

Conservation Commission
Zoom Minutes April 6, 2021 9:00 AM Town Hall
FINAL

Present for the Conservation Commission: Chris Murphy, Chairman, Joan Malkin, Pam Goff, Sandy Broyard, Candy Shweder, Russell Maloney, and Kara Shemeth (staff).
(Commissioners Bob Hungerford and Alternate Doug West did not attend)

Note: Doug West will not participate in any aspect of the SMF matter, based on the Massachusetts Ethics Commission's determination of his conflict of interest as a member of the Old Farm Road Association.

Also in attendance: George Sourati (Sourati Engineering Group), Kristen Geagan and Adam Moore (Sheriff's Meadow Foundation), Jacqueline Zins, Nick Nelson (Inter-Fluve), Nick Wildman (MA DER), Kerry Ryan (Dunkl Lawyer), Nancy Tutko, Thomas Bena, Frank Dunkl, David Woodhouse, Rob Doyle, Joe Rogers, Josh Scott, Angela Luckey, Mollie Doyle, Lynne Whiting, Joseph Gould (10:22 MA DER)

ZOOM Meeting ID: 950 7247 5991

Mr. Murphy brought the meeting to order at 9:00 AM and asked for a rollcall of attendees (noted above).

9:03 am Public Hearing – NOI SE12-870

Applicant: 61 Old Fields Path LLC (Jacqueline Zins & Gerson Zweifach)

Representative: George Sourati, Sourati Engineering Group

Address/ AP: 61 Old Fields Path; AP 16-7.3

Project: Applicant is seeking permission to construct wooden stairs from the top of the Coastal Bank to the beach and plant an existing path to the beach.

George Sourati presented the project and discussed how this would be a more direct path to the beach and the existing path, which crosses the bank, will be replanted and abandoned.

Discussion: Joan and Candy asked about posts vs butterfly brackets vs helical piers and Mr. Sourati explained that butterfly brackets are

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better solutions for marsh area and helical piers would be do-able but would have a similar impact on the bank as the posts.

Public Hearing Closed: 9:11

Action: Candy made a motion to approve with the following conditions:

- the 4' section at bottom be hinged and able to be removed for large storms
- On site meeting between contractor and Conservation Agent
- All construction debris to be removed daily or stored in a covered dumpster in staging area.

The motion was seconded and passed with all in favor via a roll call vote.

Action: Candy made a motion to approve removal of a standing dead pine that had been flagged for the site visit.

The motion was seconded and passed with all in favor via a roll call vote.

9:15 am Public Hearing – NOI SE12-871

Applicant: Sheriff's Meadow Foundation

Representative: Kristen Geagan, Sheriff's Meadow Foundation, Nick Wildman, MA Department of Fish & Game, Division of Ecological Restoration and Nick Nelson , Inter-Fluve

Address: 148 North Road (Project taking place near northern terminus of Old Farm Road); AP 3-4

Project: Proposed culvert replacement project at the headwaters of the Mill Brook, located on the Roth Woodlands. The applicant is seeking permission to replace two undersized culverts with a larger pre-cast culvert that conforms to MA Stream Crossing Standards and allows for the restoration of ecological functions and fish & wildlife passage. The project falls within a riverfront, bordering vegetated wetlands, land under water, inland banks, and land subject to flooding and associated buffer

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Presenters:

Kristen Geagan Sherriff's Meadow Foundation

Nick Wildman - MA Department of Fish & Game - Division of Ecological Restoration (DER)

Nick Nelson from Inter-Fluve.

Kristen Geagan explained that the proposed culvert will reduce the impoundment caused by the current undersized pipes, conform to MA stream crossing standards and allow for fish and terrestrial animals to pass through.

Discussion: Pam Goff asked if the current culverts failed, could they be replaced by similar ones. Nick Wildman stated that 12" pipes would not meet current standards.

Frank Dunkl spoke of his 50+ years in the area and his observations and study of it.

Russell Maloney asked about potential negative impacts of the project. Nick Wildman spoke to the short term impact of the project work (shutting down the road) and that any long term risks would be a result of the project being carried out in a way contrary to the plans and specifications.

David Woodhouse reiterated his report regarding the complex nature of the soils and hydrology in the area. This was followed by extensive discussion regarding the wells in the area, how and if the changed flow could impact them. Adam Moore stated that Sheriff's Meadow would post a bond in case of any damage to the wells.

There was discussion regarding the change of the current habitat if the project were to go through ie current pond would become a stream and eventually grow in over time.

Public Hearing Continued: 10:51 am

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Action: Joan made a motion to continue the hearing until May 4th, 2021 at 9:05 am.

The motion was seconded and passed with all in favor via a roll call vote.

The draft 3/16/21 meeting minutes were reviewed.

Action: A motion was made and seconded to approve the minutes as corrected.

The motion was seconded and passed with all in favor via a roll call vote.

Updates from Admin:

- Proposed seasonal locations for previously permitted beach stairs at 24 Windy Gate, 15 Azalea and 49 Wequobsque have been inspected and approved. The Con Com will be notified prior to installation.
- Covid update - according to Town Counsel, permits that expire prior to state of emergency being lifted have extended period of time to complete work.
- Brandon Fanuef's invoice was received, Commissioners advised Kara send it to Applicant.
- 31 Meadow Lane has been inspected, fencing and siltation is appropriately in place and permission to proceed has been granted.

Certificate of Compliance request SE12-714

Applicant: Matt Flanders

Address: 11 Highland Way; AP 26-31.2

Kara visited site and all appears in order. Construction of the home, driveway, and associated landscaping are complete and within parameters of the Order of Conditions.

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Action: Pam made a motion to accept the agent's report regarding the Certificate of Compliance for SE12-714 and issue and sign the certificate.

The motion was seconded and passed with all in favor via a roll call vote.

The next meeting will be Tuesday 4/20/21 at 9:00 am with no site visits scheduled. At this time it is anticipated to be via Zoom.

With no further business to discuss, the meeting adjourned at 11:05 AM.

Respectfully submitted by Kara E. Shemeth, Board Administrator

Documents presented during hearing:

Site Plan for 61 Old Field's Road – Beach Stairs