

Conservation Commission
Zoom Minutes April 5, 2022 9:00 AM
Zoom: 990 7462 4321
FINAL

Present for the Conservation Commission and attending the zoom call were: Chris Murphy (Chair) Pam Goff, Candy Shweder, Sandy Broyard, Joan Malkin, and Kara Shemeth (staff).

Commissioners NOT in attendance: Russell Maloney, Sarah Khedouri, Doug West, Bob Hungerford

Also in attendance: Paul Slavin, Bill Eddy, Reid Silva, Phil Wallis, Toby Hoden, George Brennen, and Susan Waitzkin

Action: Motion made and seconded to approve March 1, 2022 minutes.

Passed unanimously via roll call vote

9:02 – Request for Determination of Applicability

Applicants: Honkers & Sons

Address: 55 Squibnocket Farm Road (AP 35-1.2)

Representative: Reid Silva, VLS

Project: Feasibility of constructing an addition to an existing shed/garage. The property is located within the Squibnocket Pond District. RDA to determine if the wetlands on the property drain into Squibnocket Pond.

At the site visit it was determined that the wetlands did in fact run into Squibnocket Pond.

Action: A motion was made and seconded to find a negative determination as presented

Passed by roll call vote with Joan Malkin abstaining

9:06 Hoden/Ameen – plan review

Per their Order of Conditions, Toby Hoden and Nancy Ameen returned to the Commission for review and approval of the drainage plan and landscape plan.

Action: Motion to approve with conditions that Kara meet on onsite with Steve Jaffe and that jutes mats be utilized to reduce washout.

Discussion: 6 Eddy Farm Road/ 0 Eddy Farm Road – Violations
The Conservation Agent presented the timeline of violations (on file with Con Com). On 6 Eddy Farm Road there is significant trenching in

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the wetlands and unpermitted expansion of the lawn into the buffer. Along the roadside (0 Eddy Farm Road) there was damage done in the buffer zone when a new utility pole was installed.

6 Eddy Farm Road: Paul Slavin and Susan Waitzkin were in attendance, Mr. Slavin expressed apologies for the violations and explained that the trenching was a misunderstanding. He had contacted his landscaper (Josie's Landscaping) and asked him to check the culvert to see if it was blocked. This resulted in trenching with a mini excavator in the wetland resource area.

The lawn expansion was in an effort to reduce the amount of ticks and deer. The original order had required a line of boulders along the 25' setback line from the wetlands. These were never installed and the lawn expansion appears to infringe into the buffer, and likely, into the resource.

There was discussion regarding the responsibility and Commissioners felt that the landscaper bears responsibility and ultimately, the homeowner is responsible for anything that takes place on their property.

The Commissioners felt that the priorities were:

1. Mitigate the trench under VLS supervision immediately
2. Have a restoration plan presented and approved to the Commission.

Action: A motion was made and seconded to remediate the trench immediately under Reid's guidance with Reid, Carlos Montoya and Kara Shemeth (Agent) on present while the trench is restored. Passed unanimously via roll call vote.

Action: A motion was made and seconded that the property owner return to the Commission with a restoration and remediation plan for all areas up to 25' from the wetlands (original wetland delineation) by the May 3rd 2022 meeting. Passed unanimously via roll call vote.

Action: A motion was made that the Commission reserves its right to impose fines under local bylaws and the MA Wetlands Protection Act, which will be discussed on May 3rd, 2022.

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Passed unanimously via roll call vote.

0 Eddy Farm Road:

In February of this year, a utility pole was replace, in preparation for the work, historically maintained turnoffs along Eddy Farm Road were expanded and brush pushed back to allow for vehicular passage of the utility truck while the pole was being installed. There was also clearing done around a utility pole and guy wire up the road while the power was disconnected. Bill Eddy maintains the road and saw the stop work sign at 6 Eddy Farm and also stopped clearing along the road.

It was noted that there is an exception in the bylaws for pole work.

Action: A motion was made a seconded to issue an enforcement order requiring the filing of an NOI with a plan to include utility poles & guy wires, sideline of road, wetlands, edge of vegetation and define the turnoffs. The plan shall also show the proposed areas of maintenance and mowing, including but not limited to the turnoffs, around utility poles, the electric ROW along the eastern edge of the property, any other areas that the applicant wishes to mow and maintain regularly. The NOI shall be filed by June 2022.

Passed unanimously via roll call vote

Action: A motion was made and seconded that the area should be cleaned up within 30 day.

Passed unanimously via roll call vote

With nothing further to discuss, the meeting was adjourned at 10:28 am

Respectfully submitted by Kara E. Shemeth, Conservation Agent

Materials Shared at Meeting:

Near map aerial comparisons – Eddy Farm Road
Hoden/Ameen – landscape plan, drainage plan