voted at 8:01 p.m. to continue the public hearing to Monday, November 2, 2020, 7:00 p.m. By Roll Call Vote: Lederer – aye; Chisholm – aye; Gavin – aye; Hayes – aye; Steadman – aye. The motion passed unanimously.

**REQUEST FOR DETERMINATION OF APPLICABILITY, PUBLIC HEARING
3 DEAN STREET – DOREEN & LARRY HAYES**

The public hearing was opened at 8:04 p.m. with notice being read by Dr. Lederer, Chair. (Ms. Hayes was recused from this public hearing.)

Ms. Doreen Hayes presented the application for approval to pave the existing driveway, tree removal, and tree trimming and treatment. The Commission conducted a site visit on September 19, 2020. All proposed tree work is within the riverfront buffer to the Charles River. Three trees are proposed for removal.

The Commission discussed the proposed work. No stumping of removed trees is permitted. If the treated trees fail within three years of issuance of the Determination of Applicability, they may be removed, with no stumping.

On a motion made by Mr. Steadman, seconded by Ms. Gavin, it was voted at 8:14 p.m. to close the public hearing. By Roll Call Vote: Lederer – aye; Chisholm – aye; Gavin – aye; Steadman – aye. The motion passed unanimously.

On a motion made by Dr. Lederer, seconded by Mr. Steadman, it was voted to approve a Negative 3 Determination of Applicability, with Special Conditions, for 3 Dean Street. By Roll Call Vote: Lederer – aye; Chisholm – aye; Gavin – aye; Steadman - aye. The motion passed unanimously.

**DEP FILE#CE225-0398 – 28 EDEN STREET; MINOR MODIFICATION
INFORMAL DISCUSSION - THOMAS ROCHE**

Mr. Merrikin, representing the applicant, presented the modification request. An Order of Conditions was issued in 2019 for a house with a driveway and filling of wetlands with two replication areas. The revised site plan proposes approval for a detached garage to be added. In addition, Mr. Merrikin stated, it was originally planned to build two separate wetland replication areas; one on either side of the wetland. According to Mr. Merrikin, during construction it was noted that the easterly replication area fell partially within an existing lawn area used by the easterly abutter. Rather than clear that whole area out for a replication area, the applicant would like to construct all the replication area to the west of the wetland. The total area of replication is identical to the original plan.

Mr. Roche stated that his son will be living in the house and hopes the garage construction can be approved. He said that he worked with the Select Board and brought sewer down the street

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in this area, at great expense. This improved the area and also negated having to put a septic system on the lot, minimizing potential impact.

After discussion, the Commission had no issues with the one, larger replication area. The change for the garage on the site plan will require the filing of a request to Amend the Order of Conditions.

On a motion made by Ms. Hayes, seconded by Mr. Steadman, it was voted to approve one replication area to the west of the wetland. By Roll Call Vote: Lederer – aye; Chisholm – aye; Gavin – aye; Hayes; aye; Steadman - aye. The motion passed unanimously.

OTHER BUSINESS:

CONSERVATION COMMISSION MEMBERSHIP

Mr. Scott McPhee was introduced to the Commission by Dr. Lederer. Mr. McPhee is an arborist and environmentalist. He currently serves on the Upper Charles Conservation Land Trust. He may be interested in joining the Commission. Mr. McPhee will contact the Commission prior to the November 2, 2020 meeting.

**REGENCY AT GLEN ELLEN – UNPERMITTED MOWING OF TRAILS
INFORMAL DISCUSSION**

As discussed at the last meeting, areas of the Open Space which were to be left undisturbed were mowed by a neighboring resident. Ms. Krause of BETA agreed with the Commission that a Cease & Desist letter was appropriate.

On a motion made by Dr. Lederer, seconded by Ms. Hayes, it was voted to approve sending a Cease & Desist letter to Mr. Burns at 62 Bullard Lane regarding the unauthorized mowing. By Roll Call Vote: Lederer – aye; Chisholm – aye; Gavin – aye; Hayes; aye. The motion passed unanimously.

MINUTES

A motion was made by Ms. Hayes, seconded by Ms. Gavin, to approve the ZOOM regular session minutes from September 14, 2020 as written. By Roll Call Vote: Lederer – aye; Chisholm – aye; Gavin – aye; Hayes – aye; Steadman - aye. The motion passed unanimously.

Scheduled Conservation Commission Meetings: November 2, 2020

There being no further business, a motion was made by Mr. Chisholm, seconded by Ms. Gavin, to adjourn the remote meeting at 9:07 p.m. By Roll Call Vote: Lederer – aye; Chisholm – aye; Gavin – aye; Hayes – aye; Steadman – aye. The motion passed unanimously.

Respectfully submitted,

*Camille Standlee,
Administrative Assistant*