



TOWN OF CHARLTON CONSERVATION COMMISSION

Meeting Minutes

Wednesday, February 23, 2022
LOCATION: VIRTUAL VIA ZOOM

Members Present: Arthur Bellerive
Ed Nowak
Ron Royer
James Allen

Members Absent: Thomas O'Malley, Robert Hartwig and Mitch Dunn

Also Present: Angela Panaccione, Conservation Director

1. **Call to Order:** 7:00 PM – Arthur Bellerive (vice Chair)

2. **Public Inquiries**

Jackie Nowak informed the commission that the gate was open 20 turns and was planning on lowering the water level by 20 inches to allow Mr. Hand to finalize his wall repair.

3. **Approval of Minutes**

Motion made by James Allen to approve the minutes from January 26, 2022.

Motion seconded by Ed Nowak

Roll Call – Arthur Bellerive, yes – James Allen, yes – Ron Royer Yes, Ed Nowak. yes

No further discussion

4. **Signing of Documents**

None.

5. **Schedule of Public Hearings**

- a. **Request for Determination of Applicability – 176 Ramshorn Rd** – The applicant has submitted an RDA for the construction of a barn

Chris McClure presented the project stating that the resident was proposing to place a barn/workshop on an existing grass area. He would include the appropriate erosion/sediment control. He was not expecting any disturbance in the wetland.

Angela asked when the house was first built. Chris answered early 80's; However, they have been in front of the commission in the past for the driveway.

Angela stated that she visited the site on February 16. She explained that the project consisted of the addition of a 24' X 32' (768 SF) Barn/Workshop, a 10' X 24' (240 SF) deck and a new gravel drive to the south of the existing dwelling. The total area of disturbance was approximately 4,500 SF and included the addition of a gravel access drive off the existing paved driveway and minor site grading. The work was in the buffer zone to a BVW associated with an intermittent stream. The yard surrounding the home was currently grass and would remain that way. The proposed barn & deck were 60-feet from the BVW line and would not impact or interfere with the buffer zone because it required minimal ground disturbance. No tree removal was proposed, and erosion and sediment control barriers would be installed at the limit of work and would remain in place until the work is complete.

Motion made by Ron Royer to close the hearing and issue a negative determination that the work described in the Request is within the Buffer Zone, as defined by the regulations, but will not alter an Area subject to protection under the Act. Therefore, said work does not require the filing of a Notice of Intent subject to conditions.

Motion seconded by James Allen

Roll Call – Arthur Bellerive, yes – Ed Nowak, yes –James Allen, yes -Ron Royer Yes

No further discussion

- b. Request for Determination of Applicability – The applicant has submitted an RDA for the construction of a single-family home

Mr. Smith, the trustee for KLSP Potter Village Road Irrevocable Trust presented the project. He explained that he would like to construct a single-family residence including a septic system.

Angela stated that she visited the site on February 16. She explained that the applicant proposed to construct a single-family house with associated well, septic and driveway. Only the well, limited site grading and approximately 25 SF of the SFH were located within the 100-foot buffer zone. Erosion sediment controls would be utilized while performing the work. A dewatering area would need to be created to allow all spoils and well slurry dehydrate. Erosion control measures would need to be installed around the dewatering area to prevent mobilization of sediment-laden water into adjacent resource areas and the municipal stormwater system. All spoils and excavated materials would be removed from the site. All disturbed areas would be loamed and seeded upon completion of construction to provide final site stabilization.

Motion made by Ed Nowak to close the hearing and issue a negative determination that the work described in the Request is within the Buffer Zone, as defined by the regulations, but will not alter an Area subject to protection under the Act. Therefore, said work does not require the filing of a Notice of Intent subject to conditions.

Motion seconded by James Allen

Roll Call – Arthur Bellerive, yes –James Allen, yes -Ron Royer Yes, Ed Nowak – yes

No further discussion

- a. Request for Amendment of Order of Condition – DEP No. 128-1836 – 53 Sturbridge Road – The applicant has submitted a Request for Amendment of an existing Order of Conditions – DEP No. 128-1836 for re-design of the Bordering Vegetated Wetland replication area to reduce tree cutting, the establishment of an Isolated Wetland replication area, addition of a sediment forebay to a catch basin outfall off Route 169, and temporary construction use of an existing driveway extending off Capen Hill Road.

Paul Martin from BSC Group presented the project. He explained that pretty much everything except for the temporary construction access represented improvements to the earlier fillings. The amendment revisions were:

- 1) A revised BVW replication area that maintains the same SF replacement ratio but reduces the number of trees to be removed to construct the area.
- 2) An additional sediment forebay located off RT-169 to trap sediment & debris from the catch basin on RT-169 improve stormwater quality.
- 3) An IVW replication area to create on site replacement for the loss of IVW, (which although not jurisdictional under the MA WPA, they are jurisdictional under Section 404 and 401 of the Federal Clean Water Act). By replacing the lost IVW, wetland resource impacts will be mitigated on site, and the chosen location will result in removal of an abandoned building and associated debris, thereby improving the habitat value of this portion of the site.
- 4) Revised Logging Plan to include temporary use of an existing gravel driveway in the northwest corner of the Kaszowski property that connects to Capen Hill Road. The driveway will be used in the early phases of the project to allow construction access for equipment mobilization, erosion control installation activities, log removal, and demolition of existing structures. The driveway will not be used for soil import or export.

Angela commented that she had spoken to the building inspector and had learned that his client was planning on utilizing the road longer than anticipated. Paul Martin was not aware of it. Angela stated that she did not have concerns, but if it would be used for logging and other needs, she would like to make sure she would like the order written appropriately and conditioned as such. Paul Martin agreed.

Paul Martin informed that erosion controls were being installed. Angela informed that she would be performing a site inspection on the next day. She also informed that she had contact Judy asking if she had any comments/questions/concerns regarding the amendment but had not heard back from her. Angela asked if Paul had any object continuing the hearing in two weeks until she hears from DEP and have more clarity on the use of the temporary road. Paul agreed.

Motion made by Ron Royer to continue the hearing to March 9 at 7pm

Motion seconded by James Allen

No further discussion

Roll Call – Arthur Bellerive, yes –James Allen, yes -Ron Royer Yes, Ed Nowak – yes

No further discussion

6. Project Monitoring:

Angela informed the commission that following projects were starting National Grid, LNG, and Amazon. She stated that she had visited the sites and had the pre activity meetings.

7. Violations & Enforcement

City Depot Road – Wetland Violation Update – DEP #128-1629

Angela informed the commission that the applicant had requested joining the following meeting so he could have an updated report from his engineer and Wetland Scientist to the commission.

8. Meeting Adjourned: 8:32 PM

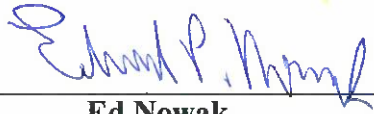
Motion made by James to adjourn at 8:32 PM

Motion was seconded by Ed Nowak

No further discussion

Submitted by:
Rose Conway

Accepted by Conservation Commission:



Ed Nowak

Arthur Bellerive



Ron Royer

James Allen