



MENDON CONSERVATION COMMISSION

20 Main Street
Mendon, Massachusetts 01756

Meeting Minutes of October 29, 2020

This meeting was held remotely via publicly accessible video and teleconference as a precautionary measure against the COVID-19 Coronavirus. All votes were taken by roll call.

The remote meeting began at 7:15 PM. The Clerk reviewed the protocols for conducting remote meetings.

Members present: Peter Coffin, Tim Aicardi, Carl Hommel, Emilio Perez, Damon Tinio (as noted below)

Peter Coffin called the meeting to order at 7:18 PM

Patrice Murphy, representing Metacomb Land Trust (MLT), presented **monitoring reports for Conservation Restrictions** (CRs) granted to MLT (Muddy Brook North, Muddy Brook South, Meadow Brook Uplands) and the monitoring report for the CR granted to the Town of Mendon (the Pearson/Manoogian farm).

Tim Aicardi made a motion, seconded by Carl Hommel, to have the Clerk send a letter to the property owners of the **Manoogian farm**, asking them to participate in a site walk and attend an upcoming meeting to address the concerns that were raised. Roll call vote: Carl Hommel: aye; Tim Aicardi: aye; Peter Coffin: aye; Emilio Perez: aye. The motion passed unanimously.

(Chairman Tinio joined the remote meeting.)

Carl Hommel made a motion, seconded by Tim Aicardi, to have the Clerk send a Certified letter to the property owners of **85 Millville St.** (near Meadowbrook Uplands) to inform them to cease and desist from all maintenance activities, including mowing and lawn treatment, on the conservation land abutting their property. Roll call vote: Carl Hommel: aye; Tim Aicardi: aye; Peter Coffin: aye; Emilio Perez: aye; Damon Tinio: aye. The motion passed unanimously.

At 7:38 the Commission opened the Public Hearing to consider Notices of Intent for **50 Milford St. (DEP# not yet assigned)**. Scott Goddard (of Goddard Engineering) presented the plan and reviewed the history of the site and work done in proximity of wetlands. Tim Aicardi made a motion, seconded by Carl Hommel, to issue an Enforcement Order requiring completion of previously permitted restoration projects with activity allowed only in the replication area, filing of a revised restoration plan, and communicating regularly with the Commission with progress updates. Roll call vote: Carl Hommel: aye; Tim Aicardi: aye; Emilio Perez: aye; Peter Coffin: abstain. The motion passed by majority.

Tim Aicardi made a motion, seconded by Carl Hommel, to continue the Public Hearing to a date to be determined once site restoration work is completed. Roll call vote: Carl Hommel: aye; Tim Aicardi: aye; Emilio Perez: aye; Damon Tinio: aye; Peter Coffin: aye. The motion passed unanimously.

At 8:42 the Commission opened the Public Hearing to consider Notices of Intent for **63 Providence St. (DEP# not yet assigned)**. Bob Poxon (of Guerriere & Halnon), after presenting the plan, requested the hearing be continued to the November meeting, allowing time for the Mendon Planning Board to complete its peer review process. Tim Aicardi made a motion, seconded by Carl Hommel, to continue the Public Hearing to the

November Con Com meeting. Roll call vote: Carl Hommel: aye; Tim Aicardi: aye; Emilio Perez: aye; Damon Tinio: aye; Peter Coffin: aye. The motion passed unanimously.

At 8:58 the Commission opened the Public Hearing to consider Notices of Intent for **44 Hartford Ave. East. (DEP# not yet assigned)**. Chairman Tinio, having an interest in the property, recused himself from discussion of the proposal. Bob Poxon (of Guerriere & Halnon) presented the plan. Tim Aicardi made a motion, seconded by Carl Hommel, to approve the plan, subject to DEP's comments when it issues a file number. Roll call vote: Carl Hommel: aye; Tim Aicardi: aye; Emilio Perez: aye; Peter Coffin: aye. The motion passed unanimously.

Resident Santiago Garcia discussed with the commission his plan for tree cutting on his property at **26 North Ave.** The Commission asked the Clerk to share with Mr. Garcia the plans from a previous Order of Conditions for that property (DEP #218-0639) to provide him the location of wetland and buffer zone boundaries.

Commissioner Carl Hommel presented information from researching the requirements for **"Supplemental Environmental Projects"** (SEPs) allowed by MA DEP. Rte. 85 Realty Corp. is proposing to offer \$18,000 for a SEP. Mr. Hommel reported that projects must be related to the wetland area affected by previous unpermitted activities and therefore any current proposal should focus on the **Lake Nipmuc** watershed. Further, SEP funds cannot be used for maintenance projects. It was reported that MA DEP offers up to \$45,000 in competitive 604B and 319 grant funds toward solutions once they are identified.

Mr. Hommel introduced Matt Ladewig, an aquatic resource management expert with the ESS Group in Providence, RI, whose recommendation was to conduct a study of a portion of the Lake Nipmuc shoreline area to isolate concentrations and flows of contaminants and identify next steps to improving water quality. Mr. Hommel suggested the Con Com propose use of \$15,000 for an assessment of Lake Nipmuc issues, and \$3,000 toward preparing a site plan for Miscoe School's outdoor learning area proposal for an accessible path near the resource area behind the school.

John Nenart, of Rte. 85 Realty Corp. indicated he would write up a proposal for attorneys and MA DEP, incorporating the suggestions Mr. Ladewig offered to send him.

Tim Aicardi made a motion, seconded by Carl Hommel, to accept the Meeting Minutes of October 15, 2020. Roll call vote: Carl Hommel: aye; Tim Aicardi: aye; Damon Tinio: aye; Emilio Perez: aye; Peter Coffin: aye. The motion passed unanimously.

At 9:40 PM Emilio Perez made a motion, seconded by Carl Hommel, to adjourn. Roll call vote: Carl Hommel: aye; Tim Aicardi: aye; Peter Coffin: aye; Damon Tinio: aye; Emilio Perez: aye. The motion passed unanimously.

Minutes prepared by Bill McHenry, clerk