

Carl Hommel  
Chairman



Susan Cahalan  
Vice Chairman

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CONSERVATION COMMISSION  
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**Meeting Date: 23-03-23**

**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, Mike Ammendolia

**Members Remote:**

**Members Absent:**

**Recording:** [https://youtu.be/0YpeJrgLGSc?si=2Jlh7Zu3OT\\_-hgji](https://youtu.be/0YpeJrgLGSc?si=2Jlh7Zu3OT_-hgji)

**Others Present:**

**Others Remote: 11**

Quorum met at 7:05pm and the recording started. The meeting is called to order by Chairman Carl Hommel and the Conservation Commission members introduce themselves.

**Correspondence** (postal and email)

Items open for discussion before the public hearing at 7:15pm.

31 Hartford Ave - The new order of conditions was approved a couple of months ago. The paperwork presented was a release of the old one so the lawyer can do the correct paperwork with the registry. There was not a signature page on the two pages of the document presented. A committee member suggested that on the paperwork it should be written to say that "this order has lapsed and has been replaced by another order". The conservation commission would issue a certificate of completion. The paperwork was given to Susan for a post paperwork meeting. Susan has the original, which was passed around for signatures and the recommendation was to make a copy and give it back to the lawyer. This is Agenda Item #11; Chris Nudd who was not in attendance or on the call. A copy is made, and the original given to the person in attendance representing the agenda item to give to their attorney.

Algonquin gas paperwork was signed.

A question was asked about the clerk's status. Carl stated that the Select Board was discussing it at their last meeting, but he has no updates yet. Carl is taking over some of the clerk's duties.!

84-86 Uxbridge Road – Carl asked if Alysa Boyson or anyone related to the case was on the call or present at the meeting. No one came forward.

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Concom finances were discussed. The status of getting the desk opened and finding checks was talked about as Peter said there were 3 checks. He made copies and left the copies on the desk. He took the checks over to the treasurer which were put into the system. The Treasure's office did ask where they came from, and Peter said that 2 were from notices the other was from MACC to us as an overpayment of something. Susan will follow up with MACC. Peter sent a Notice of Violation by certified mail and paid out of pocket. He was told to fill out the form for reimbursement.

### **Public Hearings begin at 7:15pm**

From the agenda – in attendance

35 Taft Ave

106 Millville Road

116 Uxbridge Road

23 Cape Road (there are 2 different Cape Road issues, so they will be separate for the meeting)

### **116 Uxbridge Rd- Georges Surf and Turf – DEP 218-0842**

Entertained a motion to continue NOI until such time they come back to update the committee with a plan.

A question was asked if anyone had any idea on what their plan is. It was discussed that they came and presented a plan, that Peter and others were pushing back saying that you need to build the septic system in the buffer zone because you don't want to turn off the old one. It was asked if they can do this in the off season if they are planning on doing the work sometime in the next 3 years. They are looking to upgrade/replace the septic system. They are looking to reduce the number of trees they would have to cut down with the new system. No further discussion. Passes unanimously.

**23 Cape Road** – First is the public hearing notice to discuss proposal by Blue Water in terms of the new warehouse project. The discussion after the public hearing will be the situation with the current owner Abreham Jriej and in terms of mitigation work that will be done because of silt events that have happened.

Continuation of NOI Connor Downey of Blue Water Property Group, Dan Wells, LEC Environmental Consultants and Kevin Demers, Deprete Engineering. The background is Susan prepared a letter that reviewed the literature in terms of diesel particulate air pollution and impact on wetlands. The engineering firm sent a letter, dated March 20, back to respond. The letter was from Deprete Engineering, Kevin Demers. The message was read aloud by Peter. Plans were displayed. Questions were asked by the committee and answered by the team. No audience questions. No online questions. There will be a continuance to the next meeting, April 13.

To be reviewed at the next meeting will be

- Catch basin detail and the filters. Details of cast iron hoods and installation.
- A maintenance plan was determined by the Planning Board. See what the planning board has as a Maintenance Plan and if inadequate the Commission will take additional action.
- Will copy Conservation Commission on all inspection reports and notifications given to Planning Board.
- Location of sound wall.

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Attorney Karen Friedman (representing 14 Talbot Farm Drive) asked questions to Blue Water representative about tree removal based on the site walk. According to the team, the canopy will not be disturbed, no cutting of trees just branches hanging over. She also asked if the Conservation Commission will be considering ordering a peer review of the impact of the entire development on the wetland, impervious surfaces, the 9 acres, the runoff, diesel fuel, and will it benefit wetland or degrade it? There was talk about storm water management. Contacting the town engineer for input on it was discussed. Later in the meeting, Carl said, the Commission will be discussing the distressed wetlands and remediation. The Commission will establish the remediation required before Blue Water comes in and does their work, then we will have Blue Water look at their work if they need to modify the proposal. At that time if the Commission is not comfortable with the plan then they would talk more about peer review. Karen said the concern is the cumulative effect of this development and the surrounding area. It seems like there are issues with the solar field, soccer fields, the recent siltation issues. Carl said that it will be discussed later in the meeting.

**106 Millville Road** – Continuation of discussion from last meeting. Pictures were shared at the meeting and the board asked them to be sent to them via email. It was discussed that they ran into a couple of problems trying to put dirt between the buildings. They ran into a pipe, believed to be a drainage pipe, no damage was done but will investigate further. They did not put the dirt where it was previously discussed. It is not in the buffer zone. Plans were shown. A discussion of details of next steps was talked about as applicant wants to improve the area, fill in, expand area around the house, stop erosion, plant grass. Tom Schultz discussed topography. The previous plan was to put dirt in stockpile locations north and south. Now the new proposal is not using the north and south areas but putting down loam and hydroseeding. It was mentioned that the dirt is already moved and needs to be capped by loam. The siltation fence is up as an erosion control barrier. Damon Tinio will drive by tomorrow.

14 Lovell St. - Kathleen Alexander asked a question to Scott. She showed a proposed plan for the hill, and she had a question on grading. She was checking to see if that was still the plan. Tom said that it's accurate to the plan and that it matches. She asked about the plateau and the plan is to keep it as a vehicle parking lot area. It is believed that there will be gravel or crushed stone, or asphalt put on it. It is outside of the buffer zone. There is going to be grass loam put on the hill for erosion control measures. Plans were discussed for what will be done in the next two weeks. The dirt will be gone, and work will be done behind the old house. Tom wasn't sure if hydroseeding would be done. Tom stated that the hydroseeding will be done before the next meeting, April 13 as he said the deadline at the last meeting was April 17<sup>th</sup>.

16 Lovell St. - A resident stated that he was going to ask the question that had already been answered about the grading on the plan. He said that it was a big improvement. He asked a question about drainage and Tom talked about storm water drainage and the natural plantings. The jersey barriers have been removed from the property. Mrs. Alexander asked a question about what board would be overseeing if runoff from cars in the parking lot occurred. It was answered to go to the Board of Health if there is evidence of impacting septic systems or if parking lot had water running into wetlands, conservation would come out and look at it. There was a motion to continue to the next meeting for April 13 which was passed unanimously.

**35 Taft Ave** – DEP-218-0841 The discussion was to close the previous OOC and issue a new one, based on and followed up from the commission meeting 2 weeks ago. The house is to be torn down and a new one built. The paperwork process was discussed and approved at the last meeting. Applicant filled out request for OOC. It was recommended to prepare a boiler plate application, as there are no specific conditions, and email it back to the board. The Board will print it out, sign, notify the applicant when done and put it in a place in the building where the applicant can pick it up. The silt fence is in place and Peter will take a ride by so work can start.

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**23 Cape Road** – This meeting was regarding the storm water runoff issue. The meeting was a review of the results of the sitewalk and observations that were made. The conservation commission conducted a site walk and examined the area where the work was done in 2021. The results were written in a document and the document, and pictures were presented. The Conservation Committee talked about the area that may be the problem. Abe, the current property owner talked about his experiences with the storm water and what he has done. He recently hired D&L who sent an email to the Conservation Commission to clarify the work that needs to be done. It was discussed that the storm water plan needs to be improved. We have evidence that the storm water management plan is no longer adequate. Needed is to engage your own engineer and do an investigation and come up with plan. A question asked was if the engineer may be present for the next meeting, April 13. It was answered yes. After what was seen at the site walk putting something together to fix the problem. Can anything be done before then? Possibly haybales for fortification and silt fence has to be fixed or replaced and maintained. Wait and hear the plan for any long-term fix but look at what was done in the past 3 weeks and a proposal for long term remediation. To Abe it was recommended to hire an engineer and attorney. To Abe it was recommended to get a professional engineer, investigate water, how much water, where it is coming from and fix it the one time not band aid it.

Ann Howell (13 Edward Road) spoke about her backyard and the extra water flowing down and is concerned about it going into the leach field. Pictures were shown. It was recommended that Ann attend the next planning board meeting. Ann and Jerry will get on the agenda at some time when it fits into their schedule. Contact will be made with the Solar farm people by Damon Tinio.

Karen Friedman wanted clarification on where the water was coming from. The sediment on 14 Talbot is coming from 23 Cape Road because of the high volume of water flowing downhill. A picture was put up and explained where the silt was coming from with the picture. Is there going to be a restoration of the wetlands as part of the solution? It should be, however, the immediate problem needs to be solved. Then we can start talking about if there needs to be a restoration program, going in and planting vegetation again. Expected to hear from your site engineer and Abe by April 13<sup>th</sup>.

### **Status update**

2 Nipmuc Road – There was an update, that the silt fence is now up on the hill. Damon inspected the silt fence. Carl sent an email back saying that they would discuss it tonight. As a result of the meeting, it was good that the silt fence is in. There was a discussion around the trees on the property.

11 Applewood Dr. - Correspondence was received from Chris Nudd, who has a wet back yard asking for a french drain. Chris was not in attendance.

Correspondence from a realtor asking about a property. It was an email asking for information about paperwork for a particular lot, however it was not for that site. Carl answered the email.

Motion to continue to next meeting, April 13, so moved, 2<sup>nd</sup>, and passed unanimously.

**Public Hearings close at 9:20pm**