



TOWN OF MENDON
CONSERVATION COMMISSION
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Meeting Date: 24-01-25

Meeting Location: Hybrid Teams / 2nd Floor Meeting Room

Minutes Approved: 24-02-08

Members Present: Carl Hommel, Susan Cahalan, Bob Sweet, Lea Whiting, Peter Coffin, Tim Aicardi (Remote)

Members Absent: Mike Ammendolia

Conservation Agent: Isabella Genova

Recording: <https://youtu.be/2OOdTdpZWVU?si=g6T-NBoofxL6ehw8>

Others: John Nenart (Rt. 85 Realty)

Remote: Tom Schutz (Goddard Consulting), AJ Charbonneau & Christine Buchhold, Lawrence Coletta, Bruce H.

Quorum met at 7:01 and the recording started. The meeting is called to order by Chairman Carl Hommel and the Conservation Commission members introduce themselves.

Correspondence

- 75B Mowry St Voicemail – inquiry for tree removal, possibly within riverfront area
- Joined Massachusetts Society of Municipal Conservation Professionals

Chair Rulings

Request from Kevin Meehan

1. There has been a written request, by counsel for an applicant, that two members of the Conservation Committee be recused from all matters involving Mr. Meehan and his entities.
2. As Chair, I have reviewed the requests with Town Counsel and her advice informs my decisions. In response, the Chair makes the following rulings:
 - a. A request that Commissioner Coffin be recused on all matters involving Mr. Meehan and his entities is denied. However, Commissioner Coffin will continue to recuse himself with any matter he is an abutter for.
 - b. A request that Commissioner Whiting be recused on all matters involving Mr. Meehan and his entities is denied. Commissioner Whiting has no conflict of interest with respect to Mr. Meehan and can perform her duties as Commissioner.
3. I do not intend to discuss either of these matters further.

Conducting review of projects from The Meehan Group

Given the potential for personality conflicts during discussions of projects from The Meehan Group, the Chair has ruled that Roberts Rules of Order should be more closely followed. Specifically:

- A meeting participant must be recognized by the Chair before speaking
- Speakers must address all remarks to the chair; cross talk between meeting participants is not allowed

Email Distribution concom@mendonma.gov

It was brought to my attention while reviewing the recent request for recusals that the current distribution of the concom@mendonma.gov emails may be a violation of the Open Meeting Law. To remove any chance of non-compliance, the Chair has ruled that distribution will be restricted to the Conservation Agent.

45-49 Uxbridge Rd

Present was John Nenart (site manager Rt. 85 Realty) and Tom Schutz (Goddard Consulting).

The Commission requested the applicant attend the meeting to discuss the plan moving forward to get the site back into compliance. The Conservation Agent, Isabella requested permission to issue an Enforcement Order. This would not include a cease-and-desist order, rather it would include conditions for managing excessive stormwater, a phased construction sequence, and restoration plans for the Bordering Vegetated Wetland and Lake Nipmuc. Commissioner Peter makes a motion for Isabella to issue an EO, seconded by Commissioner Lea, passes unanimously.

Additionally, Isabella recommends that the Commission consider requiring a peer review monitor, amending the Order of Conditions, or requiring the submittal of a new Notice of Intent, if the Commission deems the scope of the project has changed.

Tom Schutz provided updates on the site plan. He stated that the sedimentation in the Bordering Vegetated Wetland should be reassessed in the drier seasons. John Nenart provided update on the status of the site. The temporary retention basin has been filled in with the ¾ in stone for the final underground basin. The stream reconstruction has also begun.

Chair Carl requested a status update on property owner Kevin Meehan's refusal to allow Commissioners Peter Coffin and Lea Whiting access to his properties.

134 North Ave

Present was John Nenart (site manager Rte. 85 Realty)

There were complaints of building activity for outbuildings on the property within the 100ft buffer zone of the wetland. John provided satellite imagery of the change in wetland boundary from 2019 to 2021. Applicant will be applying for an Abbreviated Notice of Resource Area Delineation which will be done by Goddard Consulting. Applicant will be pulling building permits for three structures.

23 Cape Rd

Present were abutters Christine & AJ Buchhold (14 Talbott Farm Dr), Lawrence Coletta, and Bruce H. Isabella provided update from discussion with Town Planner and Junior Town Planner. Under further investigation, pavement of the soccer fields at 35 Cape Rd had been reviewed by the Town's engineer Graves Engineering. Recommendation for Isabella to follow up on the management of snow removal. Discussion on the cumulative impacts on hydrology from the changes at 23 Cape, 35 Cape and 39 Cape Rd. The Commission is waiting for a stormwater report from 23 Cape Rd and the stormwater contact for the solar field at 35 Cape Rd

(8:24pm) Tim Aicardi left the meeting.

6 Crestview Dr

Request from Andrew Fassbender to remove six pine trees on his property, with concerns to safety of his house. There is a stormwater outfall culvert onsite. Peter makes a motion to approve the tree removal, with conditions for no heavy machinery in natural areas and no removal of stumps or roots, seconded by Lea. Passes unanimously.

3 Morrison Dr

Isabella has found there is an open Order of Conditions for 5 Morrison Dr, but no updates for work on 3 Morrison Dr.

13 Bellingham St

Isabella has been contacted by engineer for the site, Edward Avizinis of Avizinis Environmental Services Inc.

Conservation Trail Activity

Update by Lea Whiting. Anne Mazar will supply two new private property signs for Jared Wheelock's property. Email from Chapter President Kevin Sylvia, of the Blackstone Valley New England Mountain Bike Association, who would like to attend a meeting to discuss trail maintenance volunteer days.

Request from trails Chair John Mangano, of Appalachian Mountain Club Worcester, who would like to post laminated QR code surveys to gauge interest in trail maintenance on Town of Mendon's conservation land. Isabella requested he provide a draft of the survey for review by the Conservation Commission and Land Use Committee.

43 Quissett (Pearson Farm) Conservation Restriction

Isabella reports an estimate breakdown from Guerriere and Halnon, for \$1800 to resurvey and install 5 new rebar markers flush in the ground on the perimeter of the Farmstead envelope. Isabella will work with the Finance department to determine which budget line should be used.

Gaskill Conservation Restriction

Isabella has forwarded the approved CR draft to Town Counsel. Once reviewed it will appear in the next Select Board meeting.

Sylvan Springs

Review site inspection report and Upton Enforcement order from 24-01-11. Isabella and Commissioner Susan provided update from site walk on 01/12. The Bordering Vegetated Wetland downstream of the construction for basin 4 has been cleaned of silt, the wetland flagging and silt fence have been installed for the perimeter.

Lake Nipmuc Task Force

Update from Bob Sweet, the next meeting will be on 1/30 at 7pm and the Task Force will discuss installing a water gauge and Ch. 91 regulations.

Building Permits

- COM-23-12 149 Uxbridge Rd – install fence between Royal Fireside and Lew's Lawnmower, still on hold
 - Fence is under 6 ft, not jurisdictional
- RES-23-338 17 Thayer Rd – build greenhouse/shed, on hold as may be jurisdictional
 - Awaiting more information

Review and approve Minutes

Motion to approve minutes from 24-01-11 by Peter, seconded by Bob, passed unanimously.

Items not reasonably anticipated 48 hours in advance of the meeting

Budget Request

Isabella presented a request for increasing hours for the remainder of FY24. Chair Carl, Town Administrator, HR, and Finance Director met to discuss lack of hours to complete required tasks during the week. Isabella suggests using the Consultant Line from the General Funds for the majority, and the remainder be paid out of the Conservation Wetland RRAP revolving account. Lea makes a motion to recommend to Select Board the use of the General Budget and revolving account funds for additional hours, seconded by Susan. Passes unanimously.

Motion to adjourn by Bob seconded by Lea, passed unanimously, 9:05pm.