

**Carlisle Conservation Commission**  
**July 20, 2023**  
**Minutes**

7:06 p.m. Chair Dan Wells called the remote meeting to order. For this meeting, the Conservation Commission convened via Zoom web conference as posted on the town's web site identifying how the public may join.

Members Present: Dan Wells (Chair), Navneet Hundal (Vice Chair), Alex Parra, Brian Murphy, George Shepard, Helen Young (7:10), Nick Ognibene (8:47)

Conservation Staff: Sylvia Willard, Conservation Administrator and Mary Hopkins, Conservation Assistant

**New and Pending Business/Administrative Reports:** (taken up throughout the meeting as time permitted)

**Signatory Authorization:** On the motion by Hundal and seconded by Parra, it was VOTED to authorize the Administrator to sign documents on behalf of the Conservation Commission. Roll Call Vote: Shepard-aye, Murphy-aye, Hundal-aye, Parra-aye, Wells-aye. Motion passed.

**Approval of Bills:**

**General Expenses:** Payroll 6/30/23 and 7/14/23; Mass Society of Municipal Conservation Professionals Dues \$20.00; Carlisle Rubbish June \$40.00; Sylvia Willard Mileage Reimbursement May/June \$172.46; W.B. Mason – Office Supplies \$59.40. On motion by Murphy and seconded by Parra, it was unanimously VOTED to approve the bills as presented. Roll Call Vote: Shepard-aye, Murphy-aye, Hundal-aye, Parra-aye, Wells-aye.

**Cranberry Bog Maintenance Agreement Invoice:**

As background, Parra said for the last several years there has been a Cranberry Bog Maintenance Agreement (Agreement) with Mark Duffy with a payment of \$12k a year. This year a good portion of the work that was described in the Agreement could not go forward because there was no approved Order of Conditions (OOC); toward the end of FY23 Mr. Duffy performed some other work in substitution; however, the agreement was not signed until a schedule of work performed was provided which itemed services. The Commission was subsequently informed by Town Administrator Ryan McLane that because the contract exceeded \$10k, it required undergoing Procurement Act procedures. Several complicated workarounds were suggested and Parra spoke with Mr. Duffy, who voluntarily agreed to accept a revised Agreement in the amount of \$9,999.99. Parra noted the situation arose as a result of a historical circumstance and future Agreements will go through a formal bidding process through which he presumes there will be better controls going forward. It is Parra's view given that the bill is now reduced, he is satisfied with the revised Agreement.

Murphy, who is currently Chair of the Cranberry Bog Working Group, expressed significant concerns regarding the work outlined in Mr. Duffy's schedule and requested that approval of the payment be tabled to allow for further scrutiny of the work performed. Willard described work she observed that would have been more costly than routine maintenance work in addition to the mowing, cleaning out the flumes, and other activities Mr. Duffy had undertaken without a contract. Hundal agreed with Parra's assessment but would want to see a more detailed schedule moving forward, including time spent, so the Commission may have a better understanding of maintenance requirements. Shepard asked when the FY24 Agreement will be put out to bid. Parra said that will require a scope of work based upon the finalized Notice of Intent for work on the bog, for which an OOC will likely not be issued until late September, and in the meantime, Mr. Duffy will be performing short-term, specific services as determined appropriate by the Commission.

Following further discussion, the Commission was satisfied that the revised Agreement was reasonable in terms of the work performed given the reduced bill. On the motion by Parra and seconded by Young, it was unanimously VOTED to approve the invoice as described. Roll Call Vote: Shepard-aye, Murphy-abstain, Hundal-aye, Young-aye, Parra-aye, Wells-aye.

**Minutes:** On the motion by Young and seconded by Murphy, it was unanimously VOTED to approve the minutes of 5/4/2023 and 5/25/2023 as submitted. Roll Call Vote: Shepard-aye; Murphy-aye; Hundal-abstain; Parra-aye; Young-aye, Ognibene-abstain; Wells-aye.

**Cranberry Bog Ecological Restoration NOI:** On the motion by Murphy and seconded by Parra, it was unanimously VOTED to authorize Willard to submit a notice to the Environmental Monitor for the Ecological Restoration Limited Project NOI, as modified by Wells and Parra. Shepard-aye; Murphy-aye; Hundal-aye; Parra-aye; Young-aye, Ognibene-aye; Wells-aye.

**Cranberry Bog House Discussion with Select Board:** Parra reported having attended a recent Select Board meeting with Steve Hinton and Administrator Willard during which they provided historical information in response to the issues raised by a concerned resident regarding compliance with the Procurement Act. As a result of the discussion, McLane has recommended that the Commission and the Cranberry Bog Working Group hold a joint meeting to discuss the options for the future use of the bog house. Alternatives include continuance of tenancy through an RFP, recommending a substantial town investment in the structure in order to bring it up to code thereby making it a legally rentable property, or discontinuance of occupancy with provisions for ongoing maintenance. Parra noted that part of the issue is the bog house is located on a conservation property and is therefore subject to the provisions of Article 97 of the Massachusetts Constitution, raising the question of whether renting out the house is permissible without a legislative exception. The Commission will be requesting authorization to consult with Town Counsel to obtain clarification on the Article 97 issue.

**7:22 p.m. (DEP 125-1110) Notice of Intent, Continued hearing**

**Applicant: Derek Zanga**

**Project Location: Off South Street: Map 5, Parcel 9, Lot A**

**Project Description: Construction of a paved driveway and replacement of an existing stone culvert that crosses an intermittent stream with work in the 100-foot Buffer Zone of a Bordering Vegetated Wetland.** At the applicant's request, this hearing should be opened and immediately continued to September 14, 2023.

On the motion by Young and seconded by Parra, it was unanimously VOTED to continue the hearing at the applicant's request to 9/14/2023 at 7:15 P.M. Roll Call Vote: Shepard-aye, Murphy-aye, Hundal-aye, Young-aye, Parra-aye, Wells-aye.

**7:23 p.m. (DEP 125-1155) Notice of Intent, Ecological Restoration Limited Project, Continued hearing**

**Applicant: Danielle Zimmerman**

**Project Location: 620 Lowell Street, Map 27 Parcel 57A-A**

**Project description: Treatment of invasive plant species in a pond**

Staff scientist James Treacy of TRC Companies provided an update. Since the previous hearing in May, he has consulted with both the herbicide treatment company and the manufacturer, who provided him with literature and studies demonstrating the selectivity of how ProcellaCOR targets milfoil vs native aquatic plants as proposed with this project. Mr. Treacy shared several visuals from some of the case studies as well as photographs depicting pre and post treatment results. He noted that for this type of project, the reduced amount of herbicide used will be active for only a few hours and will not negatively impact native vegetation or harm wetlands downgradient of the pond. Mr. Treacy reported the treatment company does not have the capability of providing secondary containment or a pump around system as the Commission had suggested at the previous hearing. He offered the alternative of placing sandbags in the stream channel downstream of the outflow pipe as a precautionary measure if the Commission warrants, as well as the suggestion to include a Condition requiring Willard to visit the site prior to treatment to confirm no flow conditions and requiring that treatment be postponed if rain is anticipated for several days pre and post treatment.

Wells asked Mr. Treacy to provide additional details regarding treatment sequencing. Mr. Treacy said he anticipates one treatment this year followed by a second treatment next year to address any regrowth and referenced the anticipated implementation schedule provided to the Commission previously for specific details. Wells

requested clarification as to whether the origin of the water the owner had previously observed coming from the outflow pipe during heavy rain events had been determined, since the inlet pipe within the pond could not be located. Willard said she had visited the site earlier in the day to observe conditions following recent prolonged heavy rain events. She shared several photographs depicting current conditions, including one showing a small amount of water exiting the outflow pipe. Wells asked Willard whether she believes the treatment can be conducted safely knowing there is a slight risk some water could leak through in unanticipated rainfall. Willard recommended that since the herbicide is only active for a few hours, the applicator should be required to evaluate the weather forecast and if there is any chance of a rain event occurring, the treatment should be delayed.

On the motion by Murphy and seconded by Hundal, it was unanimously VOTED to close the hearing for DEP 125-1155. Roll Call Vote: Shepard-abstain; Murphy-aye, Hundal-aye, Parra-aye, Young-aye, Wells-aye.

On the motion by Parra and seconded by Hundal, it was unanimously VOTED to issue a Standard Order of Conditions with the following Special Conditions: (1) the Administrator shall be notified at least two business days prior to the planned application date; (2) prior to any treatment sandbags shall be stockpiled on site to be used in the stream channel downstream of the pipe outlet; (3) sandbags shall be placed at the down gradient end regardless of the weather; (4) no application can take place if water is observed exiting the outlet pipe from pond; (5) no treatment shall take place if rain is predicted within two days following treatment; (6) no treatment shall take place without prior permission of the Administrator. Roll Call Vote: Murphy-aye, Hundal-aye, Parra-aye, Young-aye, Wells-aye.

### **7:39 p.m. (DEP 125-1154) Notice of Intent, Continued Hearing**

**Applicant: Michael Napier/East Coast Development**

**Project Location: 42 Bingham Road**

**Project Description: Construction of a driveway with an open bottom box culvert to cross an intermittent stream providing access to a proposed single-family dwelling and deck, a water supply well, elements of a sewage disposal system, a second, and temporary disturbance and reconstruction of an intermittent stream to allow installation of a septic system leaching field. Work is within Bordering Vegetated Wetland and Bank resource areas and within the 100-foot Buffer Zone of a Bordering Vegetated Wetland.**

Present on behalf of the applicant were Dr. John Rockwood of EcoTec, Inc. and Nathaniel Cataldo of Stamski and McNary. Dr. Rockwood presented an updated proposal based on his collaborations with Mr. Cataldo and wetland consultant David Crossman of B & C Associates. Included in the revised proposal are detailed protocols for the restoration of the first stream crossing, the wetland replication area, the work through the temporary second crossing and its restoration, and the installation of the permanent footbridge across the second channel, as well as revised plans which are now site and project specific following his review. The detailed protocols are included on the plan sets and are also repeated in the Findings within the OOCs. Dr. Rockwood confirmed all wetland impacts have been properly calculated and are summarized within the Findings, and he stated the proposed Conditions also include requirements to satisfactorily address the requirements of the previously issued Enforcement Order including tree removal from the Towle Conservation Land. He concluded by stating he has provided several revisions to make the Conditions consistent with the protocols that were established for various activities on the site.

Wells thanked Dr. Rockwood and applauded the team for the very thoughtful and detailed proposal. He asked Dr. Rockwood if the Conditions include requirements regarding frequency of inspections. Dr. Rockwood said the environmental monitor will be required to directly supervise the stream restoration work, the construction of the wetland replication area, and specified activities within the second stream crossing; the balance of the site has erosion controls which will have to be updated and repaired prior to the commencement of new work on the site. He noted the Commission could amend Condition #25 indicating additional requirements for inspections and/or reporting as they deem appropriate.

In polling the Commission for comments, Parra requested clarification regarding the proposed Finding which states the Commission would make a determination that the replication for the second crossing was adequately handled with the existing wetland replication area and restoration associated with the first crossing. Dr. Rockwood

explained there is no need to create a second wetland replication area to address the minimal loss of vegetation within the wetland, since between the restoration of the project area that is not located under the footbridge and the construction of the front wetland replication area, adequate vegetated wetland restoration and replication exists as part of this project design.

Parra said the Commission had taken the position within the Enforcement Orders issued prior to the submission of this NOI that no work could proceed until the first crossing was complete, and he asked Dr. Rockwood if the sequencing under the proposed OOC requires the same approach. Dr. Rockwood said he did not provide any sequencing as part of this OOC; however, we are coming into what is generally an ideal time of year to undertake this kind of work, so the first crossing should be addressed first. He noted that part of the protocol is to remove the haybales from the stream, which have essentially become dams, in order to allow the water within the restoration area to drain out and the work can occur once it is dry; the proposal also includes provisions in the event conditions for undertaking the work are not dry, including check dams and pump arounds in order to allow this work to occur in a prompt and timely manner.

Following further discussion of the Condition relative to requirements for environmental monitoring, on the motion by Hundal and seconded by Murphy, it was unanimously VOTED to close the hearing for DEP 125-1154. Roll Call Vote: Shepard-abstain; Murphy-aye, Hundal-aye, Parra-aye, Young-aye, Wells-aye. Wells said he would entertain a motion to issue an OOC with the following Condition as outlined by Dr. Rockwood's letter with the following modifications: Special Condition #25 shall be modified to include language requiring that the environmental monitor will conduct weekly inspections of the entire site and provide a weekly site report within three business days of the inspection, and if the monitoring report is not submitted in a timely fashion, the Administrator is authorized to stop work until the report is received. The motion was moved by Hundal, seconded by Murphy, and unanimously VOTED as follows: Shepard-abstain; Murphy-aye, Hundal-aye, Parra-aye, Young-aye, Wells-aye.

#### **8:02 p.m. (DOA-378) Request for Determination**

**Applicant: Carlisle Trails Committee**

**Location: West Street, Map 5, Parcel 19B**

**Project Description: Installation of a boardwalk over an intermittent stream.**

Present were Carlisle Trails Committee Alan Ankers and member Warren Spence, who prepared the filing. Mr. Ankers described the proposal, which consists of constructing a boardwalk on Marion's Trail located within the Ben's Woods conservation land owned by the Carlisle Conservation Foundation. The boardwalk crosses an intermittent stream located near the parking area on West Street. The construction of the 16-foot-long by 4-foot-wide boardwalk is based upon the standard Trails Committee boardwalk specifications using pressure treated planks supported by two cement parking bumpers which will be installed flush with the ground, with gravel added at either end to provide easy access for hikers, skiers, and cyclists. The Carlisle Trails Committee and the Carlisle Conservation Foundation will design and supply all materials and labor for the boardwalks and will maintain and repair the structure, as necessary. There were no comments from the Commission or from the public.

On the motion by Murphy and seconded by Parra, it was unanimously VOTED to issue a Negative Determination, B2, the work described in the Request is within an area subject to protection under the Act, but will not remove, fill, dredge, or alter that area; therefore, said work does not require the filing of a Notice of Intent. Roll Call Vote: Shepard-aye; Murphy-aye, Hundal-aye, Parra-aye, Young-aye, Wells-aye.

#### **8:06 p.m. (DEP 125-1158) Notice of Intent, Continued Hearing**

**Applicant: Colin Moriarty**

**Project Location: 291 Skelton Rd & 0 River & 383 River Road, Map 1, Parcels 1-2, 1-7, & 7-1**

**Project Description: After-the-fact filing for completing construction on a common driveway providing access to four single-family lots as approved in the amended OOC for DEP File #125-0893.**

Wells reported several members of the Commission conducted a site walk last week and have addressed all outstanding issues concerns. Present for the hearing was abutter Elizabeth Platais of 291 River Road, who stated she had no objections to the plan.

On the motion by Young and seconded by Murphy, it was unanimously VOTED to close the hearing for DEP 125-1158. Roll Call Vote: Murphy-aye, Hundal-aye, Parra-aye, Young-aye, Wells-aye.

Parra recommended the inclusion of a statement that the cistern and the driveway turnaround are not to be constructed until an application for a building permit has been submitted. Present was Robert Melvin of Stamski and McNary, who stated these requirements are stated within the Planning Board's Common Driveway Special Permit Decision.

On the motion by Murphy and seconded by Young, it was unanimously VOTED to issue a Standard Order of Conditions. Roll Call Vote: Murphy-aye, Hundal-aye, Parra-aye, Young-aye, Wells-aye.

### **8:10 p.m. (DEP 125-1160) Notice of Intent, Continued Hearing**

**Applicant: Artem Fandin**

**Project Location: 212 Acton Street**

**Project: Unpermitted work within Bordering Vegetated Wetland, within 100' of Bordering Vegetated Wetland and within the 200-foot Riverfront Area. Work will include restoration of Bordering Vegetated Wetland and mitigation plantings, replacement of a walkway, replacement of underground wires, repaving of the existing driveway, and construction of a post and rail fence, walkway, and patio.**

Willard had obtained a quote for peer review consulting services from Dr. John Rockwood of EcoTec, Inc. at Wells' request, a copy of which was included in the meeting packet materials. The proposal includes an inspection and field review of Bordering Vegetated Wetland and Mean Annual High-water Line of the perennial stream as basis for Riverfront Area boundary and recommendations for modifications, if necessary, in addition to a review of the submitted materials, a report summary of his findings and of the proposed restoration, replication and or mitigation plan.

Present was the applicant, Artem Fandin, who provided his approval for the Commission to move forward with the peer review process. Also present was project engineer Nathaniel Cataldo of Stamski and McNary, who did not have any comments.

On the motion by Murphy and seconded by Hundal, it was unanimously VOTED to authorize Dr. Rockwood to conduct a peer review for this proposal. Roll Call Vote: Murphy-aye, Hundal-aye, Parra-aye, Young-aye, Wells-aye. On the motion by Murphy and seconded by Hundal, it was unanimously VOTED to continue the hearing with the applicant's approval to 8/10/2023 at 7:30 p.m. Roll Vote: Shepard-aye; Murphy-aye, Hundal-aye, Parra-aye, Young-aye, Wells-aye.

### **8:18 p.m. (DEP 125-1147) Notice of Intent, Continued Hearing**

**Applicant: Town of Carlisle, MA Conservation Commission**

**Location: 750 Curve Street (Cranberry Bog Conservation Land)**

**Project Description: Work to stabilize a regulated dam, Cranberry Bog Dam #1**

On the motion by Murphy and seconded by Parra, it was unanimously VOTED to withdraw and refile the Notice of Intent for DEP 125-1147 at the recommendation of Town Counsel due to quorum issues. Roll Call Vote: Shepard-aye; Murphy-aye; Hundal-aye; Parra-aye; Young-aye, Wells-aye.

### **8:20 p.m. (DEP 125-1156) Notice of Intent, Continued Hearing**

**Applicant: Tully Foote, The Woodside Trust**

**Project Location: South Street; Map 5, Lots 54-X & 56-X**

**Project Description: Reconstruction of a single-family home and appurtenances, a barn and driveway with 2 wetland crossings**

Present was Lawrence Beals of Beals Associates, Inc., who presented his report via PowerPoint presentation based on a review of the plans and document submittals as well as a site visit/reconnaissance attended by Administrator Willard and Dan Carr of Stamski and McNary.

Following an overview of the site with a focus on the layout of the proposed driveway and wetland crossing locations, Mr. Beals provided the following findings and recommendations:

**Site Visit/Reconnaissance:** Based on the review performed on the property, the driveway appears to be designed in the optimum location as required to minimize the impacts to the wetland resources. There are two wetland crossings, and this is the minimum number of crossings necessary to access the proposed location for the single-family residence and accessory building. Both wetland crossings, appropriately, are achieved by utilizing open bottom box culverts with a horizontal clear span of 20 feet. Both crossings have sufficient horizontal and vertical clearance to comply with Massachusetts Stream Crossing Standards.

During the site visit, we reviewed the proposed locations for the wetland replication areas designed to mitigate the wetland disturbance caused by the wetland crossings. The proposed wetland replication areas are located in close proximity to the areas of wetland disturbance, and they are at similar elevations. The total area of wetland replication is larger than the area of existing wetlands that are disturbed by the crossings. Therefore, the wetland replication areas will generally function in the same manner as the wetlands that they are replacing. There is a discrepancy in the size of the replication area listed in the Notice versus the size labeled on the plans. The applicant should revise the calculations on either the plan or the Notice of Intent to ensure that the size of the replication areas is the same on both the plan and the Notice. In addition, the Notice of Intent should be corrected so that the numbers listed in the text on page 4 are the same as the numbers listed in the chart included on page 4.

The Commission should consider the size of the replication area because it is less than the Commission standard practice of requiring wetlands to be replicated at a ratio of approximately 1.3 times the wetland area lost. In this particular case, the Commission could consider a wetland replication area at a ratio of less than 1.3 to 1 to minimize the amount of clearing. Constructing the site improvements will necessitate a lot of clearing and as a result, a large number of trees will be removed. The areas of the proposed replication areas are forested and minimizing the clearing and tree removal in these areas will maintain better shade and cooler temperatures in these areas adjacent to the wetlands and stream channels, which would be a benefit. Regardless of the final ratio, the Commission should consider a condition that requires the applicant to review the wetland replication area once it has been staked to determine if minor adjustments could preserve significant trees.

**Plan Review Comments:** As an overview, the plans are prepared well and are sufficiently detailed with enough information to facilitate the construction of the site improvements described on the plans.

1) The Notice of Intent identifies “one 12-inch flared end pipe located between the house and the barn,” The Plan shows two-12” ADS pipes located within this area. The Notice of Intent should be modified so that it contains the same information as the plans. This is a minor comment but at the time of a Request for a Certificate of Compliance, it will be important that the Notice and the Plans contain identical information for certifying that the site was developed in accordance with the plans and documents approved by the Commission; 2) If gas, electric, and telecom service is proposed for the site, the plan should identify all proposed locations of these utilities, particularly at the wetland crossings; 3) The General Construction Sequence for Wetland Crossing, as described on the plan, contains sufficient detail to allow the site contractor to plan and execute the construction properly; 4) The Procedure for Construction of Wetland Replication Area, as described on the plan, contains sufficient detail to allow a contractor to plan and execute the construction of the wetland replication areas properly.

### **Recommendations:**

1) Stormwater Management: Because this proposed development is characterized as a single-family residential dwelling and appurtenant improvements, it is exempt from compliance with the Massachusetts Stormwater regulations. However, this particular design is larger than the typical residential development and it creates substantial impervious surfaces and ground disturbance primarily due to the length of the driveway. When

constructed, there will not be a substantial increase in either the rate or volume of stormwater runoff but there potentially will be a change in quality. Therefore, we recommend that the Commission request that the applicant provide a narrative of the storm water management included in the site design, how the components function, and how the stormwater system is designed to protect the adjacent resource areas.

2) Operation and Maintenance: As with the comment above, this project is exempt from the requirement to provide an Operation and Maintenance plan. However, the amount of impervious surface is being increased and we recommend that the Commission request that the applicant provide a narrative describing the long-term operation and maintenance of the site including such items as the prevention of erosion in the areas disturbed by construction, landscape maintenance, fertilizer use, snow plowing, use of deicing compounds, and any operational and maintenance items that will be employed to ensure the long-term protection of the resource areas.

3) Vernal Pools: The Notice of Intent mentions that vernal pools exist throughout the property. However, the vernal pools are not clearly identified on the site plans. Given the ecological significance and value of vernal pools, we recommend that the Commission request that the applicant clearly identify all vernal pool boundaries as well as all vernal pool buffer zones that either exist on the property or extend onto the property from off-site locations.

4) Limit of Work: The plans show the location of the proposed siltation fence and proposed siltation barriers. However, the plan does not indicate the limit of work. Presumably, the location of the erosion control is coincidental with the limit of work and if so, the Commission should request that the applicant provide labels and notes that identify the limit of work throughout the entire property.

5) Construction Monitoring: The Commission should consider a condition that any construction work in any buffer zone or resource area, including both wetland crossings, be monitored by the Conservation Administrator or a third-party environmental monitor to ensure compliance with the plans and documents if approved by the Commission.

6) Layout Adjustments: During the site visit, we observed an occasional specimen tree, interesting boulder, or other landscape feature worth preserving in close proximity to the driveway and building areas. The Commission should consider a condition that allows minor adjustments in the layout if the adjustments can preserve significant trees or noteworthy landscape features. This condition could state that once the layout is staked and the erosion control is installed, the layout should be reviewed with the Conservation Administrator or third-party environmental monitor to evaluate any adjustments that can protect trees and landscape features without causing greater impact to resource areas.

7) Driveway Turnaround: The long driveway terminates at a circular turnaround located adjacent to the house and the septic system leach field. The Commission should request that the design engineer confirm that the radius of the turnaround is sufficient to accommodate all emergency vehicles used by the Town of Carlisle emergency services departments. If the radius is insufficient, the turnaround would have to be expanded and most likely, this would increase the disturbance in the buffer zone of the wetlands located to the east of the house.

In concluding his presentation, Mr. Beals confirmed that the design is sufficient to protect the eight interests of the Massachusetts Wetlands Protection Act.

ConsCom members and Willard were pleased with the report, subject to revisions to the plan based on Mr. Beals' recommendations. At Willard's suggestion, a location for snow stockpiling was identified by Mr. Beals which will be taken into consideration for incorporation into the revised plan. The Commission was in favor of eliminating the smaller of the two wetland replication areas consistent with Mr. Beals' recommendation in order to preserve significant trees where possible. Mr. Carr was confident he could address all other comments contained within the review letter.

Present were abutters Rick and Nancy West of 542 South Street who expressed their appreciation for the owners having listened to their concerns regarding the driveway location and were pleased to support the revised plan.

On the motion by Murphy and seconded by Young, it was unanimously VOTED to continue the hearing with the representative's approval to 8/10/2023 at 7:45 p.m. Roll Call Vote: Shepard-aye; Murphy-aye; Hundal-aye; Parra-aye; Young-aye, Wells-aye.

**8:53 p.m. (DEP 125-1151) Notice of Intent, Continued Hearing  
Applicant: Federal Investment Properties Trust**

**Project Location: 445 East Riding Drive - Lot 2**

**Project Description: Construction of a single-family dwelling, soil absorption system, and associated grading**

**(DEP 125-1150) Notice of Intent, Continued Hearing**

**Applicant: Federal Investment Properties Trust**

**Project Location: 445 East Riding Drive - Lot 3**

**Project Description: Demolition of an existing tennis court, construction of a single-family dwelling, soil absorption system, a portion of a driveway and associated grading**

On the motion by Murphy and seconded by Hundal, it was unanimously VOTED to continue the hearings for DEP 125-1150 and 125-1151 at the applicant's request to 8/31/2023 at 8:15 p.m. Roll Call Vote: Shepard-aye; Murphy-aye; Hundal-aye; Parra-aye; Young-aye, Wells-aye.

**8:54 p.m. (DEP 125-1140) Notice of Intent, Continued Hearing**

**Applicant: Martha and Kenneth Bedrosian**

**Project Location: 44 Bedford Road**

**Project Description: Construction of a detached three car garage, installation of utilities, mitigation plantings and paving of an existing dirt driveway with work within the 100-foot Buffer Zone of a Bordering Vegetated Wetland.**

On the motion by Murphy and seconded by Hundal, it was unanimously VOTED to recognize and agree with the request by the applicant to withdraw and refile the Notice of Intent for DEP 125-1140 at the recommendation of Town Counsel due to quorum issues and with the applicant's written approval to 8/10/2023 at 8:00 p.m. Roll Call Vote: Shepard-aye; Murphy-aye; Hundal-aye; Parra-aye; Young-aye, Ognibene-aye; Wells-aye.  
Applicant or rep?

**Emergency Certificate:**

**147 Westford Street;** Owners: Andrew and Jillian Pitts: Excavation/drainage to address mold remediation within the 100-foot Buffer Zone of a Bordering Vegetated Wetland. Unpermitted work within the 100-foot Buffer Zone includes digging a trench along the foundation in front of the home; proposed additional work includes installing stone and a drainage pipe and drywell to link with the existing gutter drains, removal and replacement of the front steps and the rotted foundation sill.

The property owners, who recently purchased the property, are also interested in adding two spaces to their driveway to keep the driveway turnout available to turn around to head out of the driveway onto Westford Street, replacing the steps from the front down to the driveway and work on the back porch and deck.

On the motion by Murphy and seconded by Hundal, it was unanimously voted to issue an Emergency Certificate for work related to the installation of a French drain, excluding work specifically related to expanding the driveway. Roll Call Vote: Shepard-aye; Murphy-aye; Hundal-aye; Parra-aye; Young-aye, Ognibene-aye; Wells-aye.

**Certificates of Compliance:**

**(DEP 125-1129) 101 Arrowhead Lane; Applicant: Kevin Belmonte; Project: Landscaping and previous activities associated with DEP 125-1018. Issued: 2/3/2022.**

**(DEP 125-1018) 101 Arrowhead Lane (formerly 267 Rutland Street, Lot 2): Applicant: Turnkey Builders, LLC; Project: Construction of a single-family dwelling, installation of a water supply well and conduits, septic tank, paved driveway, and associated grading all within the 100-foot Buffer Zone of a Bordering Vegetated Wetland; Issued 5/18/2017. Unpermitted work (addition of a deck by the builder) associated with this filing was combined with the above filing and to include native plantings along the common driveway turnout.**



On the motion by Murphy and seconded by Young, it was unanimously VOTED to issue Certificates of Compliance for DEP 125-1129 and DEP 125-1018. Roll Call Vote: Shepard-aye; Murphy-aye; Hundal-aye; Parra-aye; Young-aye, Ognibene-aye; Wells-aye.

**(DEP 125-1046) 237 Stoney Gate; Applicant: Thomas and Vanessa Brown; Project: Removal of approximately thirty trees within the 100-foot Buffer Zone of a Bordering Vegetated Wetland as well as removal of two fallen trees from the Resource Area; Issued; 5/18/2018.**

On the motion by Parra and seconded by Murphy, it was unanimously VOTED to issue a Certificate of Compliance for DEP 125-1046. Roll Call Vote: Shepard-aye; Murphy-aye; Hundal-aye; Parra-aye; Young-aye, Ognibene-aye; Wells-aye.

**(DEP 125-1139) 190 Lowell Street; Applicant: Lauren Marolda; Project: Replacement of an existing garage within the same location and removal of a small tree with all work within the 100-foot Buffer Zone of a Bordering Vegetated Wetland; Issued: 7/6/2022.**

Willard noted the tree proposed for removal at the rear of the property was left in place; therefore, the six blueberry shrubs that were to remediate for that were not planted.

On the motion by Parra and seconded by Hundal, it was unanimously VOTED to issue a Certificate of Compliance for DEP 125-1139. Roll Call Vote: Shepard-aye; Murphy-aye; Hundal-aye; Parra-aye; Young-aye, Ognibene-aye; Wells-aye.

**Conservation Land Management:**

**Towle Conservation Land: Poison Ivy Control:**

On the motion by Parra and seconded by Hundal, it was unanimously VOTED to authorize Oxbow Associates to conduct chemical treatment of poison ivy in the west field and along the trails on the Towle Land for an amount not to exceed \$875.00 Roll Call Vote: Shepard-aye; Murphy-abstain; Hundal-aye; Parra-aye; Young-aye, Ognibene-abstain; Wells-aye.

Willard will provide additional information at the next meeting regarding funding availability for the hand pulling of poison ivy in the main field on the Towle Land based on the proposal submitted by Backyard Invasives in the amount of \$1,160.

9:41 p.m. On the motion by Young and seconded by Hundal, it was unanimously VOTED to adjourn. Roll Call Vote: Shepard-aye; Murphy-aye; Hundal-aye; Parra-aye; Young-aye, Ognibene-aye; Wells-aye.

**All supporting materials that have been provided to members of this body can be made available upon request.**

**Prepared by: Mary Hopkins**