

*Damon Tinio, Chairman  
Peter Coffin, Vice Chairman*



*Michael Ammendolia  
William Aten  
Timothy Aicardi*

## TOWN OF MENDON

Conservation Commission  
Mendon Town Hall  
Mendon, Massachusetts 01756

### Meeting Minutes of October 11, 2012

Attending: D. Tinio, T. Aicardi, M. Ammendolia, P. Coffin; Shirley Smith, 188 Providence Street; Paul Knapik and Susan Speers, Metacomet Land Trust.

Chairman Tinio called the meeting to order at 7:37 p.m.

Members reviewed the Jurisdictional Determination for 5 Russell Court. The property is not jurisdictional.

Susan Speers explained the purpose of the Metacomet Land Trust. Mrs. Smith would like to have a conservation restriction on 14.28 acres of her 17-acre property at 188 Providence Street. Over 90 acres are on the water front of the Mill River. The trust protects the open space but the owner will continue to own the land and pay taxes. The public will not have access to the open space. However, the owner can amend that in the future. Shirley plans to write an article for the newspaper to inform others of the trust's benefits. The selectmen and Secretary of Environmental Affairs need to sign the restriction. **P. Coffin made and T. Aicardi seconded a motion to certify that the proposed conservation restriction at 188 Providence Street meets the needs of open space preservation, river front and flood plain protection, protection of wildlife habitat and furthers Mendon's Open Space and Recreation Plan. The motion carried by majority. Mike Ammendolia abstained.** *Action: D. Willoughby to put an item on the selectmen's agenda for the selectmen to review and sign. Diane will include a synopsis of how the restriction benefits the town's interest on the commissioners' signature page. She will mail the signed plan to Susan Speers after the Selectmen sign.* P. Hutnak informed members that he is working on the Paddock conservation restriction.

Members reviewed the Request for a Certificate of Compliance (COC) for 31 Taft Avenue. Chairman Tinio performed a site visit. Paul Hutnak submitted pictures to confirm grass was growing. Members signed Complete COC.

T. Willoughby informed members that the septic plan was not approved for 21-1 Kinsley Lane; therefore, she did not issue the Order of Conditions per a previous discussion with the Chairman. Chairman Tinio instructed Diane to release the Order but to inform the owner/engineer that if the footprint of the house changes, the plan needs to come before the board again. He recommends not recording with the Registry of Deeds until the Board of Health approves a plan.

Members reviewed the draft letter regarding the turtle habitat on 34 George Street. Members agreed they prefer using the stone wall as opposed to the fence.

**T. Aicardi made and M. Ammendolia seconded a motion to accept the meeting minutes of September 27, 2012. The motion carried unanimously.**

Owner of 39 Providence Street was informed that her property was in a habitat area when she was investigating putting solar panels on her property. *Action: D. Willoughby to let her know that she needs to have an engineering plan drawn to determine habitat and where panels can be installed.*

Shirley Smith presented wording for a warrant article to amend the town by-law, Chapter XII, Uses of Lakes and Ponds. As a resident of the Lake area, Damon is not in favor of having further restrictions. He feels the State regulations are sufficient. The residents along the Lake are able to monitor the usage of the Lake. Other members agreed and suggested if Shirley still believes the Chapter should be amended, the Lake Nipmuc Association could ask the Selectmen to

sponsor it. D. Willoughby informed attendees that she put a link on Town's web site on the Conservation Commission's page for the Mass Boating Law.

D. Willoughby reminded members that this will be the last meeting she attends as she accepted the position in the Selectmen's office. Members discussed how to fill position. Advertising in the Milford Daily News costs approximately \$200. An advertisement should be placed on Cable television at no cost. *Action: Diane to put replacement clerk on agenda for the selectmen's meeting.*

**T. Aicardi made and P. Coffin seconded a motion to adjourn the meeting at 8:30 p.m. The motion carried unanimously.**

Respectfully submitted,

Diane Willoughby  
Acting Administrative Clerk

Documents Discussed located in Conservation Commission Office:

Metacomet Land Trust Pamphlet  
Conservation Restriction Application Form, Grantor: Shirley J. Smith, 188 Providence Street  
Conservation Commission Meeting Minutes dated September 27, 2012  
Pictures of 31 Taft Avenue (2)  
Request for and Certificate of Compliance for 31 Taft Avenue  
Jurisdictional Determination for 5 Russell Court, John and Brooke DiAnni  
Warrant Article-November 20, 2012 Special Town Meeting  
Letter dated October 4, 2012 to Dr. French, Mass. Division of Wildlife, NHESP