

*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 September 24, 2014

Attending: D. Tinio, P. Coffin, M. Ammendolia; Kathryn Hackenson, Bob Choquette, Darlene Pellerise, Tim Tetreault, Residents along Lake Nipmuc; Shirley Smith, Jean Caldarella, Lake Nipmuc Association; Miraj Ahmed, 3 Ammidon Rd; Jim Bolduc, Charles Peabody, Algonquin; Travis Brown, Andrews Survey & Engineering; John & Ivy Gomersall, 43 Quisset Rd abutters; Marc Bellaud, Brittany Laginhas, Lycott Environmental.

Chairman D. Tinio called the meeting to order at 7:43 p.m.

Vice-Chairman P. Coffin made and M. Ammendolia seconded a motion to approve the meeting minutes dated September 10, 2014. The motion carried unanimously.

Members reviewed three Requests for Jurisdictional Project Determinations:

- The first request was for 3 Ammidon Road for the construction of a single family home. The lot contains an isolated wetland. On a site visit, Chairman D. Tinio determined that the work was far enough from the isolated wetland to have no impact. **Vice-Chairman P. Coffin made and M. Ammendolia seconded a motion to approve the Jurisdictional Project Determination for 3 Ammidon Road with no impact to the wetlands. The motion carried unanimously.**
- The second request was for 1, 2, 4, 5, 6, & 7 Ammidon Road and 2, 3, & 4 Powder House Lane for the construction of a single family home on each lot. The work was determined to have no impact on wetlands. **Vice-Chairman P. Coffin made and M. Ammendolia seconded a motion to approve the Jurisdictional Project Determination for 1, 2, 4, 5, 6, & 7 Ammidon Road and 2, 3, & 4 Powder House Lane with no impact to wetlands. The motion carried unanimously.**
- The third request was for 167 Blackstone Street for the construction of a detached 24x26 two car garage. The work was determined to have no impact on wetlands. **M. Ammendolia made and Vice-Chairman P. Coffin seconded a motion to approve the Jurisdictional Project Determination for 167 Blackstone Street with no impact to wetlands. The motion carried unanimously.**

Chairman D. Tinio opened the hearing for the Notice of Intent for the Algonquin natural gas pipeline off of Colonial Drive at 7:45 PM. The request was for the installation of a ground bed for cathodic protection and corrosion control. The proposed location of the ground bed is within a wetland in order to obtain the lowest amount of electrical resistance, making the system efficient enough to affect the entire pipeline. The project will have temporary impacts to the wetlands within a ten foot wide proposed workspace. The area will be restored to pre-construction conditions upon completion of the project. The work will be done using a mini excavator on swamp mats to minimize impact. Vice-Chairman P. Coffin had concerns about the one foot wide trench being dug and the soils that are removed being placed along the side, extending the impact area to a width of three feet. Jim Bolduc explained that they have restoration plans laid out, including reseeded the area and using straw, in their Notice of Intent. M. Ammendolia agreed with Vice-Chairman P. Coffin's concerns and requested that the Commission be sent photos of the process, including: before, during, and after construction. **M. Ammendolia made and Vice-Chairman P. Coffin seconded a motion to approve the Notice of Intent for the Algonquin natural gas pipeline off of Colonial Drive as presented with the addition of a special condition for photographic documentation of the project. The motion carried unanimously.**

Members discussed the status of the Pearson property at 43 Quisset Road with John Gomersall. J. Gomersall attended the Board of Selectmen meeting on September 22, 2014 where they discussed whether the property should go on the warrant for the November Special Town Meeting as one article or two. The first article involves the purchase of a portion of the land with up to \$400,000 in Community Preservation funds for a conservation restriction to allow sustainable agriculture or open space on

the front 34 +/- acres. The second article involves up to \$800,000 from available funds to be reimbursed with Community Preservation Act funds to purchase the entire 70 acre property. The Selectmen supported the first article. The articles will be discussed further at the next Community Preservation Committee and Board of Selectmen meetings. **M. Ammendolia made and Vice-Chairman P. Coffin seconded a motion to send another letter from the Conservation Commission to the Board of Selectmen stating that the Conservation Commission strongly believes that the warrant should include the contingency plan for the town to purchase the entire property if the other plan with multiple buyers falls through. Otherwise, the town could lose the potential to do anything with the property. The motion carried unanimously.**

Chairman D. Tinio opened the continued hearing for the Notice of Intent for 60 Uxbridge Rd at 8:10 PM. The request was for the demolition of a single family home, abandonment of an existing cesspool, construction of a new single family home with an attached garage, and the construction of a barn within the buffer zone. Erosion control will be used. Previously, the Commissioners had concerns with runoff in the backyard. They pointed out the 2:1 slope and asked that it be revised to 3:1. This change was made on the plans. They also asked that drainage on the site be reviewed and that a riprap driveway be considered instead of gravel. The plans were revised to make the driveway curve so that the end of it meets grass where runoff can dissipate before it reaches Lake Nipmuc. Vice-Chairman P. Coffin explained that on a site visit, an additional wetland was found across the street. This raised additional concerns about runoff from all of the impervious surfaces that are planned for the lot. He suggested that the engineer explore a gutter system or some other drainage plan for runoff from the barn roof. Chairman D. Tinio suggested that the engineer receive approval from the Zoning Board of Appeals and the Board of Health before the hearing with the Conservation Commission is closed because these two boards have the potential to change the plans further. **Vice-Chairman P. Coffin made and M. Ammendolia seconded a motion to continue the Notice of Intent hearing for 60 Uxbridge Rd pending approval from the Zoning Board of Appeals and the Board of Health. The motion carried unanimously.**

Members discussed projects that have been done on Lake Nipmuc by Lycott Environmental with Marc Bellaud, Brittany Laginhas, and concerned residents who live on the lake. Residents had concerns about 60 Uxbridge Road, where Lycott was hired privately to hydrorake the owner's beach. Residents reported that there wasn't a barrier in place around the work to prevent what was stirred up from floating out across the lake. Since this occurred, some of the weeds that were uprooted have settled and become reestablished elsewhere on the lake. This project was not presented to the Conservation Commission and permits were not obtained. Vice-Chairman P. Coffin pointed out that Lycott was not hired by the town for hydroraking at all this year, so the project could not have even had the potential to fall under the jurisdiction of any existing permits or agreements. The only existing permits and agreements pertained to the contract for the annual weed control only. Any other work done within 100' of the lake should have been presented to the Commission. Residents also had concerns about the hydroraking project that was previously done in the outlet of the lake. They reported that this project was not contained either and it muddied the lake for about a week. In addition, the contract for this project talked about the use of a weed harvester, which residents never observed. Residents only observed a hydrorake being used, even though the bill for the work charged for use of both pieces of equipment. The hydrorake alone took a long time and only resulted in a portion of the agreed upon area being cleared. Afterwards, the weeds were dumped in a pile on the shore without any erosion control in place, so they washed back into the lake when it rained. Residents were also skeptical about this year's weed control project. Usually, Lycott brings a boat and residents notice the work being done. This year, no one saw a boat. If spot treatments were done, the residents would like them to be adjusted because they did not cover many crucial areas. Regarding all of the problems discussed above, Vice-Chairman P. Coffin proposed that Lycott send the Conservation Commission plans to rectify the issues within two weeks. These plans will follow all regulations and include filing for the necessary permits. M. Bellaud agreed to this proposal. Chairman D. Tinio assured the residents that the Commission would be policing the work done on the lake more often. He also encouraged them to contact the Commission with any feedback. The residents offered to give Lycott a tour of the lake to show them the areas of concern.

Members reviewed the Waiver of Notice & Assent to Foreclose for 15 Bicknell Drive. This lot was not previously cleared from the Order of Conditions for the subdivision so the Conservation Commission was notified as an interested party. Chairman D. Tinio signed the waiver. **All members were in agreement.**

Members discussed the status of the permit to addle the geese eggs on Lake Nipmuc with Shirley Smith. S. Smith had the contract with the USDA for the Chairman to sign. The Lake Nipmuc Association will be providing the \$1,000 to fund this work. Chairman D. Tinio signed the contract. **Vice-Chairman P. Coffin made and Chairman D. Tinio seconded a motion to use the \$1,000 from the Lake Nipmuc Association to hire the USDA for the required geese management on Lake Nipmuc. M. Ammendolia was opposed.**

Vice-Chairman P. Coffin made and M. Ammendolia seconded a motion to adjourn the meeting at 9:10 PM. The motion carried unanimously.

Respectfully submitted,

Leah Cameron, Administrative Clerk

Documents Discussed located in the Conservation Commission Office:

Meeting minutes of September 10, 2014

Jurisdictional Project Determinations for: 3 Ammidon Road, 1, 2, 4, 5, 6, & 7 Ammidon Road and 2, 3, 4 Powder House Lane, and 167 Blackstone Street

Notice of Intent for: 60 Uxbridge Rd

Notice of Intent & Order of Conditions for: Algonquin natural gas pipeline off of Colonial Drive

Conservation Commission letter to the Board of Selectmen dated September 25, 2014 regarding 43 Quissett Road

Lycott Environmental Proposal/Contract # M277-13 for the Lake Nipmuc Outlet

Lycott Environmental Proposal/Contract #326-14 for annual weed control

Requests for Determination of Applicability & Determinations of Applicability for Lycott Environmental Proposal/Contracts #326-14 & M277-13

Waiver of Notice & Assent to Foreclose for 15 Bicknell Drive

Cooperative Service Agreement between the Town of Mendon, MA Conservation Commission and the United States

Department of Agriculture Animal and Plant Health Inspection Service (APHIS) Wildlife Services (WS), Agreement # 25075