

**Meeting Date: 23-02-09**  
**Meeting Location: Hybrid Teams / 2<sup>nd</sup> Floor Meeting Room**  
**Minutes Approved: 24-02-22**

**Members Present:** Carl Hommel, Susan Cahalan, Bob Sweet, Peter Coffin

**Members Absent:** Tim Acardi, Mike Ammendolia, Damon Tinio

**Others:** 9

A sign-up sheet in the front by the doorway is provided. This will help when preparing the minutes to correctly spell people's names and get their addresses.

**Recording:** <https://youtu.be/1w7WtraSCHY?si=rRTAceSXhVskMMam>

Quorum reached at 7:09 and the recording started. The meeting is called to order by Chairman Carl Hommel and the Conservation Commission members introduce themselves.

**Correspondence:**

An email was received from Karen Friedman of Lurie Friedman asking for information on the 2021 Enforcement Order for 23 Cape Road. Two years ago, an email was sent to the committee from a neighbor who had major silt runoff. Peter spoke about what actions were taken and he didn't believe an order was sent. At that time, Damon Tinio contacted the owner of 23 Cape Road, and the owner had his landscape team put in erosion control. Peter talked with DEP this morning (2/9/23), as he went out and saw silt in the wetland area. Pictures of the area were shown. It was discussed to send a letter of Notice of Violation to the current owner. It was talked about coming up with a restoration plan that is suitable for everyone and goes with the land. Peter will write a letter stating a Notice of Violation. Peter will be following up and researching the current owner of 23 Cape Road to discuss the next steps.

2 Thayer Road – DEP 218-0813 Applicant is looking for a COC as the G-11 system valve regulator work has been completed. Earthwork has been done and vegetation has grown in. A site visit will be scheduled.

Correspondence received from Water and Wetland about this year's Lake Nipmuc treatment. A meeting will be scheduled at a later date for a discussion about this year's Lake Nipmuc treatment and funds.

Greg Buckingham, Buckingham Architectural Design dropped off paperwork to generate a DEP number for NOI at 35 Taft Ave.

The Commission received an email from Ted Steves about tree flagging on Quissett Road. The Mendon tree warden is working closely with the electric company. It was noticed that there were dead trees, hazardous for electrical lines falling on the road. This is not a conservation commission issue but will be handled by the planning board.

### **Conservation Commission Clerk**

There was an update on the search for a new clerk. A job posting has been extended and other job boards will be reached out to. If you know of anyone interested in the position, please reach out to Carl or Shelly, the HR person. Carl will be updating the agenda, minutes, monitoring the mailbox, answering voicemail and keeping track of paperwork. Susan will deal with back-end paperwork, processing documentation and entering information into the Mass DEP system. An account for Susan has been set up and will be verified. There is an existing Mendon account which has been used in the past. One of the tasks for the future clerk is to make sure that the 2021-23 records are imported into the database so that they are searchable.

The Board of Health is interested in a joint meeting with the Conservation Commission. Both boards would post agendas. Dan Byer who is the head of Parks and Recreation, is very interested in having the beach function properly during the summer. The agenda would be to create a Lake Nipmuc task force and follow up on the lake study that has been previously done. Members agreed to meet on Tuesday, Feb 21. A meeting will be posted and set up. Bob has volunteered to be the point person. He will be the liaison for the Lake Nipmuc Association and other people who are interested in that part of the conservation and resource area.

Public Hearings begin at 7:15pm

### **35-37 Hastings St / 18-20 Washington St**

DEP File Number 218-0831 Notice of Intent filed by Tomas Schutz by Goddard Consulting, LLC for applicant John Nenart. Hastings Street Plaza for the construction of properties located at 35-37 Hastings Street, and 18-20 Washington Street, Mendon, MA 01756

Peter Coffin and Damon Tineo have recused themselves from this project. The applicant requested via email to continue as they are awaiting a Superseding Order of Resource Area Delineation (SORAD) from MassDEP. We received a letter from the applicant John Nenart and Associates asking for a continuance tonight. They did receive their information from MassDEP last Friday and their engineer is preparing the plans. This matter will be taken up at the next meeting in two weeks.

Bob motioned and Susan seconded to continue this hearing in 2 weeks.

### **23 Cape Road**

Direct Youtube link is <https://www.youtube.com/watch?v=fyK8SRgIBUE&t=6469s> .

Continuation of discussion of Notice of Intent submitted on behalf of applicant Stephen Butte for the construction of a one-story warehouse building located at 23 Cape Road Mendon, MA 01756

Presentation by

- Dan Wells Senior Wildlife/Wetland Scientist of LEC Environmental Consultants, Inc.
- Connor Downey VP Investments BlueWater Property Group

- Kevin Demers Project Engineer DiPrete Engineering

As the minutes were prepared, a list of questions was asked and answered. There is a special file for 23 Cape Road that is available to the public at the Mendon town hall. Several questions from the last meeting were answered for the record and reflected in the minutes. There were an additional 10 questions asked at the last meeting and additional correspondence from that meeting. Questions were opened up to the public. The first question was about the sound study which is still in progress. The sound study will be presented to the Mendon planning board on March 6<sup>th</sup>. Applicants will review and follow up answering questions from concerned citizens. Audience members are concerned with vegetation and tree removal and pictures were shown. There will be correspondence via email if any further points are discovered.

Moved by Bob and seconded by Susan to continue this hearing until Feb 23rd. Passed unanimously.

### **106 Millville Rd**

Discussion of 106 Millville Road with Tom Schutz from Goddard Consulting. Work at this site will be done under an Enforcement Order and not an Order of Conditions.

Because of a mix-up, 106 Millville should have been on the agenda as there was a continuance from the last meeting. Unfortunately, while transcribing and preparing the agenda 106 Millville didn't make it on the agenda, therefore it wasn't included in the notice for the public hearing. There will be time in the meeting tonight to hear the presentation and the new information and continue it to the next meeting. It will not be discussed, but information will be put into the public record for the next meeting.

Tom gave an update from the last hearing. The presentation was where stockpiles are located, and Tom described two possible locations that can be used. He is also exploring a third possibility and needs to discuss it with his attorney before it goes on the public record. A diagram was shown on what the stockpile is going to look like with an erosion control barrier. He will come back at the next hearing and will have the fence in and set up. The current plan of erosion control is February 24<sup>th</sup>, earth work by March 31<sup>st</sup>, planting and seeding April 14<sup>th</sup>, monitoring to be done during spring and fall. The final evaluation would be after the growing season in 2024. Tom is to send an email for the February 24<sup>th</sup> deadline saying work has been completed so that the team can go out and review the work done. It was brought up that the name of the street on the plan was misspelled and it will be brought to the engineer's attention and fixed.

Peter motioned and Bob seconded to continue this meeting to Feb 23<sup>rd</sup>. Passed unanimously

### **73 and 75 Blackstone St**

NOI presented by Peter Lavoie on behalf of applicant, Lobisser & Ferreira Construction Corp. filing a Notice of Intent (NOI) for work associated with a proposed single-family house at 73 and 75 Blackstone Street. The project will consist of the construction of a single-family house, deck, walls, driveway, new septic system and other utilities for the new home.

The team conducted a site walk and inspected the area. The purpose of the presentation was to get an update based on comments from Mass DEP when issued the permit number. Changes were made to the plan because of the site walk. Carl asked for a copy of the plan to be mailed to Con Com so he can put it into the sharepoint folder. 73 No disturbance in river front area. Addressed the Mass DEP comments.

Motion to approve conditionally the NOI for 73 Blackstone based on the site walk finding no issues by Bob seconded by Susan, passed unanimously.

Motion to approve conditionally the NOI for 75 Blackstone based on the site walk finding no issues by Bob seconded by Susan, passed unanimously. Relocated driveway out of riverfront totally and moved septic to meet DEP requirements. They will write up order conditions and will email or give paper copy.

**9 Edward Road** - Gerald Bullock showed videos of water and tree damage in his yard. A concerned neighbor also spoke about water flow and how it is impacting her. Mr. Bullock and the board had a discussion about fencing at the solar farm. Mr. Bullock showed pictures of the fencing. The Board asked Mr. Bullock to mail pictures to them and they will be put into the file for future reference. Peter will send a letter to the solar farm with the pictures that Mr. Bullock provides regarding fencing.

**9 Applewood Lane** – Tom Robertson resolved the issue about stormwater runoff with his neighbor and doesn't need the conservation committee.

Carl showed a list of DEP numbers, online filing system by street. A motion was made to commend the Chairperson, Carl.

Motion to adjourn passed unanimously.