

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

June 7, 2021

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, Scott McPhee, John Steadman

Jonathan Niro, BETA

Members Absent:

Others present: Dennis Miller, 211 Orchard St.

Brian Hoell, 333 Exchange St.

Ted Merchant, Toll Bros., Inc.

Matthew Bird, 434 Union St.

Wayne Carlson

Fred Odoardi, 105 Orchard St.

Siri Sevak K. Khalsa, 368 Village St.

Jamie Nash, 107 Orchard St.

Brett Allaire, 107 Orchard St.

Kyle Cormier, Oxbow Associates, Inc.

**REQ. FOR DETERMINATION OF APPLICABILITY, 434 UNION ST., PUB. HEAR.,
CONT.**

The public hearing continuation was opened at 7:01 p.m. with notice being read by Dr. Lederer, Chair.

Based on the site visit conducted May 8, 2021, Mr. Carlson, on behalf of the applicant, presented the amendments made to the application and plan as requested by the Commission. The WPA Form 1 – Request for Determination of Applicability and plan, as revised May 10, 2021, was reviewed by the Commission.

There being no further questions, on a motion made by Mr. Steadman, seconded by Ms. Gavin, it was voted at 7:05 p.m. to close the public hearing. By Roll Call Vote: Lederer – aye; Chisholm – aye; Gavin – aye; Hayes – aye; Steadman – aye; McPhee - aye. The motion passed unanimously.

On a motion made by Ms. Hayes, seconded by Ms. Gavin, it was voted to approve a Negative 1 Determination of Applicability for removal and replacement of deck and installation of two downspout infiltration structures at 434 Union Street. By Roll Call Vote: Lederer – aye; Chisholm – aye; Gavin – aye; Hayes – aye; Steadman – aye; McPhee - aye. The motion passed unanimously.

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

June 7, 2021

105 ORCHARD STREET – ENFORCEMENT ORDER, CONTINUED

ODOARDI

An Enforcement Order was issued to Mr. Odoardi and Stanley Tree on April 16, 2021, for unpermitted tree removal/work within the Buffer Zone to BVW and multiple trees within the BVW. Mr. Odoardi stated that “the woods were devastated by a tornado” and he is “cleaning up the tornado mess.” (Note: Mr. Berry of Stanley Tree was not in attendance.)

Mr. Odoardi presented a document entitled, “Site Stabilization and Restoration Plans,” dated May 19, 2021.

Mr. Niro of BETA, the Commission’s peer reviewer, summarized his memorandum dated May 12, 2021, regarding information on planting recommendations. He stated that he reviewed Mr. Odoardi’s plan, however, it was lacking in some information. There should be included specifications on seed mix to be used; a sketch showing proposed restoration, species to be used, quantity, and locations. BETA recommended a more formal response to the memorandum.

Mr. Odoardi stated that he was relying on Stanley Tree to respond to BETA’s memo, however, they did not. Mr. Odoardi is “hoping to get” the area “cleaned up before restoration and stabilization,” he said. Stanley Tree has not completed the job, Mr. Odoardi stated. Dr. Lederer stated that the Commission needs a plan from Stanley Tree for any “clean-up” or continuation of their work. An application with the Commission will be needed for them to perform any work in the area, he said.

BETA will review any information/plan provided by Stanley Tree. Discussion was continued to the Monday, July 12, 2021, meeting at 7:00 p.m.

107 ORCHARD STREET – ENFORCEMENT ORDER, CONTINUED

NASH/ALLAIRE

An Enforcement Order was issued to Jamie Nash and Brett Allaire on April 16, 2021, for unpermitted tree removal/work within the Buffer Zone to BVW and multiple trees within the BVW.

Mr. Cormier of Oxbow Associates, Inc., presented a “Restoration Plan,” dated June 7, 2021. The Commission was very pleased with the plan, plan details, and maps provided. Mr. Niro stated that the plan does appear to contain what BETA recommended, however, he has not had time to review it. Mr. Niro will review the plan and provide something in writing for the Commission prior to the next meeting.

Discussion was continued to the Monday, July 12, 2021, meeting at 7:10 p.m.

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

June 7, 2021

DEP FILE #CE225-0428 – 121 ORCHARD ST.

M. GIAMPIETRO - INFORMAL DISCUSSION

Mr. Giampietro stated that during a routine site visit by the Commission on May 8, 2021, for his Order of Conditions, he discussed removal of some invasive vines within the 50-foot no disturb area. He also requested permission to remove a fallen oak tree within the wetland. These items were observed by the Commission.

A motion was made by Dr. Lederer, seconded by Mr. Steadman, to approve removal, by hand, of the invasive vine species - leaving roots intact - and fallen oak tree cleanup. By Roll Call Vote: Lederer – aye; Chisholm – aye; Gavin – aye; Hayes – aye; Steadman – aye; McPhee - aye. The motion passed unanimously.

REQ. FOR DETERMINATION OF APPLICABILITY, 211 ORCHARD ST., PUB. HEARING

The public hearing was opened at 7:55 p.m. with notice being read by Dr. Lederer, Chair.

Mr. Miller stated that he is having natural gas service installed at his home by Eversource. The Commission reviewed the application, the “Project Narrative” and map provided by Eversource. Natural gas plastic pipe is proposed for installation in the existing roadway and Mr. Miller’s property. The pipe will be installed using the Open Trench Method. The project is expected to begin within 30 days and take approximately 2-3 days to complete. There are no permanent alterations proposed.

There being no further questions, on a motion made by Mr. Chisholm, seconded by Ms. Hayes, it was voted at 8:05 p.m. to close the public hearing. By Roll Call Vote: Lederer – aye; Chisholm – aye; Gavin – aye; Hayes – aye; Steadman – aye; McPhee - aye. The motion passed unanimously.

On a motion made by Ms. Gavin, seconded by Mr. Chisholm, it was voted to approve a Negative 3 Determination of Applicability for installation of natural gas service according to Eversource’s project narrative, and ConCom inspection of erosion controls prior to construction. By Roll Call Vote: Lederer – aye; Chisholm – aye; Gavin – aye; Hayes – aye; Steadman – aye; McPhee - aye. The motion passed unanimously.

368 VILLAGE STREET

GURU RAM DAS ASHRAM – INFORMAL DISCUSSION

The Commission was contacted by Siri Sevak K. Khalsa regarding the pumping of water from their spring-fed pool to a garden in the field on the property. Ms. Manjit Khalsa presented photos of the pool as it is today. Two options for irrigation systems were presented: Option 1 – Force Feed Irrigation Schematic and Option 2 – Force – Gravity Feed Irrigation Schematic. Option 1 is the current plan and Option 2 is for the future. They are in the early stages of the project. The Commission was of the opinion that a filing for the project is not necessary.

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

June 7, 2021

**DEP FILE#CE225-0400 REGENCY AT GLEN ELLEN – TOLL BROTHERS
FIELD CHANGE REQUEST FOR PHASE 3 STUMPING LIMITS (BASIN 16)**

Mr. Merchant requested the Commission's approval to conduct additional stumping to the north and east of Basin 16, generally north of the approved Stakeout Points 30271 through 30277 and east of stakeout points 30287 through 30290 as depicted on the plan entitled, "Phase 3 'No Stumping' Limits Stakeout Sketch, Regency at Glen Ellen" dated 3/9/2021, revised through 3/24/2021. According to Mr. Merchant, this additional stumping is required to properly grade the northern and eastern slopes of Basin 16, as the current elevations in this area are too high to allow for grading to the design elevations.

BETA reviewed the request and recommended approval.

A motion was made by Ms. Hayes, seconded by Mr. Steadman, to approve the minor modification request as a field change to allow additional stumping as discussed. The Commission found that allowing this stumping to take place would increase stabilization in Phase 3B, with the understanding that this basin would be stabilized as soon as possible. Additional stumping should only extend as far as is needed to grade the Basin 16 side slopes to the design elevation. By Roll Call Vote: Lederer – aye; Chisholm – aye; Gavin – aye; Hayes – aye; Steadman – aye; McPhee - aye. The motion passed unanimously.

**EMERGENCY CERTIFICATION FORM APPROVAL
EVERSOURCE – GROVE STREET CULVERT**

Eversource, through the DPW, is prepared to hire Stanley Tree to remove storm debris/trees from a culvert on Grove Street. An Emergency Certification is being requested for the work.

On a motion made by Dr. Lederer, seconded by Ms. Hayes, it was voted to issue an Emergency Certification Form for tree work for cleaning the culvert on Grove Street by Stanley Tree for Eversource/DPW. By Roll Call Vote: Lederer – aye; Chisholm – aye; Gavin – aye; Hayes – aye; Steadman – aye; McPhee - aye. The motion passed unanimously.

UNFORESEEN:

BLOCKED CULVERT NEAR 245 RIDGE ST. – DISCUSSION

Mr. Chisholm, on behalf of the Commission, met with the DPW on site to look into the cause of the blockage. Mr. Chisholm stated that it appears that the pipe is blocked, most likely by debris at the upstream end on the pipe. Mr. McKay was of the opinion that the downstream end needs to be cleaned by the owner of the property at 245 Ridge Street. Mr. Chisholm will follow up with Mr. McKay for further survey results.

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

June 7, 2021

OTHER BUSINESS:

POTENTIAL CONSERVATION COMMISSION MEMBER

BRIAN HOELL – 333 EXCHANGE STREET

Mr. Hoell introduced himself to the Commission and stated that he may be interested in joining. He requested time to consider it and to speak with Dr. Lederer for more information. (Note: Mr. Hoell is no longer interested in being considered for the position.)

RATIFY EMERGENCY CERTIFICATION

REGENCY AT GLEN ELLEN – CULVERT REMOVAL

As Mr. Merchant explained, during the spring of 2021, Toll Brothers observed scour and exposed pipes at the culvert conveying Bogastow Brook at the east end of the Site. These conditions were exacerbated and lead to the eventual failure of the culvert due to high flows and associated erosion. An Emergency Certification Form was issued on May 18, 2021. Toll Brothers will file an after-the-fact Notice of Intent for removal of the culverts and subsequent stabilization.

On a motion made by Dr. Lederer, seconded by Mr. Steadman, it was voted to ratify the Emergency Certification Form issued May 18, 2021, for removal of the culverts. By Roll Call Vote: Lederer – aye; Chisholm – aye; Gavin – aye; Hayes – aye; Steadman – aye; McPhee - aye. The motion passed unanimously.

CAPITAL PLANNING PROPOSAL FOR FUNDING ARTICLE

It was suggested that the Commission draft a warrant article for funding to present to the Capital Planning Committee through the Town Administrator. These funds could be used for maintenance/improvements, etc. of Conservation Commission properties.

PREPARE CPC FUNDING REQUEST

CONWAY SCHOOL – PREPARATION OF PLAN FOR PROPERTIES

Ms. Hayes updated the Commission members on the presentation to the Community Preservation Committee for funding for the Conway School to develop plans for some of the ConCom properties. During the presentation, she said, the CPC wanted to have **all** Town-owned properties included. Ms. Hayes will contact the Conway School to let them know about the change in scope of the work and cost. This will mean, however, that the proposal will not make the cut off for the Conway School's selection and will have to wait until FY2023.

REGENCY AT GLEN ELLEN – REMOVAL OF KNOTWEED

JOHN STEADMAN

Mr. Steadman requested the Commission's approval to cut back the knotweed that is encroaching on the public trail at Regency at Glen Ellen. The cuttings will be removed and disposed of properly, he said.

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

June 7, 2021

On a motion made by Dr. Lederer, seconded by Ms. Hayes, it was voted to allow Mr. Steadman to cut back the knotweed as discussed to maintain the trail. By Roll Call Vote: Lederer – aye; Chisholm – aye; Gavin – aye; Hayes – aye; McPhee - aye. The motion passed unanimously.

MINUTES

A motion was made by Ms. Hayes, seconded by Mr. Steadman, to approve the ZOOM regular session minutes from May 3, 2021 as written. By Roll Call Vote: Lederer – aye; Chisholm – aye; Gavin – aye; Hayes – aye; Steadman – aye; McPhee - aye. The motion passed unanimously.

Scheduled Conservation Commission Meetings: July 12, 2021

There being no further business, a motion was made by Mr. Chisholm, seconded by Mr. McPhee, to adjourn the remote meeting at 9:15 p.m. By Roll Call Vote: Lederer – aye; Chisholm – aye; Gavin – aye; Hayes – aye; Steadman – aye; McPhee - aye. The motion passed unanimously.

Respectfully submitted,

Camille Standley, Administrative Assistant