

*Timothy Aicardi, Chairman  
Damon Tinio, Vice Chairman*



*Michael Ammendolia  
William Aten  
Peter Coffin*

## **TOWN OF MENDON**

**Conservation Commission**

**Mendon Town Hall**

**20 Main Street**

**Mendon, Massachusetts 01756**

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### **Meeting Minutes of January 17, 2008**

Attending: T. Aicardi, W. Aten and P. Coffin and D. Tinio; Fred Lapham, Shea Engineering; Shirley Smith 188 Providence Street and Robert Sweet, 50 Milford Street.

Meeting was called to order at 7:35 p.m.

Members reviewed a Request for Determination of Applicability (RDA) for 212 Providence Street. Members had reviewed the plan in December and asked Mr. Allaire to stake out the house box. Andrews surveying delivered a sewage disposal plan dated October 2005. Members signed a negative determination.

F. Lapham reported that he did a site walk of Miscoe Springs. He is working on possibly getting an easement from Bruce Wheeler for an aboveground siltation basin that would extend. He would also like to propose new paved berm along Northbridge Road. He will take soil samples from the wetland to determine whether it is the same as what is in the catch basins.

F. Lapham requested a Certificate of Compliance for 58 Mowry Street. It is rough graded. The septic system is installed. It needs fine grading and loaming. The silt fence and hay bales are still in place. P. Coffin made and D. Tinio seconded a motion to grant partial Certificate of Compliance. The motion carried unanimously.

D. Willoughby informed members that there is an as-built plan for the septic system at 105 Providence Street. The OOC was never recorded. No action needs to be taken.

Shirley Smith reported that the Blackstone River Watershed Association completed a shoreline survey. The Hopedale Country Club uses chemicals to fertilize which flows into the Mill River on Hartford Avenue East in Mendon. The BRWA would like the fertilization to be done further away from the body of water. High levels of nitrates and orthophosphates were found in the river as well as sediment. The survey showed that silt flows from all four corners of the bridge on Bellingham Street. *Action: D. Willoughby to send a letter to A. Tetreault to see if there is any way to place stones in that area to mitigate silt getting into the water and filling in the river. She will also invite Mr. Tetreault to the February meeting to discuss aforementioned issues.* The water quality, temperature, and oxygen level were good in Muddy Brook on Route 16 near the drive in. *Action: D. Willoughby to send Shirley what plants are treated at Lake Nipmuc, what chemicals are used and when the lake is treated for Lake Nipmuc Association.*

P. Coffin made and W. Aten seconded a motion to approve the meeting minutes of December 19, 2007. The motion carried unanimously.

W. Aten made and T. Aicardi seconded a motion to have D. Tinio take over the Chairman position for the Conservation Commission. The motion carried unanimously. Damon agreed to take the position of Chairman.

W. Aten made and T. Aicardi seconded a motion to have P. Coffin take over the Vice Chairman position for the Conservation Commission. The motion carried unanimously. Peter agreed to take over the position of Vice Chairman.

D. Tinio performed site visit to Mr. Fino's property on Millville Street. He did not observe any dumping on the left side of his property as reported to the Con. Com. Neither D. Tinio nor T. Aicardi saw any problems near the wetland. Members agreed to keep an eye on the area.

T. Aicardi reported that he could not see the condition of the siltation barrier due to the weather. *Action: D. Tinio will call Jason Tetreault, owner, to get a status on the siltation barrier.*

P. Coffin made and D. Tinio seconded a motion to give a two-year Extension Permit for Order of Conditions for 4 Stymast Drive. The motion carried unanimously.

P. Coffin made and D. Tinio seconded a motion to give a two-year Extension Permit for Order of Conditions for 38 Hartford Avenue East. The motion carried unanimously.

Members discussed the fiscal year 2009 budget and ways to cut back on expenses. Members agreed to change the budgets for the following line items in contrast to FY 08: \$600 for the Travel and Training line item and \$500 for New Equipment. *Action: D. Willoughby will order a new printer that will provide better quality photos for the department's records.*

Members reviewed the site plan for Milford National Bank. Members agreed there would be no wetland impact if work were performed in accordance with the plan. Members also reviewed the decisions made by the ZBA for 61 Milford Street and Country Hills Plaza.

Members acknowledged A. Tetreault's memo that clarified that his concerns with Lake Nipmuc did not include oil and grease runoff.

*Action: D. Willoughby to call Emerson White to ask him to contact the office before he selects a tree cutter as the Town of Mendon has had problems with a tree cutter in the past.*

A motion was made to adjourn at 9:04 p.m.

Respectfully submitted,

Diane Willoughby  
Administrative Clerk

*Damon Tinio, Chairman  
Peter Coffin, Vice Chairman*



*Timothy Aicardi  
Michael Ammendolia  
William Aten*

## **TOWN OF MENDON**

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### **Meeting Minutes of February 7, 2008**

Attending: T. Aicardi, W. Aten and P. Coffin and D. Tinio; Fred Lapham, Shea Engineering and Robert Sweet, 50 Milford Street.

Meeting was called to order at 7:42 p.m.

Members discussed the Conservation Restriction for the Fino Property. Members agreed that it is prudent the restriction allow for underground piping for a future sewer system. This will not impact the vista. Members also agreed to hold voting on it until all members can be present.

Members reviewed the Request for Determination of Applicability for 14 Vincent Road. D. Tinio performed the site visit and reported that the installation of an in-ground pool will not have any wetland impact. Members signed the determination.

F. Lapham reported that he documented some streams in town and he has the information on file. P. Coffin noted that there was a drought in effect when the surveys were done. Mr. Lapham did not believe the drought was declared until October and his survey was done prior to that. There are three properties that would be affected by his survey. Mr. Chelecki's property on Park Street contains a stream. Fred may be submitting a Resource Area of Delineation in the future. The house is currently on the market for sale. Mr. Kimball has property on Park Street as well, for which Mr. Lapham will be submitting an RDA. The last is Miscoe Brook that is on Sylvan Spring's property. P. Coffin noted that there is a water withdrawal (Miscoe Springs Bottling Plant) upstream. *Action: D. Willoughby to ask DEP who defines the stream survey. Is it at the discretion of the Conservation Commission? How long is the survey valid?*

T. Aicardi reported that he performed site visit to 9 West Hill Road. The work has been completed according to the Order of Conditions. Members signed the Certificate of Compliance.

Members reviewed the Tennessee Gas Pipeline Order of Conditions. Members agreed to sign the Certificate of Compliance. Due to the weather conditions and location of the site, members felt assured that the work was done satisfactorily.

T. Aicardi made and P. Coffin seconded a motion to approve the meeting minutes of January 17, 2008. The motion carried unanimously.

P. Coffin made and T. Aicardi seconded a motion to hire Aquatic Control for weed control at Nipmuc Pond. The motion carried unanimously. D. Tinio signed the contract.

D. Tinio signed the License Routing Slip for Lambert's Flowers of Mendon. There were no Conservation Commission concerns.

Members reviewed the ZBA application for 20 Uxbridge Road and plan on thoroughly reviewing the drainage engineering report when available. Members also reviewed the application for 32 Hastings Street. They support the

egress from Millville Road.

Members reviewed the fiscal year 2009 budget and justification letter that will be submitted to the Finance Committee.

D. Willoughby reported that S. Smith indicated A. Tetreault will fix runoff from Bellingham Street bridge.

*Action: D. Willoughby to ask M. Ammendolia whether Conservation Commission should send correspondence to Representative Fernandes reminding him to support the Public Lands Preservation Act. The Act is stalled with the Ways and Means Committee.*

A motion was made to adjourn at 8:45 p.m.

Respectfully submitted,

Diane Willoughby  
Administrative Clerk

*Damon Tinio, Chairman  
Peter Coffin, Vice Chairman*



*Timothy Aicardi  
Michael Ammendolia  
William Aten*

## **TOWN OF MENDON**

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### **Meeting Minutes of March 6, 2008**

Attending: D. Tinio, P. Coffin, T. Aicardi, and M. Ammendolia, Bob Poxon, Guerriere & Halnon; and Robert Sweet, 50 Milford Street.

Meeting was called to order at 7:36 p.m.

D. Tinio reported that he performed site visits at 15 & 35 Vincent Road in response to Requests for Determination of Applicability (RDA). Owners wanted to remove their existing decks and construct 3-season porches w/ poured concrete footings. There was no wetland impact. Members signed the negative determination.

7:45 p.m. Members signed a negative determination for the treatment of Nipmuc Pond for nuisance vegetation. There was no wetland impact.

Members discussed the site visit to Lake Nipmuc with the DEP on Wed., March 26 at 10:30 a.m. Damon noted that there is a sand bar extending 40 feet out from the Route 16 catch basin. Someone from the Conservation Commission will bring the department's camera to take pictures. *Action: D. Willoughby to contact the Milford Daily News, Town Crier and WMRC.*

Members reviewed the RDA for 21 Millville Road. Mr. Fino, owner, would like to build an addition and in-ground pool. Members agreed that silt fence and hay bales must be placed on the left corner of the house and along the 100-foot buffer zone to the well. Owner must call when hay bales are in place for an inspection to be scheduled. Members signed the negative determination. Members also signed the Certificate of Compliance for the sewage disposal system. The Order of Conditions had expired on October 26, 2003 and only a Partial Certificate of Compliance had been issued. Members agreed to leave the existing Order of Conditions open as it will not expire until June 22, 2009.

Members approved the draft letter to the Director of Fisheries and Wildlife notifying him that his property on 212 Providence Street on which he plans to construct a single-family house is in a priority habitat of rare species and also estimated habitat of rare wildlife.

D. Willoughby informed members that she has not heard from Mr. Hilliard regarding his plan for his property on 60 North Avenue. Nor has she gotten confirmation from Phil Nadeau that Mr. Hilliard has prepared a plan. *Action: D. Willoughby to invite Mr. Hilliard to the next Conservation Commission meeting.*

8:00 p.m. NOI hearing 18 Kinsley Lane, Bob Poxon presented the plan for a 26' X 34' house and 2500 gallon tight tank in the buffer. The existing stone foundation will be replaced and rocks as well as existing tank will be removed from the site. Members will perform a site visit on Wed., March 12 at 5:30 p.m. The hearing will be continued to the next Conservation Commission meeting. *Action: D. Willoughby will call Bob with date and time.*

R. Sweet asked members what determines the existence of a wetland. D. Tinio suggested Mr. Sweet get estimates from different soil testing companies to analyze his property and make a delineation. Mr. Sweet was concerned about the cost of the survey that D. Wang is performing.

Members discussed the Conservation Restriction for the Fino Property. Members liked the idea of adding a conservation restriction to the 200-foot buffer. *Action: D. Willoughby to arrange meeting with Community Preservation Committee and Selectmen prior to the Annual Town meeting to further discuss details.*

D. Tinio reported that he spoke with Jason Tetreault regarding the status of the siltation barrier at Lot 2 Quissett Road. Jason put hay bales across the driveway to keep water from running down it. The hay bales were intact near the crossing. Members agreed to drive by periodically.

Fred Lapham provided the following update per a phone conversation to D. Willoughby. He completed the topography on R. Sweet's property at 50 Milford Street and he has started to flag the wetlands and Miscoe Springs.

Members discussed need for \$500 in FY 09 New Equipment budget. Members and Diane agreed that any purchases that need to be made could be done so in FY 08. There is enough money to purchase a memory stick and office chair with some money left over.

P. Coffin made and T. Aicardi seconded a motion to approve the meeting minutes of February 7, 2008. The motion carried unanimously.

*Action: D. Willoughby to look up origin of complaint date of December 2, 2007.*

D. Willoughby informed members about the USDA study of invasive wood boring bark beetles on the Nipmuc Conservation Land on Taft Ave. The study will be conducted between March and October and will begin in 1.5 weeks. Three traps will be set with lures and will hang four feet off the ground. They are three feet long. There will be no environmental impact.

Members agreed upon the following Thursday meeting dates: March 20, April 10 and 24, May 8 and 22 and June 12.

Members approved D. Willoughby's request to hold office hours on Wednesday and Thursday during the week of April 21 to accommodate her travel plans.

D. Willoughby informed members Chief Horn is planning to have Sheriff's Department perform annual town cleanup instead of the Conservation Commission, Lion's Club and Upton Men's Club due to safety concerns. Diane expressed wishes to find a small, enclosed area that volunteers could safely handle. She will discuss it with the Parks Department.

A motion was made to adjourn at 9:02 p.m.

Respectfully submitted,

Diane Willoughby  
Administrative Clerk

*Damon Tinio, Chairman  
Peter Coffin, Vice Chairman*



*Timothy Aicardi  
Michael Ammendolia  
William Aten*

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### **Meeting Minutes of March 20, 2008**

Attending: D. Tinio, P. Coffin, T. Aicardi, W. Aten and M. Ammendolia; Bob Poxon, Guerriere & Halnon; Robert Sweet, 50 Milford Street; Anne Mazar, 50 Pleasant Street; Shirley Smith, 188 Providence Road; Tony Willoughby, 7 Leonard Road; and Fred Lapham, Shea Engineering.

Meeting was called to order at 7:37 p.m.

Members reviewed the Request for Determination of Applicability (RDA) for 79 North Avenue. The owner plans to construct a 144' X 70' indoor riding arena and a 64' X 122' barn. P. Coffin walked the site this past winter. A channel had been created. Members would like to see a plan showing elevations and what is being done with the runoff. *Action: D. Willoughby to invite M. Salvador to the next meeting.*

Members discussed the RDA for 97 Hartford Ave. East. The owner would like to construct a 16' X 20' barn and a 5' X 8' mud room attached to the house. Both will have poured concrete foundations. Upon reviewing the assessor's map and knowing firsthand that the area is sandy, members signed the negative determination.

Members read the RDA for 33 Kinsley Lane. The owner wants to build a dock with a landing approximately 4' X 12' and an 8' x 10' deck. He inquired what type of wood or composite can be used and what limitations are. There used to be a dock there. S. Smith informed members that permission is need from the State. *Action: D. Willoughby will get information from Shirley and DEP and pass on to owner.*

7:45 p.m. NOI hearing continuation, 18 Kinsley Lane. D. Tinio performed site visit and noticed terraces pulling apart. R. Poxon said owner would clean up terraced area. Members required that walls shall remain in good working order or a new NOI shall be filed. They also required that silt fence and hay bales must be installed per the engineering plan presented. P. Coffin made and T. Aicardi seconded a motion to approve the plan for 18 Kinsley Lane with aforementioned conditions discussed. The motion carried unanimously.

D. Tinio informed members he learned that a third party must hold the conservation restriction for the "Fino" property. The Conservation Commission will be attending the Selectmen's meeting on Monday, March 24 at 8:30 p.m. to discuss it.

Shirley Smith provided members with copies of the Mill River Stream Team Shoreline Survey Report and Action Plan dated June 30, 2007. The Homeowners' Guide to Protecting Water Quality in the Blackstone River Watershed will be delivered to anyone who lives near a waterway.

8:20 p.m. M. Ammendolia joined the meeting.

Anne Mazar and Shirley Smith presented the Open Space Communities bylaw (March 20, 5:00 p.m.). M. Ammendolia inquired as to how this method would protect farmland. Shirley and Anne explained that a farmer could sell the land if he/she wishes. He can then lease the land and still farm it. This Open Space Community is not mandatory but an option. There is less roadway and smaller lots (20,000 square feet). The rest is open space. F. Lapham noted that common

driveways are mentioned in the bylaw. The zoning bylaw does not allow common driveways. There was also discussion regarding subdivision waivers. T. Aicardi suggested that section V. B. should be changed to note that house sites shall comply with DEP Wetlands Protection Act or town bylaws instead of stating distances from waterways, open space and wetlands. Attendees discussed how open space requirements should be calculated. Members differed on what percentage of wetland should be used in formula, ranging from 100 percent of the wetland area to 50 percent. One goal was to give some credit for wetlands to encourage a developer to build within an open space community. Mr. Willoughby noted there is nothing stated in the bylaw that indicates it is an alternative to the existing development rules. S. Smith said that it would be stated at town meeting. Mr. Willoughby voiced concern that the entire bylaw was vague.

Fred Lapham addressed the committee regarding 50 Milford Street. Mr. Sweet has stopped cutting trees on his property. They have been stumped. Mr. Wang will re-flag the wetlands in filled area. The original base soil was not removed. Seven areas need to be excavated for soil analysis in the fill area. Once they are flagged and mapped, they will present a plan to the commission. T. Aicardi mandated that no other activity be done near the wetland area, no work be done on the slope or buffer zone, no digging unless F. Lapham is present and no other activity be done unless there is a plan. Two trees in the gravel area need to come out. Fred will be there Tuesday to do borings and will attend the April 10 meeting with an update.

T. Aicardi made and P. Coffin seconded a motion to approve the meeting minutes of March 6, 2008. The motion carried unanimously.

F. Lapham informed members that he is submitting an NOI for a tight tank at the Town Beach.

D. Willoughby told members that the Annual Report input for Stormwater Management from the Conservation Commission is due by April 25. *Action: D. Willoughby to inform L. Hawkes that no work is being done on a bylaw and that 4A & 4B and 5A and 5B should not be carried under the Conservation Commission. Diane will work with Mendon Lion's Club for Annual Town Cleanup. She will also include that Con. Com. is working with Mass Highway and monitoring catch basin on Rt. 16.*

D. Tinio told members that he saw Mass Highway trucks on Route 16. Dirt is coming across Route 16 by Sola's Gym up the hill and going into the catch basins. A Mass Highway worker said it was cleaned out in September and was full.

M. Ammendolia received a request from the Finance Committee to reduce the Conservation Commission's FY 2009 Engineering budget to \$1000. *Action: D. Willoughby to resubmit FY 2009 budget with changes.*

A motion was made to adjourn at 9:30 p.m.

Respectfully submitted,

Diane Willoughby  
Administrative Clerk



*Damon Tinio, Chairman  
Peter Coffin, Vice Chairman*



*Timothy Aicardi  
Michael Ammendolia  
William Aten*

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### **Meeting Minutes of April 10, 2008**

Attending: D. Tinio, P. Coffin, Bill Aten and M. Ammendolia, Bob Poxon, Guerriere & Halnon; and Robert Sweet, 50 Milford Street; Ruth O'Grady, 205 Providence Rd; Pat Ghelli, 42 Milford Street; Millie Kampersal, 387 South St., Holliston; Lisa May, 52 Milford Street; Donna Grasseschi, and Bob Forte, 49 Uxbridge Rd; Carla Harmon, 47 Vincent Road; F. Lapham, Shea Engineering; Mike Salvador, P. O. Box 4; Keith Miranda, 39 Vincent Rd.; Howard F. Phipps, 91 North Avenue; and Robert Tremblay, 52 Northbridge Rd.

Meeting was called to order at 7:35 p.m.

7:35 p.m. R. Poxon presented the Request for Determination of Applicability (RDA) for 43 Bellingham Street. The existing septic system will be dug up and replaced. It is located in the front lawn area. The leftover stone and pipe will be trucked away off site. A line of hay bales will be placed on the right side of the driveway. Silt fence and hay bales will be placed on the left-hand side of the driveway. D. Tinio made and P. Coffin seconded a motion to accept the engineering plan for 43 Bellingham Street as presented with the addition of erosion control discussed. The motion carried unanimously. Members signed the determination

D. Tinio informed members that he did a site visit at 29 Asylum Street. The owner requested a determination to construct a 5' X 10' deck. There will be no wetland impact. Members signed the negative determination.

D. Tinio also performed a site visit at 4 Elm Street. The owner requested a determination to erect a fence along the roadway and concrete patio around the pool, approximately 50' X 20'. There will be no wetland impact. Members signed the negative determination.

Members reviewed the Request for a Determination of Applicability for 64 Hartford Avenue East. The owner would like to replace a 12' X 18' deck with an additional extension of 8' X 15' on the side. It will be on poured concrete footings. *Action: P. Coffin will perform site visit.*

7:45 p.m. Donna Grasseschi and Bob Forte spoke with the board about runoff from 45/49 Uxbridge Road. D. Tinio informed them that he met with Mass Highway and they determined that dirt is running down the hill and into the lake. Damon suggested putting asphalt berm down the left side going up the driveway to stop the runoff before it gets into the catch basin. Donna acknowledged that Marathon Dumpster needs to be cleaned up. Gravel is also running down the hill from the cell tower. Donna said that it is the responsibility of whoever is leasing the properties to the berm or stone in. *Action: D. Willoughby to send a letter if there is no response with a status in 30 days.*

7:55 p.m. Mr. Tremblay requested a determination in order to remove 6 trees that are outside of the buffer zone on his property at 52 Northbridge Road. Mildew is forming on the clapboard on his house. He plans to loam and seed the back yard. He plans to remove the stumps with a machine. Mr. Coffin informed Mr. Tremblay that there would be less disruption if stumps were ground up. Members directed Mr. Tremblay to place silt fence and hay bales along the current hay bale line and to keep the contractor away from the wetland. Mr. Tremblay shall call the Con. Com. office when the hay bales are in place.

M. Ammendolia joined the meeting at 8:00 p.m.

8:00 p.m. 45/47 Taft Avenue, Town Beach NOI, Mr. Lapham presented the engineering plan. Regulations stipulate that a tight tank can be used if a conventional one is not possible. It will be installed in the buffer zone. There are two separate septic systems on the site because of high use. There are floats for the alarm in case the system gets too full. The wells have been tested. There are wells on the property as well as on nearby property. Therefore, there will be two, 2,000 gallon, tight tanks--one for each building. They are sized for 500 percent of daily flow. The facility is open 59 days per year. There is drilled well on the property. It would qualify for a public water supply if the usage were 60 days or more. M. Ammendolia wanted to know facts about the beach use to determine if it should be considered a public water supply. F. Lapham assured members that there is nothing wrong with the well. Action: D. Willoughby to ask the Parks Department the aforementioned questions and invite them into the next Conservation Commission meeting. P. Coffin made and M. Ammendolia seconded a motion to accept the engineering plan for 45/47 Taft Avenue with the conditions discussed. The motion carried unanimously.

8:15 p.m. 50 Milford Street--Members asked Mr. Sweet if he had the paper work from the botanist. Mr. Sweet replied that Desheng Wang did not do a soil evaluation. D. Tinio reiterated that the Sweets were supposed to get the soil tested. The Sweets informed members that they had started the building turnaround. Mr. Sweet asked if Conservation Commission documentation was subject to public view. Mr. Tinio replied that it is but the town can charge \$.20 per page for copies. Mr. Sweet asked if each job needs a DEP#. Members explained that if a Notice of Intent is filed with the Department of Environmental Protection, it does. Mr. Sweet contacted Tennessee Gas who will be marking their easement. Mr. Sweet wanted to go on record as having requested site visits to his property four times. Mr. Tinio was the only member who could attend the initial site visit that was scheduled. Mr. Sweet told the Commissioners that the Army Corps of Engineers said trees could be cut as long as they were not cut in the growing season. P. Ghelli said she had a problem with high water level last spring and has never before. Mr. Sweet did adjust the level but she was concerned that it may happen again when Mr. Sweet is not available.

Mr. Sweet presented a plan that he drew for the driveway. He showed the replication area and where he wants another bog. Members explained again that they still need to know where the wetland is located. Mr. Sweet said He proposed to replicate what he assumes the wetland is and make a new bog. Mr. Coffin explained that an exact replication area of the same type that was taken away must be replicated. Not just a cranberry bog. The only way to do that is to have a soil test performed by a specialist. Mr. Tinio explained that the cease and desist still exists until he gets soil samples. He also said that there are a lot of violations on the site. Mr. Sweet responded that there will be a lot more violations. M. Ammendolia said he was not happy with the misrepresentation of the facts regarding the request for delineation of the wetlands. Action: D. Willoughby to send copy of cease and desist letter to DEP.

M. Ammendolia stepped out to attend another meeting.

8:50 p.m. 79 North Avenue RDA—Members reviewed the engineering plan for the riding rink & barn at M. Hood's property. M. Salvador noted check dams and catch basins. The site has an agricultural exemption. Members required that the existing slope be stabilized as soon as possible.

Members signed Complete Certificate of Compliance for 47 Vincent Road.

M. Ammendolia returned to the meeting.

9:05 p.m. 39 Vincent Road NOI--D. Tinio performed site visit. It is a habitat area and F. Lapham filed with National Heritage and Endangered Species Program (NHESP). An access road will be created for the work area. There will be 1:1 riprap. Boulders, which were created from blasting when the house was built, can be put under the slope. Hay bales and silt fence are indicated on the plan. M. Ammendolia made and W. Aten seconded a motion to accept the engineering plan for 39 Vincent Road as presented. The motion carried unanimously.

Howard Phipps informed members that four trees around the fire tower need to be trimmed approximately 15 to 20 feet off the top to improve visibility. Action: D. Willoughby to write a letter to the District Fire Warden indicating the boards approval of this request.

3 Resthaven Road Certificate of Compliance—The yard has been seeded and loamed. M. Ammendolia made and W. Aten seconded a motion to issue the COC. The motion carried unanimously.

Members reviewed the RDA for 47 Washington Street and determined a NOI needs to be filed.

9:29 p.m. M. Ammendolia left the meeting.

Members signed the license Board of Selectmen License Routing Slips for Barry's Place, Mendon Driving Range, Mendon Twin Drive In, Southwick Wild Animal Zoo, Imperial Ford, and Gene Milbier's Kennel License Renewal.

Members read e-mail from K. Rudden regarding the Eagle Scout project of making a passageway for a carry-in boat ramp. If the project simply involves cleaning up the area to allow passage, it will not need an RDA.

P. Coffin made and W. Aten seconded a motion to approve the meeting minutes of March 20, 2008. The motion carried unanimously.

Members reviewed the annual report update letter for the Stormwater Management Program.

Members reviewed the Miscoe Springs Catch Basin Inspection Log. On the six days between February 27, 2008 and March 28, 2008 the comments were, "Called to be cleaned". *Action: P. Coffin will perform site visit.*

Members will review preliminary plans for Butler Estates at the next scheduled meeting if they are available.

A motion was made to adjourn at 9:58 p.m.

Respectfully submitted,

Diane Willoughby  
Administrative Clerk

*Damon Tinio, Chairman  
Peter Coffin, Vice Chairman*



*Timothy Aicardi  
Michael Ammendolia  
William Aten*

## **TOWN OF MENDON**

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### **Meeting Minutes of April 24, 2008**

Attending: P. Coffin, T. Aicardi and W. Aten; Robert Sweet, 50 Milford Street; Pat Ghelli, 42 Milford Street; Ted Hilliard, 60 North Avenue; and AJ Byrne, 73 Hartford Avenue East.

Meeting was called to order at 7:40 p.m. when a quorum was reached.

7:45 p.m. Mr. Hilliard explained to members that he did not receive the e-mail D. Willoughby sent to him on September 11, 2007, as he is not accustomed to using his computer. D. Willoughby provided a copy of the e-mail. Mr. Hilliard read it aloud and he said he would have a plan done for his pond that is used for fire protection and horses. He will have D. Lenthall visit his property. Mr. Hilliard explained that he currently works with farm counsel and may be able to use his services for the farm management plan.

R. Sweet informed members that D. Lenthall, NRCS, would generate a letter and copy the Con. Com. confirming that the cranberry bog is considered wetland replication. He said his is still not doing anything near the wetland. Bob is working with a new engineer who wants to dig trenches for the soil analysis as opposed to just holes. Members agreed that they do not tell an engineer how to do the analysis. P. Coffin said he should not have to go beyond the hay bales and wetland. T. Aicardi said he needs to determine the edge of the wetland. R. Sweet said he now has a clearer picture as of the last meeting as to what needs to be done. W. Aten said R. Sweet is really doing two plans, one for the driveway in the buffer and one for the cranberry bog with the NRCS. R. Sweet explained for the benefit of P. Ghelli that there would be another entrance on Route 16 for the driveway. He will talk with Pat offline regarding the driveway. P. Ghelli voiced concern with the driveway because it is close to the wetland and that Mr. Sweet has cleared too much of the wetland. P. Coffin suggested Pat speak directly with P. Nadeau of the DEP. P. Ghelli asked if he had permission to modify the dam. R. Sweet said it was an existing dam and what he did was normal maintenance of the growing plan. Mrs. Ghelli said the original dam was natural. *Action: D. Willoughby to ask D. Lenthall for another copy of the conservation plan as it is missing from the file.*

8:30 p.m. AJ Byrne explained to Commissioners, at their request, about the DEP regulation that stipulates if the beach is open more than 59 days, the well is declared a public water supply. D. Willoughby informed members that she requested that Board of Health attend the meeting since the regulation involved them as well. D. Willoughby read the e-mail from the B. John Palumbo, Chairman of the Board of Health (BOH), written to M. Ammendolia. The e-mail indicated no one from that department would attend the meeting. The e-mail also noted that a certified water operator be hired. If the Con. Com. had any additional questions, Mr. Palumbo asked him to attend their meeting on Monday, April 28 or contact the office. P. Coffin said the beach is a great resource and it is too bad it cannot be open more than 59 days. Mr. Byrne said portable bathrooms are used and the regular bathrooms are closed in order to not go over 59 days. It would cost about \$125 per month to test the water the well is considered a public water supply. D. Willoughby said the BOH clerk told her a Certified Water Operator would cost \$10,000 per year. T. Aicardi made and P. Coffin seconded a motion to support the Park Commission's request to open when they want. The motion carried unanimously.

Members reviewed the updated plan for 123 Uxbridge Road. T. Aicardi had done a site visit walking where the clearing was. He said Mr. Wenger was in the buffer but not disturbing it. Members could not see what had been updated on the plan.

Members discussed the conservation restriction (CR) on the 'Fino property'. Members had differing opinions. T. Aicardi believes all the CR should be is near the wetland and riverfront. W. Aten believes the town should maximize the value of the land but also realizes that as a Conservation Commission member he should only be concerned with Conservation. There was no consensus of the board.

*Action: D. Willoughby to confirm with Miscoe Springs the meaning of 'Called to be Cleaned' between 2/27/08 and 3/28/08 and whether they have been cleaned since.*

Members reviewed the Request for Determination of Applicability (RDA) for 64 Hartford Ave. East. Owner requested to replace an existing 12'X 18'deck with an 8'X15' extension on the side. It will have poured concrete footings. A member agreed there was no wetland impact and signed.

Members reviewed the RDA for 11 Russell Court. The owner would like to install a 20'X40' in-ground pool. There was no wetland impact in October 2005 when the house was built. D. Willoughby informed members that she spoke with the Building Dept. & Town Clerk who confirmed that the issue regarding there be no pools according to the covenant was resolved. Members signed the negative determination.

Members reviewed the RDA for 9 Hastings Street. The Mendon Greenhouse would like to create a pergola for perennial flowers. It is approximately 16'-18' long and 10' wide. There is a pond about 110'-120' feet from the building. The pergola will be within 100 feet of the pond and anchored to the building. There will be no footings. Members signed the negative determination.

The Board of Health submitted information for an RDA for 22 Kinsley Lane. There was an emergency, as a new well had to be dug because drinking water was coming from the lake. Members signed the negative determination stipulating silt fence and hay bales must be placed around the wellhead.

Members reviewed the RDA for 3 Bicknell Drive. The owner is constructing a 14'X14', 3-season porch and 6'X14' deck off the porch. There will be four poured concrete footings. Members signed the negative determination.

W. Aten made and P. Coffin seconded a motion to approve the meeting minutes of April 10, 2008. The motion carried unanimously.

P. Coffin signed the Board of Selectmen License Routing Slip for the Mendon Country Gift Barn.

D. Willoughby informed members that there would be a new key for the entrances to the Town Hall. Members are to sign one out with the Selectmen's Office if they would like one.

A motion was made to adjourn at 9:10 p.m.

Respectfully submitted,

Diane Willoughby  
Administrative Clerk

*Damon Tinio, Chairman  
Peter Coffin, Vice Chairman*



*Timothy Aicardi  
Michael Ammendolia  
William Aten*

## **TOWN OF MENDON**

**Conservation Commission  
Mendon Town Hall  
20 Main Street  
Mendon, Massachusetts 01756**

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### **Meeting Minutes of May 8, 2008**

Attending: D. Tinio, P. Coffin, M. Ammendolia and W. Aten; Robert Sweet, 50 Milford Street; Pat Ghelli, 42 Milford Street; J. Cote, Star Pools; D. Duplessis, 4 Leonard Road.

Meeting was called to order at 7:39 p.m. when a quorum was reached.

Members reviewed the engineering plan for the Request for Determination of Applicability (RDA) at 4 Leonard Road. Silt fence and hay bales must be installed at the edge of the house. Workers must stay on house side of hay bales. Silt fence must be installed over the fence. P. Coffin made and W. Aten seconded a motion to issue a negative determination with aforementioned conditions. The motion carried unanimously.

Members reviewed the RDA for 9 Puddingstone Lane. Owner requested to install a 15' X 30', aboveground pool. D. Tinio did a site visit. Members signed a negative determination indicating there was no wetland impact.

Members reviewed the RDA for 5 Ashkins Drive. The owner would like to replace an existing deck with a larger, 16' X 30' deck on poured concrete footings and construct a 5' X 7' bump-out in the kitchen also on footings. It is to be located on the left side of the house as one is facing the house from the back. There is a steep slope 60' from the wetland. Members signed a positive determination. The owner must file a notice of intent.

7:53 p.m. M. Ammendolia joined the meeting.

Members reviewed the RDA for 45 Kinsley Lane. The owner would like to bring in no more than 5 yards of sand for his beach. Members signed a negative determination with the condition that he keeps the sand out of the water and hand spread when near it. He must notify the Conservation Commission when he brings the sand in so they are able to answer questions from neighbors if they call.

Members reviewed RDA for 8 Megan Court. The owner is requesting to construct a 27'-round, aboveground pool off the existing back deck. Members signed the negative determination.

Members reviewed the RDA for 24 Taft Avenue. Owner must place a row of hay bales and ¾" stone wind row on edge of road along property line. Members signed the negative determination.

Members reviewed RDA for new home construction at 198A Providence Road. Members will do a site visit after area is staked: closest point of disturbance to wetland, two corners of septic area and two corners of the garage. Hearing will be continued until May 22.

R. Sweet provided members with a section of the M. G. L. that pertains to cranberry bogs. R. Sweet requested an RDA to dig banking out, level ground and plant trees on left side of driveway. Hay bales and/or silt fence to be installed before any work starts. Members directed Mr. Sweet to put plants in buckets temporarily and keep watered. The hearing will be continued until May 22 at 8:20 p.m. Bob will bring farm plan to that meeting. The plan will show whether the dam is part of the cranberry bog and how it will be managed. Mr. Sweet needs a curb cut and needs to

contact the State regarding the driveway once the soil test has been done. P. Coffin said two different NOI's will be required, one for the driveway and one for the cranberry bog. P. Ghelli asked whether the engineer would be on site when the soil is excavated. D. Tinio responded that an engineer would be present. R. Sweet said the area is already marked. D. Tinio explained that the engineer must be present when excavation takes place. P. Coffin said the soil scientist's report would show location of historic wetlands. P. Ghelli informed members that she had spoken with J. Gensel of DEP and D. Lenthall of NRCS. She provided a letter listing her discussions and asked it to become part of the minutes.

Members agreed to not write any additional letters of support nor make any phone calls in support of the Public Lands Preservation Act.

D. Willoughby informed members that the Miscoe Springs catch basin was cleaned out April 5. *Action: D. Tinio will perform site visit to Miscoe Springs to check catch basins.*

Members signed Complete Certificate of Compliance for Lot 7 White Road.

Members granted D. Willoughby's request to change office hours for week of June 2 to Tuesday and Wednesday due to a doctor's appointment.

Members read Robert Hudon's letter requesting an Extension Permit for Order of Conditions for their property on 174 Blackstone Street due to the housing market decline. Members will not issue an extension and require the owner to file a new Notice of Intent when they are ready to build on the property.

Members reviewed the site plan for 20 Uxbridge Road, per the Planning Board's request. All Stormwater management requirements must be followed.

A motion was made to adjourn at 9:04 p.m.

Respectfully submitted,

Diane Willoughby  
Administrative Clerk

Attachment: Letter from P. Ghelli re: 50 Milford Street dated May 8, 2008

*Damon Tinio, Chairman  
Peter Coffin, Vice Chairman*



*Timothy Aicardi  
Michael Ammendolia  
William Aten*

## **TOWN OF MENDON**

**Conservation Commission**

**Mendon Town Hall**

**20 Main Street**

**Mendon, Massachusetts 01756**

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### **Meeting Minutes of May 22, 2008**

Attending: D. Tinio, P. Coffin, M. Ammendolia and T. Aicardi; Robert Sweet, 50 Milford Street; Pat Ghelli, 42 Milford Street; Michelle Walsh/BRWA, 5 Myrtle Street; Meg Osgood, 5 Ashkins Drive; Kay Ghelli, 230 West Street, Milford; William Helsing, Land Planning, Inc. and A. Mazar.

Meeting was called to order at 7:40 p.m. when a quorum was reached.

Members reviewed a plan Shea Engineering redlined which showed that the wetland line is further from the limit of work. Sono tubes will be used. Members agreed to rescind the positive Determination of Applicability signed on May 8, 2008. They requested that hay bales or silt fence be placed along the edge of the lawn where land starts to slope. Members signed the negative determination with aforementioned condition.

Members reviewed the Request for Determination of Applicability (RDA) for 54 Blackstone Street. The owner would like to install an inground pool in the buffer. It is 150' to the wetland. Members signed the negative determination of applicability.

Members also reviewed the RDA for 9 Forest Park Drive for an inground pool. T. Aicardi performed the site visit. Members signed a negative determination of Applicability.

Members reviewed the RDA for 6 Kinsley Lane. D. Tinio informed members that there is no wetland that would be impacted. Members signed the negative determination of applicability.

Members reviewed the RDA for 52 Mowry Street (deck replacement w/larger deck) and 28 Lovell Street (above-ground pool placement) and 16 Park Street (20' X 43' inground pool) *Action: P. Coffin to perform site visits.*

*Action: D. Tinio to perform site visit at 77 Neck Hill Road to determine if a 26' X 32' detached garage to the left of the driveway in the backyard would have wetland impact.*

D. Tinio performed site visit at 11 Uxbridge Road, New England Steak and Seafood to determine if a 10' X 30' deck on the west side of the building would have a wetland impact. Members signed a negative determination.

Members agreed that there would be no wetland impact from construction of a house at 198A Providence Street. Members signed a negative determination.

*Action: T. Aicardi to perform site visit at 216 Providence Street now that area has been staked.*

8:07 p.m. Michelle Walsh provided copies of the Blackstone River Watershed Association Annual Report. One will be placed on the Con. Com. bulletin report so residents can view. Michelle explained function of BRWA; water quality monitoring, canoe access program, and support of Blackstone River Coalition. The Water Quality Monitoring Report Card lists the Mill River upstream of Deer Run Drive & Hartford Ave. East. They are doing monthly testing to determine cause of high levels of nitrates. Other parameters are also tested. Cold-water fisheries include Muddy Book



and Spring Brook. S. Smith informed members that she has started to distribute a Homeowner's Guide for those who live near a waterway. She provided copies for the Con. Com.

8:30 p.m. W. Helsing, Engineer for 50 Milford Street, explained that the wetland where the soil was placed upon has been delineated. The area was excavated about two to four feet down by Mr. Sweet, supervised by an engineer, to where the original soil was located. M. Ammendolia read the report from Scott Heim, Northeast Ecological Service. William explained terminology contained in the report. Mike requested a copy of the log that was not included in the report. Mike also requested that the plan be underplayed so that the old and new wetland delineations can be seen. P. Coffin outlined options that he felt were feasible. The first was to replicate the wetland that was covered with soil. The other was to remove the soil that was placed in the wetland. D. Tinio asked if abutters had any questions. P. Ghelli said she wasn't sure which solution would be better. She voiced her concern that the wetland should not have been filled to begin with. After some discussion with the board over the pros and cons of each option, Mrs. Ghelli decided she would prefer the wetland to be restored. M. Ammendolia noted for the record that R. Sweet used vulgar language towards Mrs. Ghelli. Members will do a site visit. T. Aicardi made motion to continue the hearing in order to perform a site visit. M. Ammendolia seconded the motion. The motion carried unanimously. The types of plantings need to be determined on the next engineering plan. Members requested that the wetland replication area be marked. The site visit is scheduled for Thursday, May 29 at 6:00 p.m. R. Sweet requested that no abutters be on the site. Mr. Sweet and Mrs. Ghelli left the meeting. Mrs. Ghelli returned to the meeting room visible upset, with lip quivering. When asked what was wrong she said she was threatened by Mr. Sweet. Mr. Sweet said he was just coming in to enjoy the meeting. Mr. Ammendolia asked Mrs. Ghelli if she wanted to go next door to the Police Station and file a complaint. Mrs. Ghelli said that she did not. M. Ammendolia walked Mrs. Ghelli to her car.

Members informed A. Mazar that they had read the final version of the Conservation Restriction on the "Fino" property on Milford Street. They had no questions or comments.

Members reviewed a plan and letter from Shea Engineering regarding 39 Vincent Road. Due to ledge, "The pool was moved further away from the house and lowered by 2.8 feet from the original proposal." There will be 7 feet less area to fill. Members required no further action.

D. Tinio informed members of his correspondence with D. Grasseschi. He requested that the Con. Com. be kept informed of how silt flow into storm drain on Route 16 is being remedied. D. Tinio reviewed with other members the pictures he took during the Nipmuc Pond survey.

D. Willoughby informed members of changes she made to the May 8 meeting minutes after sending the draft to members. She removed the word 'existing' in the third paragraph before the word fence. She also changed '50' yards to '5' yards in the seventh paragraph. P. Coffin made and M. Ammendolia seconded a motion to approve the meeting minutes dated May 8, 2008. The motion carried unanimously.

P. Coffin made and M. Ammendolia seconded a motion to approve the meeting minutes dated April 24, 2008. The motion carried unanimously.

Members reviewed and D. Tinio signed off on Board Of Selectmen License Routing slips for the Renewal of Junk Licenses. They were for Mr. David Lowell, 133 North Avenue & 4 Main Street and Beth White, 50 Cape Road.

9:32 p.m. M. Ammendolia made and D. Tinio seconded a motion to go into executive session to discuss pending litigation. A roll call vote was taken: D. Tinio, yea, P. Coffin, yea, T. Aicardi, yea, and M. Ammendolia, yea. The motion carried unanimously.

9:39 p.m. M. Ammendolia made and T. Aicardi seconded a motion to reopen the meeting. The motion carried unanimously.

Members agreed they did not want to schedule another June meeting yet. They will determine future meeting dates at next scheduled meeting.

A motion was made to adjourn at 9:40 p.m.

Respectfully submitted,

Diane Willoughby  
Administrative Clerk

*Damon Tinio, Chairman  
Peter Coffin, Vice Chairman*



*Timothy Aicardi  
Michael Ammendolia  
William Aten*

## **TOWN OF MENDON**

**Conservation Commission**

**Mendon Town Hall**

**20 Main Street**

**Mendon, Massachusetts 01756**

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### **Meeting Minutes of June 12, 2008**

Attending: P. Coffin, M. Ammendolia and T. Aicardi; Robert & Laurie Sweet, 50 Milford Street; Pat Ghelli, 42 Milford Street; Millie Kampersal, 387 South Street, Milford; Kay Ghelli, 230 West Street, Milford; Ruth O'Grady, 205 Providence Rd; William Helsing, Land Planning, Inc. and E. Pokornicki, Mendon Police.

Meeting was called to order at 8:07 p.m. when a quorum was reached.

M. Ammendolia directed D. Willoughby to make sure BoS and all other interested parties be notified when Lake Nipmuc is to be treated.

Members reviewed and signed the following negative Determinations of Applicability:

- 9 Carpenter Hill Road. Replacing 12'X23' deck, D. Tinio performed site visit.
- 46 Asylum Street, Constructing front porch and wrap-around sunroom. T. Aicardi performed site visit.
- 17 Sandra Circle. Constructing 24' X 30' attached garage. D. Tinio performed site visit.
- Lot 1 Quissett Rd., Install inground pool. Members reviewed plan.
- 25 Lovell Street, Construct 6' X 38' porch on 6 piers. D. Tinio performed site visit.
- 1 Resthaven Rd., Enlarge existing 12' X 12' deck to 12' X 16' deck. D. Tinio performed site visit.
- 16 Park Street, 20' X 43' inground swimming pool. P. Coffin performed site visit
- 52 Mowry Street, Replacing deck w/larger 15' X 30' long between house and pool. P. Coffin performed site visit.
- 77 Neck Hill Rd. Constructing 23' X 32' detached garage. D. Tinio performed site visit
- 79 Providence Rd. Install 18' X 33' above-ground pool. T. Aicardi performed site visit.
- 46 Taft Avenue, increasing size of porch previously approved.

*Action: P. Coffin will visit 28 Lovell Street to assist owner in picking a location for her pool.*

D. Willoughby informed members of her discussion with Donna Grasseschi, owner of 49Uxbridge Road. The project was turned over from the site manager to a different individual. She has given him photographs and information on the cell tower. Members directed Diane to write a letter to Donna indicating "If we do not have a solution, we will issue a cease and desist of operations at that site. We understand that you feel that you are not responsible but by right you are the owner." Diane was also directed to invite her to our next meeting. A copy of the letter shall be sent to Philip Nadeau. Members will visit the site.

D. Willoughby informed members that the site that T. Aicardi visited prior to the last meeting is 216 Providence Street and not 212 as indicated on the Request for Determination of Applicability. The owner had the incorrect address as the lot was subdivided.

M. Ammendolia made and T. Aicardi seconded a motion to approve the meeting minutes dated May 22, 2008 with a change of '212' Providence Street to '216' towards the bottom of page 1. The motion carried unanimously. R. Sweet requested and was given a copy of the March 22 minutes.

M. Ammendolia made and T. Aicardi seconded a motion to accept the executive session meeting minutes of March 22, 2008 not to be released. The motion carried unanimously.

Members agreed to the following Thursday meeting dates at 7:30 p.m. D. Willoughby will e-mail the dates to members.

June 26

July 10 & 24

August 14 & 28

D. Tinio is up for reappointment on July 1. The Committee needs to vote on a new chairman.

D. Willoughby informed members that Lot 9 Cemetery Street's Order of Conditions expires September 6, 2008. M. Ammendolia directed Diane to send the owner a letter saying, "After checking our records, we noticed that your Order of Conditions will expire on September 6, 2008. Unless you contact us, we will assume you do not need an extension. " Diane is to list future meeting dates.

8:30 p.m. 50 Milford Street will require a Notice of Intent for working in a wetland. The wetland area must be returned to the condition in which it was previously or an area needs to be replicated. Wetlands were filled to the left of the driveway. The Certificate of Compliance for DEP# 218-0548 was not previously issued even though members signed it due to the pending issue of the cranberry bog. P. Ghelli asked if anything was determined after the site visit. P Coffin responded that no conclusion was made. The issue will be discussed tonight. M. Ammendolia indicated that a wetland was filled. Attendees looked for an area in which to replicate. There is really only one place in which that can be done. P. Ghelli asked if the board wanted fill removed, would an NOI be necessary? Members said that an NOI would be necessary no matter what solution is chosen. Members reviewed the current plan presented. M. Ammendolia reiterated that an NOI is needed. Members agreed with what was on the plan and what areas were filled. Mr. Halsing presented options. Some fill could be left in places and replication could be done with a similar sized area. This assumes no driveway is built. The next option would be to replicate along the wetland line equal to what was filled. This assumes a full driveway. The third option would entail less replication and return the edge of the wetland that was filled. The last option was to bring water level up to minimize the amount of restoration necessary. P. Coffin was concerned with the height of the water in the pond. The botanist did not have the log for the engineer. It will be incorporated in the NOI. The dam is not currently controlling the water level per R. Sweet. P. Ghelli said her driveway did flood one spring when the boards were placed in the dam. The engineer can take measurements and elevation levels to determine the appropriate water level. There needs to be a method of flood control. P Coffin requested to minimize the area of impact upland and create an upland habitat to allow buffering between the neighbors on the westerly side. The driveway will be 20' of gravel. Members voiced concern over runoff of dirt onto Route 16. If the state denies the curb cut, a new design must be presented to the Conservation Commission. When members approve the notice of intent, the stop work order will be released. M. Ammendolia said as long as owner doesn't do anything stupid like filling in a cranberry bog, he would be all set. Laurie Sweet noted that everyone is not familiar with process and they are trying to work together to learn how to go about doing it right.

Members reviewed Board Of Selectmen License Routing slips for the Adult Entertainment Renewal License for The End Zone. P. Coffin signed off that there were no Con. Com. issues.

D. Willoughby informed members that contractor for 65 Taft Avenue's septic system replacement called for hay bale inspection. D. Tinio said he would do site visit.

A motion was made to adjourn at 9:30 p.m.

R. Sweet and W. Halsing requested copies of the minutes from this meeting.

Respectfully submitted,

Diane Willoughby  
Administrative Clerk

*Damon Tinio, Chairman  
Peter Coffin, Vice Chairman*



*Timothy Aicardi  
Michael Ammendolia  
William Aten*

## **TOWN OF MENDON**

**Conservation Commission**

**Mendon Town Hall**

**20 Main Street**

**Mendon, Massachusetts 01756**

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### **Meeting Minutes of June 26, 2008**

Attending: T Aicardi, M. Ammendolia and W. Aten; Robert Sweet, 50 Milford Street; Pat Ghelli, 42 Milford Street; Kay Ghelli, 230 West Street, Milford; Ruth O'Grady, 205 Providence Rd; and Kathleen Murphy, 28 Lovell Street.

Meeting was called to order at 7:50 p.m. when a quorum was reached.

Kathleen Murphy was looking for direction from the Commissioners as to the best location for her aboveground pool. Members reviewed the plan and recommended a location. Members signed the Negative Determination, as there would be no wetland impact.

Members reviewed and signed the following negative Determinations of Applicability of which M. Ammendolia performed site visits.

- 46 George Street, 18' X 44' in-ground pool
- 50 Blackstone Street, approx. 30' X 30' barn
- 15 Daniels Road, replacing 30'WX10'deep deck

T. Aicardi informed members that he, Jennifer Gensel, DEP Central Region Circuit Rider, Bob Sweet and William Halsing, Engineer visited 50 Milford Street. Bob had called the DEP for direction. Jennifer agreed with the Commissioner's direction of providing options that the Conservation Commission had given Mr. Sweet. Mr. Halsing will 'run scenarios' and decide with which to proceed. Jennifer wants replication low against the swamp area. Mr. Halsing and Mr. Sweet must agree on how the replication will be done. The driveway construction impinges on the wetland. Jennifer wants a gravel driveway because it is pervious. She does not want replication included in the NOI. She wants it done before the NOI is filed. Mr. Sweet had given a check to the Conservation Commission as payment for copies of information he requested. Mr. Sweet subsequently asked D. Willoughby to hold on to the check and did not want her to proceed with his request subsequent to asking for it. M. Ammendolia asked the check to be returned to Mr. Sweet as the town cannot hold on to a check without depositing it. Mr. Sweet said he still wanted to hold off on his request. *Action: D. Willoughby to return check.*

M. Ammendolia made and T. Aicardi seconded a motion to approve the meeting minutes dated June 12, 2008. The motion carried unanimously.

Members reviewed Board Of Selectmen License Routing slips for New England Steak House's Renewal for Restaurant & All Alcohol Licenses. Members signed off that there was no Con. Com. impact.

D. Willoughby informed members that the Order of Conditions for 5 Morrison Drive would expire in September. She has sent a letter to the owner. *Action: D. Willoughby to type extension and T. Aicardi will speak with owner. If Diane has not heard from him by end of July, she will contact him directly. She will also do the same for the owner of 9 Cemetery Street.*

T. Aicardi will not be able to attend the July 10 meeting, as he will be away on vacation.

Members signed Certificates of Compliance for 25 Wood Drive. Orders of Conditions for DEP# 218-94 & 218-113 came up during a title search as the owner is trying to sell his house.

A motion was made to adjourn at 8:10 p.m.

Respectfully submitted,

Diane Willoughby  
Administrative Clerk

*Damon Tinio, Chairman  
Peter Coffin, Vice Chairman*



*Timothy Aicardi  
Michael Ammendolia  
William Aten*

## **TOWN OF MENDON**

**Conservation Commission**

**Mendon Town Hall**

**20 Main Street**

**Mendon, Massachusetts 01756**

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### **Meeting Minutes of July 10, 2008**

Attending: M. Ammendolia, W. Aten, D. Tinio; F. Lapham, Shea Engineering; Laurie & Robert Sweet, 50 Milford Street; Pat Ghelli, 42 Milford Street; Kay Ghelli, 230 West Street, Milford; Rick Hathaway, Andrews Survey & Engineering; and Chris King, Heritage Design Group.

Meeting was called to order at 7:45 p.m. when a quorum was reached.

7:45 p.m. Notice of Intent hearing for 183 Blackstone Street--W. Aten stepped down from the discussion, as he is an abutter. Members briefly reviewed plan. The plan was submitted previously and was in the habitat of the spotted turtle. It is no longer a protected species. It is within the buffer and 480 feet of the driveway is within riverfront area. M. Ammendolia asked that the engineer show the abutter's driveway and wetland across the street. There are 8.5 acres of property.

M. Ammendolia made and D. Tinio stepped down as chairman to second a motion to continue the hearing until July 24. The motion carried. *Action: D. Willoughby to find previous filing for 183 Blackstone and send NOI to members.*

7:58 p.m. Chris King presented the plan and request for an extension permit for the Order of Conditions for 19 Cemetery Street. Members agreed to a one-year extension. If nothing is done within the year, members should revisit the site. M. Ammendolia made and W. Aten seconded a motion to grant a one-year extension permit for the Order of Conditions for 19 Cemetery Street. The motion carried unanimously. *Action: D. Willoughby to inform Chris when it is available to pick up.*

Members reviewed the e-mail from D. Grasseschi explaining work that has been done at the cell tower. D. Tinio noted his observation that the catch basin catches runoff from the tower driveway, Taft Avenue and Uxbridge Road near Alicante. *Action: D. Willoughby to forward e-mail to Phil Nadeau, DEP, asking him to let the Conservation Commission know if he wants members to do anything further and to keep us informed of the status.*

Rick Hathaway informed members that L. Zook is requesting a Certificate of Compliance for 191 Providence Street. Everything is stabilized. *Action: D. Tinio to perform site visit to view second crossing.* M. Ammendolia made and W. Aten seconded a motion to issue the Certificate of Compliance pending results of site visit. The motion carried unanimously.

M. Ammendolia informed members that he did a site visit to 25 Wood Drive; therefore, the Certificates of Compliance that were signed at the last meeting may be released.

M. Ammendolia read the e-mail that Jennifer Gensel, DEP, sent to the Commission. The Sweets had not received a copy. Copies were distributed at the meeting. *Action: D. Willoughby and R. Sweet to call J. Gensel to find out what procedure she would like used to restore the filled wetland.* Members want to understand if an RDA or NOI is needed. R. Sweet informed members that he wants to terrace about 40' from the wetland.

Members agreed to postpone possibly voting for a new chairman until all members can be present.

Members reviewed and signed the negative Determination of Applicability for 18 Teresa Drive-18' round, aboveground pool. There was no wetland impact.

D. Tinio to perform site visit to 73 North Avenue. The owner would like to build a 14'X28' addition. He will also visit owner of 153 Uxbridge Road to clarify where the trees can be planted. D. Willoughby informed him that D. Tinio indicated they should not be located beyond the grass line. The owner said there would not be enough room.

Members reviewed the RDA for 7 Leonard Road. The owner would like to install an 18'X36' inground pool. M. Ammendolia will visit site.

M. Ammendolia made and T. Aicardi seconded a motion to approve the meeting minutes dated June 12, 2008. The motion carried unanimously.

A motion was made to adjourn at 8:49 p.m.

Respectfully submitted,

Diane Willoughby  
Administrative Clerk



*Damon Tinio, Chairman  
Peter Coffin, Vice Chairman*



*Timothy Aicardi  
Michael Ammendolia  
William Aten*

## **TOWN OF MENDON**

**Conservation Commission**

**Mendon Town Hall**

**20 Main Street**

**Mendon, Massachusetts 01756**

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### **Meeting Minutes of July 24, 2008**

Attending: T. Aicardi, M. Ammendolia, W. Aten, P. Coffin, D. Tinio; F. Lapham, Shea Engineering; Laurie & Robert Sweet, 50 Milford Street; Kay Ghelli, 230 West Street, Milford; Nancy Macari, 5 Blueberry Drive; Deb Lane, 38 Vincent Road; Mildred Kampersal, 387 South Street, Holliston; Ruth O'Grady, 205 Providence Street; David Gallant & Joan Gallant, abutters; Jean Wilber, Asylum Street; [Illegible name & address]; Bryan Slack & Shellan Fitzgerald, Design Consultants, Inc.; William Halsing, Land Planning, Inc.; and Michael Peters, 185 Blackstone Street.

Meeting was called to order at 7:36 p.m. when a quorum was reached.

Members reviewed Requests for Determination of Applicability of which site visits had been done within the past two weeks and negative determinations made. They include: inground pools at 7 Leonard Road and 3 Lundvall Road, a deck at 2 Myrtle Street, an above-ground pool at 18 Quissett Road, and additions at 73 North Avenue, and 25 Thornton Street.

T. Aicardi performed site visit at 21 Millville Street in response to R. Sweet's concern over grass clippings in the wetland and big piles of dirt with no hay bales or silt fence. T. Aicardi asked how Mr. Sweet was able to see these possible violations as they cannot be seen from the street. Mr. Sweet replied that he took pictures from the lawn. Mr. Aicardi told Mr. Sweet to be careful not to go on other people's property. Mr. Aicardi explained that the fill is in the buffer, which is not a violation of the Wetlands Protection Act.

Nancy Macari voiced her concern about a new building being constructed at location of Oak Tree Supply due to fertilizer and pesticides being stored there. P. Coffin replied that there must be cause for suspicion that something harmful was spilled on the site. R. Sweet said there was an oil leak there in the past and a 21E was done. T. Aicardi explained that results of the 21E would only be given to the Conservation Commission if something of concern was found. Mrs. Macari said the previous owner had contaminated water. D. Tinio replied that a water test would need to be done as part of the application process. He explained that a well test would be performed. If everything comes back favorably, the Zoning Board of Appeals will review the application for a special permit. The Planning Board will conduct a site plan review. Then if all that is approved a Building Permit can be issued. N. Macari asked whether there was a feeder to Muddy Brook on the property. M. Ammendolia explained that there was not one where the concrete stalls are located. There may be one on the Taylor rental side of the property. The Sweets brought pictures of the property because they are concerned about existing water. D. Tinio explained that when Oak Tree Supply moved to existing property, there were not wetlands on it. The water was from drainage. T. Aicardi said the board would look at a site plan when one is submitted.

7:50 p.m. Engineers from Design Consultants, Inc. presented the plan for Butler Estates, 33 Asylum Street. Their plan originally had two roads. The Planning Board requested one. Hay bales will be put where there is construction within 100' of wetlands. The road is limited to 800' long. He has not been able to speak with Fire Department yet as the Planning Board requested. Cultec separators will be installed in the roadway for drainage. Percolation results were two to nine minutes per inch. Most were two to five minutes and one was nine minutes. Material excavated during construction will be kept on the site per the engineer, probably on lot 2. D. Tinio requested the plan show where temporary storage will be located. Subdivision plans were given to the Planning Board for distribution to all boards.

*Action: D. Willoughby to obtain a copy from the Planning Board.* S. Fitzgerald explained that the particle separator needs to be cleaned out by the owner, developer during construction and the town when the development is accepted by the town. P. Coffin said they need to make sure the DPW has the equipment to clean them out. Shallen explained they are cleaned out the same way a regular catch basin. There is two feet of separation to ground water from the separator. She explained that because there is a curb, the town requires a separator. If a detention pond were to be used, a fence would need to be installed around it. P. Coffin requested to see logs from the test pits. Bryan explained that there was ledge on parcel 2. Mr. Nolet wanted to know if there would be runoff toward his lot. Bryan explained that there would not be runoff on his side of the property. Runoff will soak into the ground. Bill Halsing, Mendon resident, suggested that testing for ledge and mounding analysis for detention pond be done. The proponent should give funds to the town in order for the town to maintain. Members requested an area for the fill to be designated on the plan and the engineer to check with the DPW to determine how he wants the water handled—detention pond versus cultec separator. The engineer offered to supply a cut sheet of a Cultec separator. T. Aicardi made and M. Ammendolia seconded a motion to look at definitive subdivision plan and continue the hearing until August 14 at 8:00 p.m. M. Ammendolia seconded the motion. The motion carried unanimously.

8:33 p.m. Bill Halsing presented the plan for 50 Milford Street which restores the wetland that was filled. All material that filled in wetland will be removed. The disturbed area should be mulched or loamed and seeded. The swales will be extended to pick up matter and go into the detention basin. Mr. Halsing suggested doing restoration and submitting RDA for turnaround driveway. The picnic area will not be done at this time. Members prepared Enforcement Order. D. Willoughby will let the Sweets know when it is ready.

8:45 p.m. 183 Blackstone Street-- W. Aten stepped down during the continuance, as he is an abutter. F. Lapham reviewed revised plan with remaining members. There is approximately 1000 feet of driveway. The mean annual high-water mark was noted and the riparian zone marked. Construction is outside the 100-foot buffer. There is only seven-percent disturbance. Ten-percent disturbance is allowed. Construction will avoid larger trees and boulders to limit the work area. A contractor has not been chosen yet. The shoulder of the driveway will be loamed and seeded. The driveway will be paved down to the riverfront. M. Ammendolia made and P. Coffin seconded a motion to accept the plan for 183 Blackstone Street as amended to include the well and protection for the well with hay bales while it is being drilled on the plan. The motion carried unanimously.

D. Willoughby informed members that she has not received an update from Mr. Hilliard, 60 North Avenue, regarding his progress on working with the NRDC. *Action: D. Willoughby to send him another letter requesting an update.*

D. Tinio and T. Aicardi reported that they performed a site visit at the Imperial Chrysler-Ford Dealership on Uxbridge Road. A pipe was put in near the vacant lot and is covered by filter fabric. There is a swale by the garage. R. Sweet showed members pictures he had taken. *Action: D. Willoughby to send a letter to the owner of Imperial Chrysler-Ford indicating it has been brought to their attention by a concerned citizen that there is silt running into the wetland across the street from his property. The silt must be controlled on site. He must inform board of action he plans to take within the next two weeks.*

M. Ammendolia made and T. Aicardi seconded a motion to nominate D. Tinio for the Chairman position of the Mendon Conservation Commission for the upcoming year. The motion carried unanimously. D. Tinio accepted the nomination. M. Ammendolia made and T. Aicardi seconded a motion for D. Tinio to be Chairman of the Mendon Conservation Commission for the upcoming year. The motion carried unanimously.

M. Ammendolia made and T. Aicardi seconded a motion to nominate P. Coffin for the Vice Chairman position of the Mendon Conservation Commission for the upcoming year. The motion carried unanimously. P. Coffin accepted the nomination. M. Ammendolia made and T. Aicardi seconded a motion for P. Coffin to be Vice Chairman of the Mendon Conservation Commission for the upcoming year. The motion carried unanimously. *Action: D. Willoughby to inform appropriate town officials of the vote.* Members discussed amount of time required and the high cost of gas associated with performing site visits and making determinations. *Action: D. Willoughby to contact MACC to see whether it is legal for towns to charge for site inspections.*

D. Willoughby informed members that the Orders of Conditions for the lots in Cobbler's Knoll expire October 20, 2008. *Action: Members directed Diane to let them expire and send a letter to the owner at the time of expiration informing him that they have expired and that work cannot continue.*

D. Willoughby informed members that ownership of 5 Morrison Drive has transferred. This explains why a request for an extension of the order of conditions was not received. No further action is required.

D. Willoughby will be submitting membership dues for MACC. The form asked for the largest issue the Con. Com. will face this upcoming year. Members agreed it would be dealing with developers who do not comply with regulations and the law.

M. Ammendolia made and T. Aicardi seconded a motion to approve the meeting minutes dated July 10, 2008. The motion carried unanimously.

Members agreed to postpone discussion of the petitions for zoning variances at 34 Hartford Avenue East and 3-5 Cape Road due to the lateness of the hour.

Members reviewed and D. Tinio signed the BoS License Routing Slip for Southwick Wild Animal Zoo's One Day Beer and Wine License.

A motion was made to adjourn at 9:50 p.m.

Respectfully submitted,

Diane Willoughby  
Administrative Clerk

*Damon Tinio, Chairman  
Peter Coffin, Vice Chairman*



*Timothy Aicardi  
Michael Ammendolia  
William Aten*

## **TOWN OF MENDON**

**Conservation Commission**

**Mendon Town Hall**

**20 Main Street**

**Mendon, Massachusetts 01756**

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### **Meeting Minutes of August 14, 2008**

Attending: D. Tinio, P. Coffin T. Aicardi, Jean & Steve Wilber, David (Nolet) and (John?) Gallant, Asylum Street; F. Lapham, Shea Engineering; Laurie & Robert Sweet, 50 Milford Street; Kay Ghelli, 230 West Street, Milford; Mike Weaver and Bob Poxon, Guerriere & Halnon.

Called to order at 7:51 p.m. when a quorum was reached.

Members reviewed Requests for Determination of Applicability (RDA) for which P. Coffin performed site visits. The owner of 56 Hartford Avenue West would like to construct a 24'X28' detached garage. Members signed negative determination with the condition that he put silt fence or hay bales around stockpile. The owner of 15 Hartford Avenue West would like to construct a 16'X24' deck, using sono tubes, alongside the 3-season porch. It will extend to the end of the garage. Members signed the negative determination. The owner of 89 Hartford Avenue West would like to construct a 100'-pole barn. Members signed the negative determination.

D. Tinio performed a visit at 54 Millville Street for an RDA for a 20' X 40' inground pool. Members signed the negative determination. He also performed a site visit at 27 Neck Hill Road. The owner would like to replace his 12'X5' deck, with the same sized deck, using 3-poured, concrete footings. Members signed the negative determination.

Members reviewed the engineering plan that was submitted with the NOI for 22 Emerson Street. The owner would like to construct a 14'X20' detached, single-car garage at the end of the driveway. The house and driveway are in the 100-buffer. Members signed a positive determination. The owner must file a Notice of Intent

7 Cape Road NOI hearing—Mike Weaver presented revised drawings. Verizon did not want to move poles. The detention basin is in the buffer. There is 7,000 feet less of impervious area than what was on original plan. The design follows the new Stormwater management regulations. They will not be asking for credits for water quality. P. Coffin asked about long-term maintenance. Mike replied that there is no maintenance required. P. Coffin asked whether the Stormtech requires maintenance. Mike said that maintenance would be required one or two times per year depending on the level of salt used. It will be the site owner's responsibility. It is pumped out with a vacuum. The Conservation Commission will require that the owner submit proof of cleaning Stormtech and of parking lot cleaning. They will also require that an as-built engineering plan be submitted saying yearly maintenance has been completed. The storm ceptor will need to be inspected quarterly. The owner must adhere to the Original Equipment Manufacturer's scheduled maintenance and inspection requirements for Stormtech/storm ceptor and parking lot cleaning schedule. T. Aicardi made and P. Coffin seconded a motion to continue the hearing for 7 Cape Road until August 28 at 8:00 p.m. pending the town engineer reviewing calculations. The motion carried unanimously. M. Weaver will send R. Duff an updated plan.

8:15 p.m. 6 Myrtle Street NOI hearing--F. Lapham explained that the BOH is currently reviewing the plan, as an exemption is needed. It will be 3' above ground water. No stone or fill is needed under the system. T. Aicardi made and P. Coffin seconded a motion to approve the plans for 6 Myrtle Street as presented. The motion carried unanimously.

8:26 p.m. 33 Asylum Street NOI hearing—Mr. Nolet, abutter, was concerned because he used to have 1800' of frontage

and now only has 1300'. D. Tinio told him to go to the Planning Board meeting to discuss his issue. Abutters may also be interested in creating lots off Asylum Street. D. Tinio directed them again to the Planning Board.

8:30 p.m. 65 Taft Avenue--Request for Certificate of Compliance--D. Tinio performed site visit. Members signed complete COC.

R. Poxon presented plan for 26 North Avenue. The land owner would like to move the Century 21 building to the site that would alter the original plan approved for the Order of Conditions. The new driveway would be five feet from the wetland. P. Coffin made and T. Aicardi seconded a motion to have an amended Notice of Intent filed for 26 North Avenue. The motion carried unanimously.

D. Willoughby informed members that Mr. Hilliard has been in touch with Dan Lenthall of NRCS. Dan will be coming out to do a site visit.

Bob Poxon informed members that the drainage issue at Imperial Chrysler/Ford was due to runoff at the adjacent Dunkin Donuts. The manhole had a large amount of sediment caused from erosion from the Dunkin Donuts septic and well flowing down towards the dealership. The 30-inch pipe that is in front of the existing dealership is to be used during the next phase of construction. Water ran clean from that pipe during the heavy rainstorm. There was silt in the road coming from the site flowing west down Route 16. Guerriere and Halnon had hay bales put up along the side of the roadway. They also dug trenches on site so water can be trapped on site. There will be no stormwater management report required if an NOI does not need to be filed for the next phase. B. Poxon said the water would be attenuated on the site. The town engineer will review the stormwater management. There will be catch basins with sumps and hoods underground storage to the 30-inch pipe. He understands the concern and will be on top of the situation.

B. Poxon presented the RDA for 49 Taft Avenue that is owned by his daughter. The current well is shallow. He got a variance from the Board of Health because it will be less than ten feet from the property line. It is only three feet away. The well will be outside the buffer. Hay bales will be placed where drilling will occur and on the stone walls. P. Coffin made and T. Aicardi seconded the motion to issue a negative determination for 49 Taft Avenue. The motion carried unanimously.

50 Milford Street—Mr. & Mrs. Sweet informed members that their engineer recommended once the sloped area has been seeded and grass is growing the wetland should be sprayed with a wetland mix. R. Sweet will call the Conservation Commission when work is complete. Members will review what has been done. P. Ghelli asked if the engineer has checked her lot for the water level. Members said that the next step in the process would be to see if the engineer did that survey. L. Sweet also wants to know whether the dam needs to stay or be removed. P. Ghelli asked about the culvert in front. D. Tinio replied that the water is going into the swale and is functioning. P. Ghelli asked if there is still a cease and desist order. D. Tinio replied that the Enforcement Order is in place only to do the restoration. R. Sweet issued a Request Determination of Application for a picnic area and one for a turn-around driveway. D. Tinio said RDA's cannot be accepted until the work under the Enforcement Order is complete. The Certificate of Compliance will not be signed until after the Enforcement Order work is complete.

L. Sweet voiced her concern with K. Meehan's property. She said the Conservation Commission sent him a letter regarding concern with runoff. She wanted to know why K. Meehan was on her property Friday morning asking her if she had a problem with him. She is concerned that big business is getting favored in town. D. Tinio replied that he has been at meetings regarding Mr. Meehan's property and his plans have been scrutinized. She wanted to know who on the Con. Commission told him that the Sweets had brought the issue to their attention. None of the members knew how Mr. Meehan was informed.

D. Willoughby informed members that D. Pleau is still looking for a member from the Con. Commission to be on the Cobbler's Knoll committee. *Action: D. Willoughby to call W. Aten to see if he is willing.*

D. Willoughby spoke with MACC and the Admin. Clerk for Upton. They said that Cons. Commission members are volunteers who do not get compensated for performing site visits. Upton has an agent who is paid an hourly rate to attend meetings and do site visits for RDA's and NOI's. Based on Upton's rate it would cost the town approximately \$6000 per year.

P. Coffin made and T. Aicardi seconded a motion to approve the meeting minutes dated July 24, 2008. The motion carried unanimously.

Members reviewed the petition for a zoning variance at 34 Hartford Avenue East. There were no wetland issues.

Members agreed on the following meeting schedule. Meeting will be held at 7:30 p.m.

September 11 & 25

October 9 & 23

November 13

A motion was made to adjourn at 9:52 p.m.

Respectfully submitted,

Diane Willoughby  
Administrative Clerk

*Damon Tinio, Chairman  
Peter Coffin, Vice Chairman*



*Timothy Aicardi  
Michael Ammendolia  
William Aten*

## **TOWN OF MENDON**

**Conservation Commission**

**Mendon Town Hall**

**20 Main Street**

**Mendon, Massachusetts 01756**

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### **Meeting Minutes of August 28, 2008**

Attending: D. Tinio, P. Coffin, M. Ammendolia, W. Aten; M. Kampersal, 387 South Street, Holliston, MA; Ben Svenson and Conrad Nathmann, Design Consultants, Inc.

Meeting was called to order at 7:36 p.m. when a quorum was reached.

M. Ammendolia informed members that Mr. Sweet called Damon to say that his engineer measured the area that he dug out for restoration and it was short by 1700 feet. R. Sweet asked if that was good enough so he didn't have to rent more equipment to make the area larger. D. Tinio had called M. Ammendolia to get his opinion. M. Ammendolia suggested sending a copy of the engineer's report to the DEP. R. Sweet didn't have the engineer put up stakes to mark the area to delineate the wetland. D. Tinio called R. Sweet and told him that if the engineer thinks it is sufficient and he's willing to put his certification on it, then it's okay with the Con. Com. Mrs. Kampersal asked if Mr. Sweet would be required to remove the dam. Members explained that it hasn't been decided. Restoration needs to be complete first.

Mrs. Kampersal reminded members that Mr. Sweet's engineer was supposed to do a survey of the water level of bog. D. Tinio said a final inspection of the restoration needs to be done when it is complete. He felt 1700 more feet of wetland need to be restored. P. Coffin wondered whether the engineer could do an analysis when doing the as-built plan to determine the highest recommended water level. Mrs. Kampersal also asked whether the retention basin was filled. P. Coffin replied that it is still there. Mrs. Kampersal wondered whether the K-turn driveway would be located where it is supposed to be. D. Tinio replied that as one faces the street and goes down the driveway, it would be off to the right of the area that was dug out. It will be across the driveway from the building. *Action: D. Willoughby to let P. Ghelli know if 50 Milford Street is on the agenda for the next meeting.*

Members reviewed Requests for Determination of Applicability (RDA). M. Ammendolia performed a site visit to 20 Wood Drive. There is an open Order of Conditions. The applicant is the second owner of the property. The wetland is under the driveway near the road between 18 & 20 Wood Drive. There is no way to enter the basement from the outside. He would like to put in a bulkhead. Members signed the negative determination. Members also signed the Complete Certificate of Compliance.

D. Tinio performed a visit at 160 Millville Road in response to an RDA for a 24' X 30' detached garage. Members signed the negative determination.

A potential buyer had a Request for Determination of Applicability for an outbuilding and inground pool at 5 Catalpa Lane. He planned to attend the meeting with a drawing of his request but was not in attendance.

W. Aten volunteered to be on the Cobbler's Knoll ad hoc committee. The Board of Selectmen has appointed him.

Members reviewed the RDA for 87 Park Street. The owner would like to install 20' X 36' inground swimming pool. Members signed a positive determination, as the pool will be in the buffer. There was only a partial Certificate of Compliance from when the house was built. Members signed the Complete Certificate of Compliance. *Action: D. Willoughby to only release after D. Tinio performs site visit.*

8:00 p.m. 33 Asylum Street NOI hearing continuation. Mr. Svenson informed members that Mr. Nolet was being assessed for 80 acres when he only had eight. The stockpile area has been noted on the plan. The owner must supply and train personnel how to run infiltrators. Conrad explained that proposed infiltrators are mosquito controlled due to DEP regulations or will have dry ponds. The infiltrators in the roadway have been deleted from the plan. P. Coffin questioned if there will be berms with openings. There will be level spreaders for Stormwater on parcel one for sheet flow. The detention basin will flow to isolated wetland subject to flooding. Members agreed detention basins are preferred. Members directed engineer to continue hearing until after the Planning Board approves the plan. Meeting will be continued until September 25, 2008 at 7:45 p.m.

Dr. Gushard stopped by, as he was not informed that the hearing for 7 Cape Road was continued per the request of Guerriere and Halnon. The engineers needed additional time to address comments from the town's consulting engineer. D. Tinio brought M. Ammendolia up to date regarding the groundwater level being at three feet not five.

P. Coffin made and D. Tinio, stepped down as chairman, seconded a motion to approve the meeting minutes dated August 14, 2008. The motion carried unanimously. D. Tinio assured P. Coffin that R. Duff thoroughly reviewed new Imperial plans with Guerriere and Halnon. *Action: D. Willoughby to obtain review comments to forward to Peter.*

*Action: D. Willoughby to call Shea Engineering to find out who owns Lot 4 Morrison Drive. Someone is clear cutting trees. Silt fence and hay bales should be installed.*

Members reviewed the Trask Road Forest Cutting Plan. *Action: D. Willoughby to see if a contractor has been chosen to do the work.* They also reviewed the letter from the Army Corps of Engineers regarding the Sylvan Springs plan to discharge fill material into wetlands.

A motion was made to adjourn at 9:04 p.m.

Respectfully submitted,

Diane Willoughby  
Administrative Clerk



*Damon Tinio, Chairman  
Peter Coffin, Vice Chairman*



*Timothy Aicardi  
Michael Ammendolia  
William Aten*

## **TOWN OF MENDON**

**Conservation Commission**

**Mendon Town Hall**

**20 Main Street**

**Mendon, Massachusetts 01756**

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### **Meeting Minutes of September 11, 2008**

Attending: D. Tinio, T. Aicardi, and M. Ammendolia, P. Ghelli, 42 Milford Street; M. Dubeau, 37 Fiske Mill Rd., Milford; Laurie Sweet, 50 Milford Street; P. Lavoie, and M. Weaver, Guerriere & Halnon and M. Coons, 107 Uxbridge Road

Meeting was called to order at 7:53 p.m. when a quorum was reached.

Members reviewed Requests for Determination of Applicability (RDA). M. Dubeau, a potential buyer for 2 Catalpa Lane wants to know whether he could install an inground pool and outbuilding if he buys the property. Construction would be within the 100' buffer. Members agreed that he would have to file a Notice of Intent and work would be allowed with the Wetlands Protection Act.

8:01 p.m. 26 North Avenue-Amended Notice of Intent--T. Aicardi informed P. Lavoie that silt was traveling into the catch basin from the property. Peter will take care of problem. T. Aicardi made and Mike seconded the motion to accept the plans for 26 North Avenue. The motion carried unanimously.

Members reviewed RDA for 107 Uxbridge Road. The owner would like to construct a 15'X20 addition on the back of the garage. Construction will include a five-foot foundation w/a poured concrete slab. There will be no wetland impact. Members signed the negative determination.

T. Aicardi will perform site visit to 27 Vincent Road. The owner would like to construct a 14'X18' addition.

T. Aicardi performed site visit to 21 King Phillip Path for the construction of an 18'X36' inground pool. There would be no wetland impact. Members signed the negative determination.

D. Tinio performed site visit to 6 Old Taft Avenue. The owner would like to dig three fence holes approximately two-feet deep for a corner fence. The owner was instructed to place hay bales along the water. Members signed the negative determination.

D. Tinio performed site visit to 19 Talbott Farm Drive. The owner would like to install a 20'X43' inground pool seven to eight feet from the existing porch. Members signed the negative determination.

T. Aicardi made and Mike seconded the motion to accept the meeting minutes of August 28, 2008. The motion carried unanimously.

Members reviewed the Request for Extension Permit for the Order of Conditions at 5 Morrison Drive. The owner is requesting a two-year extension as they are still in the planning phase for the property. M. Ammendolia made and T. Aicardi seconded a motion to grant a one-year extension. The motion carried unanimously. *Action: D. Willoughby to call owner to have him install silt fence and hay bales around the detention basin.*

Members reviewed the Request for Extension Permit for the Order of Conditions at Lots 1, 2 & 5 Bellingham Street.

The owner is requesting a two-year extension due poor economic conditions. M. Ammendolia made and D. Tinio seconded a motion to grant a two-year extension to the Order of Conditions for Lots 1, 2 & 5 Bellingham Street. The motion carried unanimously.

D. Tinio performed a visit at 160 Millville Road in response to an RDA for a 24' X 30' detached garage. Members signed the negative determination.

The owner of 1 Lowell Drive called the Con. Com. office concerned that the swale on his property had standing water with an oil scum. It is attracting mosquitoes. He wanted to know who was responsible for cleaning it. *Action: T. Aicardi to perform site visit.*

Members reviewed letter from Larry Pearson regarding his 61A land. The Conservation Commission does not want to purchase it.

D. Tinio read aloud the letter from the DEP to Bruce Wheeler regarding Sylvan Springs. The letter indicated, "The applicant has designed the proposed project to minimize the amount of wetlands filling." It also listed conditions by which the applicant must adhere.

8:40 p.m. D. Willoughby joined meeting to take minutes and notarize documents.

Action: D. Willoughby to find documentation for Mr. Salvador's project on 161 Millville Street.

A motion was made to adjourn at 9:01 p.m.

Respectfully submitted,

Mike Ammendolia  
Acting Recording Clerk  
and  
Diane Willoughby  
Administrative Clerk

*Damon Tinio, Chairman  
Peter Coffin, Vice Chairman*



*Timothy Aicardi  
Michael Ammendolia  
William Aten*

## **TOWN OF MENDON**

**Conservation Commission**

**Mendon Town Hall**

**20 Main Street**

**Mendon, Massachusetts 01756**

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### **Meeting Minutes of September 25, 2008**

Attending: T. Aicardi, P. Coffin and W. Aten; Bob & Diana Miller, 8 Indian Hill Dr., Sutton; and Ben Svenson, 33 Asylum Street

Meeting was called to order at 7:34 p.m. when a quorum was reached.

Members reviewed Requests for Determination of Applicability (RDA). T. Aicardi performed site visit to 27 Vincent Road, as owner would like to put an addition on the back of the house extending out 14 feet and over 18 feet. Members signed a negative determination.

Members reviewed the RDA for 2 Powers Road. The owner would like to construct a 36-foot by 80-foot house including attached garage. D. Tinio performed site visit and reported there was no wetland impact. P. Coffin to also perform site visit. Members signed the negative determination.

Members reviewed RDA for 13 Hartford Avenue East. The owner would like to dig two, 4' X 4'- postholes, three feet deep for a sign at the end of his driveway. Members signed the negative determination.

T. Aicardi informed members that the owner of 1 Lowell Drive was concerned that there was a skim of oil in the swale on his property and standing water in the detention basin that was attracting mosquitoes. He wanted to know who was responsible for maintaining it. *Action: D. Willoughby to make recommendation to A. Tetreault to bring stone in to treat the water. P. Coffin to visit the site. D. Willoughby to get owner's phone number to Peter.*

P. Coffin requested that members review the minutes from August 28, 2008. P. Coffin restated a comment he made at the meeting regarding 50 Milford Street. P. Coffin made and W. Aten seconded a motion to amend the minutes of August 28, 2008 by adding, "The Conservation Commission will review the as-built plan for 50 Milford Street after the engineer submits it." The motion carried unanimously.

Members reviewed the request for an Extension Permit for Order of Conditions for 136 Uxbridge Road. The owners explained that they need to have wires taken down before work can be done. They would also like to construct a stone retention wall instead of concrete blocks. It would be six feet closer to the wetland. Members directed the owners to submit a modified plan and literature about the stones. W. Aten made and T. Aicardi seconded a motion that the owners shall submit an addendum and Conservation Commission will issue an extension permit for the Order of Conditions for 136 Uxbridge Road. It will be extended to January 31, 2010. The motion carried unanimously.

Ben Svenson, 33 Asylum Street, explained that he could not afford to have his engineer attend this meeting. Members reviewed the new plan which had the infiltrators removed. Ben will call R. Duff to see if there are drainage calculations based on the retention ponds or if new calculations need to be made. Ben agreed to continue the hearing. T. Aicardi made and W. Aten seconded a motion to continue the hearing for 33 Asylum Street until October 23 at 7:45 p.m. The motion carried unanimously.

*Action: T. Aicardi asked D. Willoughby to call M. Salvador and remind him that there is a negative determination of applicability on the swale at 161 Millville Road. However, he is digging and stumping in the back of the property. There is no plan for this work.*

W. Aten informed members that he went to the ad hoc committee meeting for Cobbler's Knoll. There were no Conservation Commission issues.

T. Aicardi made and P. Coffin seconded the motion to accept the meeting minutes of September 11, 2008. W. Aten abstained, as he was not present. The motion carried.

D. Willoughby informed members that the RDA hearing would be advertised for 20 Uxbridge Road/Imperial Plaza.  
*Action: D. Willoughby to obtain a copy of the drainage report for current and previous lots.*

A motion was made to adjourn at 8:50 p.m.

Respectfully submitted,

Diane Willoughby  
Administrative Clerk

*Damon Tinio, Chairman  
Peter Coffin, Vice Chairman*



*Timothy Aicardi  
Michael Ammendolia  
William Aten*

## **TOWN OF MENDON**

**Conservation Commission**

**Mendon Town Hall**

**20 Main Street**

**Mendon, Massachusetts 01756**

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### **Meeting Minutes of October 9, 2008**

(As amended 10/23/08)

Attending: D. Tinio, P. Coffin and M. Ammendolia; John & Ed Russell, Dolphin Pools; S. Smith, 188 Providence Street; Laurie & Robert Sweet, 50 Milford Street; P. Ghelli, 42 Milford Street; M. Yerka, Yerka/Bacon Engineering, LLC; and John Castignaro, builder.

Meeting was called to order at 7:28 p.m. when a quorum was reached.

Members reviewed Requests for Determination of Applicability (RDA). The owner of 22 Crestview Drive would like to install a 18' X 36' inground pool. Representatives from Dolphin Pools explained that the area is staked out and the pool will be on a flat area. Any dirt that is dug out will be put in a truck and removed from the site. Hay bales and silt fence shall be placed from the front corner of the house to the 'woods line'. M. Ammendolia will visit the site over the weekend and inform D. Willoughby if there is wetland impact.

Members reviewed the RDA for 2 Powers Road. The owner would like to construct a 36-foot by 80-foot house including attached garage. D. Tinio performed site visit and reported there was no wetland impact. P. Coffin to also perform site visit. Members signed the negative determination.

Members reviewed RDA for 153 Uxbridge Road. D. Tinio explained that the owner is getting water in his cellar. He would like to put in a French drain on the left side of the house and a dry well. D. Tinio asked the owner to backfill the trench. Members signed the negative determination.

Members reviewed the RDA for 6 Catalpa Lane. The owner would like to construct a 30' by 40' barn. D. Tinio performed the site visit. The construction would be on high ground. There is no wetland impact. Members signed the negative determination.

M. Ammendolia made and P. Coffin seconded the motion to accept the meeting minutes of September 25, 2008. The motion carried unanimously.

D. Willoughby informed members that she spoke with A. Tetreault about the swale and detention basin at 1 Lowell Drive. Mr. Tetreault inquired as to whether they were on town or private property. He will visit the site. *Action: P. Coffin to visit the site as well and has been given name and phone number of owner.*

D. Willoughby also informed members that S. Bilodeau, 71 Hartford Avenue West, informed Conservation Commission that a beaver(s) are back. They have built a dam between two pipes and near corner of Hartford Avenue West. *Action: D. Willoughby to send a letter to the Board of Health and copy the Board of Selectmen informing them about the complaint and that a permit is needed to remove it. Diane to inform A. Tetreault.*

Members reviewed the Board of Selectmen's License Routing Slip for a mobile food stand on 89 Hartford Avenue East. The applicant is a Hopedale resident. There is an expired Order of Conditions on the property. D. Tinio signed the slip and D. Willoughby will note that as well.

7:45 p.m. NOI hearing for 36 Quissett Road—The builder will be living on the property where a 4-bedroom house is to be constructed within 50 feet from the bordering vegetated wetland. There will be two, stone retaining walls which are 3 ½ feet high and 13 feet from the wetland. Mr. Yerka explained the plan needs to be approved by the Planning Board as it is on a scenic road. If the Planning Board requires any changes made to the plan, the engineer must send the new plan to the Conservation Commission. M. Ammendolia made and D. Tinio stepped down as chairman to second the motion to accept the engineering plan for 36 Quissett Road as revised with hay bales around the well and dewatering pit. Peter Coffin abstained. The motion carried.

8:00 p.m. 20 Uxbridge Road/Imperial Plaza RDA—There are no wetlands on the site. Mr. Poxon explained that Stormwater management and erosion control plans were submitted. The contractor and owner have copies. There is one entrance that is already rip-rapped. Runoff from site goes to Route 16 and is part of that drainage. Man holes and catch basins are used to flow to a storage system, 35-feet by 196 feet by 6-feet deep. The walls are one-foot-thick concrete. It will pump out to other portions of the lot. A retention basin was constructed on site. The bay saver water quality system removes 87 percent of the TSS. P. Coffin questioned whether the 30-inch pipe has enough room for water coming from a 10 acre area. Mr. Poxon explained that the same area is draining off site now. It does not exceed the capacity of the pipe.

S. Smith said she saw a report that noted that there are hydraulic, Group B soils on the site. Mr. Poxon replied that this was from John Lavin's report; however, Mr. Lavin was never on the site. He got the information from the USGS. D. Tinio explained that Lenard Engineering is the town's engineer now. P. Coffin said that A. Tetreault sent a comment letter in August. Mr. Poxon explained that L. Hawkes went to the Planning Board meetings and she was 'all set with questions'. Mr. Poxon said that R. Duff did not review the wetland information. It was done by another individual at Lenard Engineering. M. Ammendolia reminded everyone that there is no wetland on site. P. Coffin said that there is drainage that goes into a wetland. M. Ammendolia said that the Conservation Commission is looking into the quality of water going into the drain. M. Ammendolia made and P. Coffin seconded a motion to find out the Conservation Commission's jurisdiction. The motion carried unanimously. *Action: D. Tinio to call P. Nadeau/DEP to get his opinion. Damon will inform D. Willoughby.* Mr. Poxon explained that he gave R. Duff his comment letter that was written in response to J. Lavin's comments on the plan. S. Smith sent a letter to P. Nadeau & Mary Ann DePinto, both from DEP, about jurisdiction. B. Poxon said he talked with M. DePinto who said if there were no wetlands on the site, there is no need for an NOI.

8:45 p.m. 50 Milford Street—R. Sweet explained that he dug out a larger area that needed to be restored. It has been hydro seeded and has a wetland mix. He provided a plan certified by his engineer as well as a letter saying the same. The turnaround has been completed. M. Ammendolia made and P. Coffin seconded a motion to accept the plan and information as provided. The enforcement order will be lifted except area will be checked again in one year to ensure grass is growing. The motion carried unanimously. R. Sweet asked that members call him before going on his property.

P. Coffin wants to make sure neighbors agree on the proper water level of the bog. R. Sweet suggested that he will cut a hole in the dam to return it to its natural level. P. Ghelli and members agreed with this approach.

R. Sweet voiced his concern that the owners of 49 Uxbridge Road are working on their embankment. He believes they are within 100 feet of a wetland that was filled on the property. M. Ammendolia replied that, "We are actively investigating it". R. Sweet said that he has told the Conservation Commission this before.

Members reviewed the site plan and special permit for 1 Hastings Street, Medway Co-operative Bank. There are no wetlands on the property.

A motion was made to adjourn at 9:16 p.m.

Respectfully submitted,

Diane Willoughby  
Administrative Clerk

*Damon Tinio, Chairman  
Peter Coffin, Vice Chairman*



*Timothy Aicardi  
Michael Ammendolia  
William Aten*

## **TOWN OF MENDON**

**Conservation Commission  
Mendon Town Hall  
20 Main Street  
Mendon, Massachusetts 01756**

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### **Meeting Minutes of October 23, 2008**

Attending: D. Tinio, P. Coffin, T. Aicardi, M. Ammendolia, W. Aten; Laurie & Robert Sweet, 50 Milford Street; P. Ghelli, 42 Milford Street; T. Willoughby, 7 Leonard Road; and L. Tinio.

Meeting was called to order at 7:38 p.m. when a quorum was reached.

Members reviewed Requests for Determination of Applicability (RDA). D. Tinio performed site visit to 39 Milford Street. The End Zone needs a sprinkler system and above-ground tank because of the high water table. It will be on a footing facing the drive in. Damon directed the owner to install hay bales and silt fence abutting the curbing. D. Tinio determined there is no wetland impact. Members signed the negative determination.

D. Tinio also performed site visit at 59 Northbridge Road. The owner requested to construct an 8-foot wide front porch using sono tubes. It will be approximately 200 to 300 feet from the pond. Members signed the negative determination.

D. Tinio performed site visit at 6 Willowbrook Lane. The owner would like to install a 20'X38' inground pool in the back of the house. The wetlands are more than 300 feet away. Members signed the negative determination of applicability.

D. Tinio met with the owner at his property on 7 Hastings Street. M. Jones would like to build a shed in the back. The wetland is not near that area. He is also not digging. Members signed the negative determination.

7:45 p.m. M. Ammendolia joined the meeting. The hearing for 33 Asylum Street was postponed by the applicant. There was not enough site distance for the subdivision.

A member asked Mr. Sweet if his tape recorder was on. R. Sweet replied that it was. The member informed Mr. Sweet that meetings can be recorded but person recording must notify the board of his/her intention to do so.

Members discussed work being done on 5 Morrison Drive. The wetland is not on the property but further behind. There is a detention basin to prevent water going into the road. Only trees are being cut down. *Action: D. Tinio directed D. Willoughby to call owner to have him put up silt fence and hay bales. D. Willoughby is also to inform him to call before any construction is done with a machine. Owner will need to come before the Con. Com.*

7:52 p.m. T. Aicardi called J. Gensel (DEP) to inform her the Con. Com. reviewed the engineering plan for the 50 Milford Street restoration. She will speak with P. Nadeau to do a site visit before the enforcement order is released. *Action: T. Aicardi to call J. Gensel on Monday to get status.* There was an old Order of Conditions for the business. A Certificate of Compliance was issued. The Sweets must make sure it has been recorded with the Registry of Deeds. When the Certificate of Compliance is issued for the construction of the house, it must also be recorded at the Registry of Deeds.

L. Sweet asked about minutes of the August 28 Conservation Commission meeting. She read the paragraph aloud regarding 50 Milford Street through to the reference of the dam. M. Ammendolia pointed out that the minutes reflect

only what was said during the meeting. It does not include conversation outside of the meeting.

P. Ghelli informed members that she took a walk behind the dam. She questioned excavation done behind the dam. R. Sweet explained that there was a trench and removing dam in the future was discussed at previous meeting. P. Ghelli asked if the Old Post Road path would be returned to the way it was. P. Coffin said that R. Sweet did not ask if that work could be done. R. Sweet said the dam is free flowing. T. Aicardi reiterated that nothing else should have been done. D. Tinio explained that this work would require a filing through the DEP. P. Ghelli asked if the cranberry bog goes behind the dam. R. Sweet answered that it does not. P. Coffin said that he should not have been doing work back there. D. Tinio voiced his desire to have the Sweets go through P. Nadeau/DEP for any additional work on his property. M. Ammendolia said he doesn't want to give up and go through the DEP. T. Aicardi said the Commission has asked the owners to do work a certain way and what the Conservation Commission says does not matter to them. P. Coffin suggested asking the DEP to come out and determine how to correct the problem. The Conservation Commission will meet with the DEP and the owner and start anew.

R. Sweet noted that they started in 2002. M. Ammendolia read the letter from R. Sweet dated November 8, 2002. He then read the Con. Com. minutes from November 7, 2002 regarding 50 Milford Street. P. Coffin noted that the letter from the Con. Com. said 'acceptable agricultural practices' were to be used not that the work could be done any way he wanted. The Sweets said they got an agricultural plan and the Army Corps of Engineers approved the project. L. Tinio said the Army Corps of Engineers typically leaves authorization of small projects to individual towns.

L. Tinio explained that the Sweets had comments at the Selectmen's meeting about violations on various properties in town. T. Aicardi directed R. Sweet to fill out a Request for Determination of Applicability for any property he wants checked on for violations. Tim explained that the silt that was near the Imperial Dealership had come from the Dunkin Donuts site from their septic repair. He said that the owner has deep sumps so no solids go into the street. R. Sweet asked if there was filter fabric. Tim said that one drain was covered with stone and the other was clean.

Another property R. Sweet had questioned was 21 Millville Road. D. Tinio performed a site visit and work was not being done near the buffer zone. R. Sweet said he received the meeting minutes from last year. There is no silt fence even though the minutes said the owner did install them. D. Tinio pointed out that the wetlands are in the back of the property and can't be seen without going on the property. R. Sweet said he did not go on the property.

R. Sweet questioned whether 49 Hartford Avenue East had a permit. A member explained that there is an isolated wetland on the property and there is an Order of Conditions issued. L. Tinio asked how many of the 14 properties questioned were permitted. D. Tinio responded that only 49 Milford Street has not been yet. The Con. Com. did receive a complaint from a concerned citizen. He performed a site visit the next day. The owner said he was doing deep holes with an engineer and had permits. A pipe was put in for drainage. R. Sweet said there are wetlands there. L. Tinio said that if there is an Order of Conditions on a piece of property then the owner is all set. Lawney said he is attending this meeting as a selectman to respond to a complaint. He determined that it is a Conservation Commission issue. *Action: D. Willoughby to send a letter to the selectmen.*

R. Sweet said he's had questions regarding 49 Milford Street since December 2007. D. Tinio explained that there is no wetland where the digging is being done. T. Aicardi further explained that the applicant will have to come before the Conservation Commission with an engineered plan and may need to dig for hydric soils. D. Tinio said they will look at a current plan of the property as well as any original plans we may find. M. Ammendolia reiterated that anyone can make an official complaint using a Request for Determination of Applicability. When the owner comes before the board, they can question activity on the site.

Members discussed Certificate of Compliance for 32 Maple Street. D. Tinio to perform site visit. Members signed the COC but directed D. Willoughby to not release until site visit shows work is complete.

D. Tinio reported that he spoke with R. Duff who was following up on Board of Health issues at 8 Uxbridge Road. Damon asked Bob to look over the site to ensure work was complete so Conservation Commission could issue COC. It looked fine according to Mr. Duff. R. Poxon delivered as-built engineering plan to Con. Com. Office. The engineer thought owner had Certificate of Compliance already and vice versa. T. Aicardi to perform site visit. Members signed COC but D. Willoughby directed to only release after T. Aicardi confirms work completed according to plan. R. Sweet asked if Stormwater management issues were addressed at 20 Uxbridge Road. D. Tinio replied that the owner is responsible for state permits with MEPA, EPA, curb cuts, etc. A NOI is not needed. Members signed the negative Determination of Applicability for 20 Uxbridge Road. There are no wetlands on the property.



M. Ammendolia made and T. Aicardi seconded the motion to accept the meeting minutes of October 9, 2008 as amended to correct page 2, para. 2 from '30-foot' to '30-inch'. The motion carried unanimously.

Members reviewed the updated site plan and special permit for 1 Hastings Street, Medway Co-operative Bank. There are no wetlands on the property.

D. Tinio signed a letter to Mr. Ahmed/Cobbler's Knoll, LLC informing him that the Orders of Condition for his properties in Cobbler's Knoll expired on October 20, 2008. No further work can continue.

Members agreed on the following future meeting dates: Thursdays, December 4, January 8 & 22.

Members reviewed the BOS License Routing Slip for Brian's Tire & Brake for a Class II license on 28 Hastings Street. D. Tinio signed off.

P. Coffin read a letter aloud from S. Smith to D. Tinio regarding the October 9 hearing for the Imperial Determination of Applicability. P. Coffin explained that the question about the curb cut is with the State if they need a permit. D. Tinio agreed that it is not a Conservation Commission issue. *Action: M. Ammendolia directed D. Willoughby to send S. Smith a letter saying the Con. Com. appreciates her concern about the site and they have taken steps to analyze the situation.*

D. Willoughby asked members if anyone was interested in attending the free Stormwater workshop being held on November 10 in Devens, MA. M. Ammendolia told Diane that any class that discusses Conservation Commission issues which she wants to attend, she can. R. Sweet asked if it wouldn't be in the Con. Com.'s best interest for a member to attend. M. Ammendolia replied that it is a volunteer board and that we have a paid employee who can attend.

A motion was made to adjourn at 9:30 p.m.

Respectfully submitted,

Diane Willoughby  
Administrative Clerk

*Damon Tinio, Chairman  
Peter Coffin, Vice Chairman*



*Timothy Aicardi  
Michael Ammendolia  
William Aten*

## **TOWN OF MENDON**

**Conservation Commission**

**Mendon Town Hall**

**20 Main Street**

**Mendon, Massachusetts 01756**

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### **Meeting Minutes of November 13, 2008**

Attending: D. Tinio, P. Coffin, T. Aicardi, M. Ammendolia, W. Aten; Laurie & Robert Sweet, 50 Milford Street; P. Ghelli, 42 Milford Street; Glenn Odone, Odone Survey and Mapping; A. DeWitt, 10 Ashkins Drive; J. Lowell, 40 Millville Street; Jim & Lynn Patrick 85 Park Street; J. Rosenfeld, 165 Millville Road; and L. Tinio, Selectman.

Meeting was called to order at 7:37 p.m. when a quorum was reached.

Mr. Sweet and Mr. Ammendolia asked permission to audio record the meeting.

Members acknowledged the e-mail the Con. Com. Clerk sent informing them the owner of 5 Morrison Drive installed silt fence and hay bales. *Action: D. Willoughby to contact owner of Tellstone Bus Co. to have them install erosion control on their side of the same detention basin.*

D. Tinio joined meeting at 7:40 p.m.

Members discussed specifics for a response to S. Smith's letter regarding Imperial Plaza. D. Tinio talked to P. Nadeau regarding the fact that there are no wetlands on the site. P. Nadeau confirmed that no NOI is required to be filed. The owner is also not digging within 100 feet of a wetland. *Action: D. Willoughby to send S. Smith a response saying the same as well as that curb cuts and lighting are not under the jurisdiction of the Conservation Commission. Diane will also tell Shirley that the board did not mean to shut down conversation and appreciates her input.*

8:26 p.m. Members reviewed and signed the Certificate of Compliance for 24 Washington Street. Lawyer for applicant has certification for Shea Engineering. *Action: D. Tinio to perform site visit prior to its issuance to ensure compliance*

8:49 p.m. 87 Park Street NOI hearing. Owner would like to construct an inground pool on the manicured, side lawn. An existing stone wall will separate construction from wetland. Twelve hundred square feet of wooded area would be cleared. There will be three feet of fill on the back edge of the pool. The dirt that is excavated will be used as fill. Owner plans to have 1200 square feet of wooded area cleared. Boulders will be used to create a wall along the slope and grading will be done up to it. McCarthy Pools will be doing the installation. Mr. & Mrs. Patrick were concerned about blasting that may be necessary and the construction access. The engineer showed them where access would be and said the side location was chosen because there is ledge in the back. If ledge is found, the pool will not be installed. Work will begin in the spring. P. Coffin made and M. Ammendolia seconded a motion to approve the engineering plan for 87 Park Street with the conditions that disturbance be limited to one foot away from the hay bales and allowing a steeper than 3:1 slope. Conservation Commission must be notified two weeks prior to excavation beginning in order to inspect hay bales and silt fence. The motion carried unanimously.

D. Willoughby informed members that engineer for 33 Asylum Street/Butler Estates requested a continuance for NOI hearing. He has not rescheduled.

Jon Rosenfeld, 163/165 Millville Street would like to change the permitted limit of work behind the barn from 35 feet away from the wetland to 25' in order to move the barn further away from the house. Members directed Mr. Rosenfeld

to file an amended NOI in order to inform any abutters of the change. Owner will let Con. Com. know if he decides to make the modification to the plan.

Members reviewed and D. Tinio signed the BOS License Routing Slip for the following: Class I Renewal: East Acres Recreational Vehicles; Class II Renewals: Copart Salvage Auto Auction, Champney Used Auto and Certified Sales, Inc.; Transient Vendors License: Lambert's Flowers of Mendon, Hawkers, Peddlers; , All-alcohol License: Barry's Place; Restaurant & Lounge License Renewal: Alicante Restaurant & Lounge; Street License Renewal: ACTS Airport & Casino Transportation Service; Lodging Renewal: Executive Manor Lodging House; Com. Vic. Renewals: Dunkin Donuts, Dino's Two, and Deluxe Pizza. Members did not sign the Café' Shenanigan's Com. Vic. Renewal as the restaurant is no longer open. *Actions: D. Tinio to perform a site visit to New England Steak and Seafood to see if silt is from Dunkin Donuts construction. D. Tinio to inform M. Ammendolia, Selectman of findings. D. Willoughby to speak with Building Dept. regarding a foundation near Pop N Kork. She will inform Mike and Damon of result.*

50 Milford Street-- Mr. Sweet explained that in the future he would like to build a wall w/rocks that are near his house. P. Coffin asked whether work was done in Old Post Road and dam area. Mr. Sweet replied that he put a pipe in the 'river', covered it and also dug a 40-foot channel. P. Ghelli showed commissioners pictures of cart path. Mr. Sweet said that he took the control/gate valve out. He needed to get access to the pipe to do this. It is currently serving as a retaining wall. M. Ammendolia said that a NOI should have been filed before this work was done. R. Sweet said there is a stake showing the boundary line. Not all digging was done on his property. P. Coffin said an NOI and plan is required. Members would like to do a site walk. A new Enforcement Order needs to be written. P. Ghelli asked if she can go on abutter's property. She would like to be invited when the visit will take place. R. Sweet said P. Ghelli is welcome to come on his property. *Action: D. Willoughby to notify Mrs. Ghelli when the site walk is scheduled after the NOI is filed.* M. Ammendolia made and P. Coffin seconded a motion that no other work is to be done on the NOI until the Enforcement Order is taken care of. However, plans can show other work that owner wants completed. The motion carried unanimously.

P. Ghelli questioned if 50 Milford Street issues are now going directly through DEP. The board decided that it is best to keep all issues within the town's jurisdiction.

Mr. Sweet asked that since he doesn't own the Old Post Road, whether the pipe should go across the whole road. T. Aicardi explained that the engineer will tell him how it should be designed. D. Tinio reiterated a site visit is needed and the engineer should attend.

D. Willoughby informed members that the OOC for 80 Northbridge Road will expire on January 12, 2009. *Action: D. Willoughby to send owner a letter asking him to request a Certificate of Compliance with an as-built engineering plan or request and extension permit for the OOC if work is not complete.*

L. Sweet asked if any plan was found for 49 Uxbridge Road. T. Aicardi said he could not find any plans but someone else is looking for files regarding the property.

L. Tinio stopped into meeting room from his ZBA meeting regarding Cobbler's Knoll. Lawney wanted to know if the 100-foot, buffer zone was a no-build zone. Members explained that it was not and the permitting process involved.

Members signed a letter to Mr. Zonghi notifying him that the expiration date for his property at 26 North Avenue remains October 16, 2011 even though an Amended Order of Conditions was issued.

P. Coffin made and M. Ammendolia seconded a motion to approve the meeting minutes of October 23, 2008. The motion carried unanimously.

Members reviewed the mail. *Action: D. Willoughby to send H. Trask a letter notifying him that everything seems to be in order with the updated Forest Cutting Plan they received for his property on Trask Road. The Commissioners would like to be notified when work commences.*

D. Willoughby provided a written overview of Stormwater Regulations workshop she attended along with a copy of the Power Point that was used.

A motion was made to adjourn at 9:40 p.m.

Respectfully submitted,

Diane Willoughby  
Administrative Clerk

*Damon Tinio, Chairman  
Peter Coffin, Vice Chairman*



*Timothy Aicardi  
Michael Ammendolia  
William Aten*

## **TOWN OF MENDON**

**Conservation Commission**

**Mendon Town Hall**

**20 Main Street**

**Mendon, Massachusetts 01756**

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### **Meeting Minutes of December 4, 2008**

Attending: D. Tinio, P. Coffin, and T. Aicardi, Laurie, Conor & Robert Sweet, 50 Milford Street; M. Yerka, Yerka/Bacon Engineering, LLC; and O. Wenger, 800 Pulaski Blvd., Bellingham, MA.

7:34 p.m. Mr. Sweet said he was audio recording the meeting.

Meeting was called to order at 7:41 p.m. when a quorum was reached.

D. Tinio informed members that 'silty' water was running into the stream from the new Imperial construction on Uxbridge Road. T. Aicardi pulled off manhole cover and observed cloudy water after it had rained the night before. Owner needs to put silt fence where outflow is located. D. Tinio directed owner to put check dams on the property. He made sumps out of the riprap.

T. Aicardi asked owner of Pop 'N Kork to put hay bales down gradient from retaining wall. They did not require a building permit so it didn't go through the Conservation Commission. Hay bales are around the disturbed area. Members signed the negative Request for Determination of Applicability.

P. Coffin to do site visit at 64 Bates Street. The owner would like to construct a 24' X 28' detached garage.

*Action: D. Willoughby to send a letter to the plant manager at Miscoe Springs to get status of outcome of engineering site.*

7:45 p.m. 123 Uxbridge Road NOI—M. Yerka presented engineering plan. Mr. Wenger would like to move his existing house, which is near the street, out of the commercial zone to the rear of the property into the residential area. A new driveway, well and septic system would be constructed. *Action: D. Willoughby to notify the Planning Board that the owner wants to put more trailers in the front of the property after the house is moved.* Members were concerned that fines are flowing into the wetland. There is 12,400 square feet of disturbance in the buffer zone. Members directed owner to install silt fence and hay bales up to the stone wall and continue with hay bales to Uxbridge Road. Both sides of driveway near Uxbridge Road must be graded, loamed and seeded up to the stone wall. Owner must call the Conservation Commission when hay bales and silt fence have been installed. T. Aicardi made and P. Coffin seconded a motion to accept the engineer plan presented for 123 Uxbridge Road with noted changes. The motion carried unanimously.

P. Coffin attended site visit to 50 Milford Street with L. and R. Sweet and their engineer, NRCS representative and P. Ghelli. The engineer recommended returning the channel to its condition prior to the dam being installed. This will be done by creating a riser with varying holes. The dam was constructed before the cranberry bog was recreated. P. Ghelli agreed with the decision. The engineer will put a stake on P. Ghelli's property showing worst case for the water level. The engineer has not decided whether the area would be a wet meadow or meadow. This will determine the water level. The engineer will have a plan to present at the January 8, 2009 meeting. Mr. Sweet must spread hay or mulch on the disturbed areas on the bank. When the pipe is going to be installed, Mr. Sweet must notify the Conservation Commission. All work must be completed according to engineering plan by April 15<sup>th</sup>, 2009. P. Coffin's concern is that

work was being done on P. Ghelli's property. R. Sweet said he wants to add another cranberry bog/wetland. Members reiterated that he needs a plan. *Action: D. Willoughby to amend the enforcement order issued November 13, 2008 and add milestones discussed and remove reference to filing a Notice of Intent per the recommendation of the J. Gensel, DEP CERO.*

D. Willoughby informed members that the BOH did sign the emergency permit to remove the beaver(s) from Thornton Street area. Members have not been to the area.

8:26 p.m. Members reviewed and signed the Certificate of Compliance for 24 Washington Street. Lawyer for applicant has certification for Shea Engineering. *Action: D. Tinio to perform site visit prior to its issuance to ensure compliance*

P. Coffin made and T. Aicardi seconded a motion to approve the meeting minutes dated November 13, 2008. The motion carried unanimously.

Members discussed if any projects had been approved in town that had wetland crossings as requested by the Army Corps of Engineers. The only one is Sylvan Springs.

Members reviewed mail. *Action: D. Willoughby to respond to e-mail from A. Smith, DEP, regarding Circuit Rider Program.*

A motion to adjourn was made at 8:59 p.m.

Respectfully submitted,

Diane Willoughby  
Administrative Clerk