



TOWN OF MENDON CONSERVATION COMMISSION

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Meeting Date: 9/22/2022
Meeting Location: Remote Teams meeting
Minutes Approved: 10/27/2022

Members Present: Carl Hommel, Damon Tinio, Susan Cahalan, Mike Ammendolia

Members Absent: Tim Aicardi

Conservation Agent: Emily Petro

Others: John D'Amelio, Robert Sweet, Robert Warner

Conservation Commission Chairman Carl Hommel called meeting into order at 7:01pm

Conservation Commission Chairman Carl Hommel commenced the meeting with the introduction of a conservation clerk/new hire to begin training in September, as well as pending bills, and paperwork to complete for the conservation commission. Robert 'Bob' Sweet, who was present, discussed the progression of tree cutting and further house construction with the installation of silt fences. Robert Sweet also discussed with the conservation commission committee board members the progression of construction activities occurring near drainage ditch which holds an 18" clay pipe and continues behind neighboring property. No excavation had been reported to be occurring at that point in time. Only after the silt fence is installed and inspected will excavation be allowed to occur.

Chairman Hommel remarked that Timothy Aicardi will acquire signatures for WPA Form 4B: ORAD at property: 35/37 Hasting St to be delivered to Mr. John Nenart. Discussion began of an upcoming public hearing for DEP regarding Notice 710; Goddard engineering would need to submit a legal notice/notice of intent to the local newspaper. Discussion occurred of new hire conservation clerk's work hours and work responsibilities.

At 7:16 Conservation Commission Chairman Carl Hommel opened the floor for open hearings beginning with property which contained three warehouse buildings at 5 Morrison Dr. Vice chairman Susan Cahalan volunteered to notify the applicant at 5 Morrison Dr. of a continuance due to the absence of a representative from the property at the meeting. All moved to issue a continuance for the applicant of property 5 Morrison Dr. until the Conservation Commission following meeting.

Conservation Commission Chairman Continuations in public hearing section of meeting resumed with an update requested by citizens of the progress of soil testing results from Goddard engineering conducted on Millville Street. Testing was reported completed and had come back 'clean'. Results from recent soil testing were completed by Goddard engineering the day prior on Sept 21st; these results would be forwarded to the board. It was discussed that Goddard engineering was to submit a plan, create a

schedule of the progress of their work, and submit reports at the Conservation commission's following meeting.

At 7:22 Conservation Commission Chairman continued regarding the Notice of Intent for DEP File #218-0820 for 5 Morrison Drive, filed by Sugrue Associates representing MPG Capital, LLC. This proposal consisted of the commercial development of construction of three warehouse buildings located at 5 Morrison Dr. DEP File # 218-0820 for 5 Morrison Dr. filed by associates representing MPG Capital: managing partner Mr. Peter Genta, and Mr. William Ronald who prepared a presentation which included a letter from a staff engineer. Discussion began of three items of concern for construction which included: plans for the septic system, mitigation of the slope, and elevation of the site. The notice submitted concerned parking areas to be constructed on the site which were discussed, specifically subsequent stormwater management, and subsurface sewage disposal. Mr. Genta and Mr. Ronald responded that proposals for the septic system had been submitted and were approved by the board of health. An engineer for the town of Mendon who is a consultant for the ongoing construction of MPG Capital, had remarked the need for MPG Capital to develop a stabilization plan to mitigate the slope/gradient of the site is currently 1.5:1. This slope was illustrated by Mr. Genta to be shallower than a 45-degree slope. The highest elevation of the site was reported to be 6 feet high. Mr. Genta described efforts to mitigate the site's slope with a material made of polyethylene hexagons also referred to by the Army Corps. of Engineers as a 'geogrid', would be integrated in their designs. The plans of construction were presented and reviewed by committee members.

Discussion continued to the ability of the PVC pipes installed for subsurface septic drainage to hold surges of storm water, such as could occur in a 100-year storm event, to mitigate the impact of surge water on the integrity septic system. Commission member Peter Coffin moved to approve the construction project by MPG Capital pending three corrections made to the construction of the associated parking areas, stormwater management, and subsurface sewage disposal system have been made and shown to conservation commission committee members. Several of the corrections discussed included replacing three pipes, one of which connected to a retention pond, and is 210 ft long.

Conservation committee members ruled unanimously in favor of Member Peter Coffin's motion to approve Goddard engineering proposal pending three corrections have occurred:

Carl Hommel: Aye

Susan Cahalan: Aye

Mike Ammendolia: Aye

David Tinio: Aye

The presentation was concluded and the next step on the project rested that once the siltation barriers have been installed it was requested that they inform the conservation commission, or the town hall so an inspection can be made of the work site.

Conservation Commission chairman continued discussion opening the floor to Millville St. This topic was decided to continue the next agenda, and a follow up email was decided to be sent to Goddard Engineering. Once reviewing the report from Goddard engineering committee members agreed to discuss the project in the next meeting.

Mr. Robert Sweet presented an NOI to the commission, along with plans for construction of a well on an ongoing house's construction. He then presented plans to remove several trees on the property, an instillation of silt fencing to mitigate the construction impact and plans to construct a driveway. It was requested by the committee that he provide an electronic copy of the Order of Conditions. Committee member Peter Coffin and Robert Sweet discussed progress of construction of the driveway occurring over an 18" clay pipe/drainage ditch and how Mr. Sweet would take action to avoid impact to existing structures

accommodating the preexisting clay pipe located in a drainage ditch. Committee members gave authorization for Mr. Robert Sweet to alter language on a portion of his plan/document with an engineer. Damon Tinio was notified of the modified language on the construction plan by the committee members, in the occurrence that the neighboring property owners contacted the committee. The changes to the construction plan regarded alterations to plans to mitigate impact to the drainage pipe located on the neighboring property of the home under construction.

It was unanimously passed by committee members in favor of altering the language of the plan regarding the 18" clay pipe located in the drainage ditch which crossed onto neighboring property.

Conservation committee members:

Carol Hommel: Aye

Susan Cahalan: Aye

Mike Ammendolia: Aye

David Tinio: Aye

This concluded the public hearing section of the conservation commission committee meeting.

Chairman Carl Hommel continued the meeting regarding previously discussed signing of an ORAD for 35/37 Hastings St. Remaining committee members who were not present would be available to sign the ORAD the following Monday.

Discussion continued around the meeting schedule and agendas for the remainder of the year and arranging a 7:15 slot for public hearings.

The meeting continued regarding the membership of the committee, i.e., recent resignation of committee member Emilio Perez. Discussion continued regarding the status of ethics paperwork completed by the board of ethics for committee member Tim Aicardi. John D'Amelio, who was present, had expressed interest to join the board. Discussion continued around the selectman's actions regarding recent the change of town bylaws approved by the attorney general, and whether the change affects committee member Damon Tinio at end of August or at the end of his term. Chairman Carl Hommel proposed that the committee should inform the selectman the conservation commission should be guided regarding how the Town Council wants to interpret the changes made by the Attorney general. Committee member Damon Tinio stated that if the select board votes him off, then he would be off, however if they did not, committee member Damon Tinio would complete his term.

An interview began of prospective member John D'Amelio, who provided his background in public service as well as his work history and several decade experience in construction. He provided his current work experience as a realtor and construction supervisor in the town of Mendon. The commission explained the committee member duties and inquired about his availability to conduct site visits with committee board members. Committee members were then offered the opportunity to interview Robert "Bob" Sweet concerning possible appointment to the committee as well. Robin Fletcher was unable to be interviewed because of lack of attendance.

Chairman Carl Hommel stated that the wetlands protection act did not require the designation of alternates for the conservation commission committee/board. The wetland protection act explicitly requires the designation of a board of 3-7 members. Questions remained if there were the appointment of alternates, what would the alternates be allowed or not be allowed to do in this role in any capacity for the board, given that they would not have the ability to act based on state law. Chairman Carl Hommel opened discussion to the board regarding any suggestions to for the email to be sent. Board member Damon Tinio expressed the suggestion for 1-2 alternates due to the resignation of Emilio Perez, and for his seat following the completion of his term.

Vice Chairman Susan Cahalan posed a question to the board about the status of inspection of the turtle protection plan for construction of labor offices at a property: Muddy Brooks.

Discussion conducted regarding the schedule of the Conservation clerk/agent, to make it work best for the Conservation commission committee board.

Conservation Commission Chairman Carl Hommel made a motion regarding to in addition to town emails, receive a list of members' non-town emails, and phone numbers to set up a text message group for non-public discussion, such as: scheduling site visits and other non-public subject related discussion.

The conservation committee unanimously agreed to create a non-public form of communication between committee members

Conservation committee members:

Carol Hommel: aye

Susan Cahalan: aye

Mike Ammendolia: aye

David Tinio: Aye

The Conservation Commission committee board meeting concluded at 8:26pm.