

**Templeton Conservation Commission
Monthly Meeting Minutes
Monday, November 18, 2013
4 Elm Street, Baldwinville – Conservation Commission Office**

Present:

George Andrews, Chairman

Justin Duplessis, Irwin Hendricken, David Symonds

Janet Haley, Conservation Commission Department Assistant

Open Public Meeting

George Andrews, Chairman, opened the meeting at 7:05 p.m. A quorum was present.

Ratification of Meeting Minutes

Justin Duplessis pointed out on Page 3 of the Minutes from the October 21, 2013 meeting under **Other (continued), Hubbardston Road** , it should read **House #157** rather than **Lot #157**. Janet Haley agreed to make the change.

Justin Duplessis moved and David Symonds seconded the motion to accept the Minutes of the October 21, 2013 meeting with the recommended amendment as noted above. All were in favor.

Chairman Report

George Andrews, chairman, gave his report.

- **Miscellaneous Emails**

- George presented a number of emails to the Conservation Commission which had come to the office over the last month. All Conservation Commissioners with email had received the same prior to the meeting. He said he had responded to a number of calls and emails, including an email from David Cowell seeking clarification on whether or not the Commission followed a Town Bylaw or not for Wetlands Protection (he told him the town had no bylaw in effect and followed state guidelines and regulations); an email from Richard Curtis about whether or not any Commission members could attend a training meeting (he said there was no one available to attend); an email from Gerry Balchuinas that he is mowing back brush on the snowmobile trail (George said there is no problem with this as it has been done in the past); an email from MACC about a grant writing seminar (which he found no one could attend); and an email from the Town Coordinator about submitting the town's Annual Permit Report.
- George also reported to Commissioners he has met with Richard Marshall of the Crow Hill Motorsports Park about its connection to town sewer (which is already in) and their need to put in another building on the property for toilets.

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Chairman Report (continued)

- **Miscellaneous Emails (continued)**

He said if an extension is necessary for the Park to complete its work, they would need to get that from the State, as the OOC for the NOI was granted by the State, not the Town.

- **Office Inventory**

George reported to the Commissioner it had to submit an Office Inventory for anything valued at over \$50 to the Town Coordinator by December 15, 2013. Janet Haley said she had a 2011 Inventory from which to work, but needed costs associated with the items listed, as well as anything else the Commissioners could find to put on the inventory.

David Symonds said he recalls three filing cabinets being donated by Simplex Time Recorder and two being donated by himself. He also noted there were three augers which the Commission had purchased for test borings, but those have been missing from the office for several years, now. He recalled they were still in the office when the Conservation Agent Bob Maki was in the office. He said he thought the desks in the office were probably worth \$150 a piece and the tables in the office possibly \$50 or less. It was also unclear whether or not the Copier outside of the Town Clerk's Office was purchased by the Conservation Commission or not.

- **Other**

George informed Commissioners that RDA determinations must consider extensions after three years if they have not completed work on the property. He said Commissioners would need to revisit the site before an extension is granted.

NOIs 304-0272 and 304-0271 – Following a review of Lots 10 and 11 on Hubbardston Road, Justin Duplessis reported on several violations he noted on these lots that either needs to be addressed by the applicant, Marathon Realty Trust c/o Van Dyke, or an enforcement order should be sent to them. Some of the violations he noted from the General Conditions listed on the OOC were as follows:

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- **Other (continued)**

NOIs 304-0272 and 304-0271 (continued)

- **Condition #17** – All sedimentation barriers shall be maintained in good repair...logs have been pushed into the silt fencing, which results in the silt fencing not providing adequate protection of the wetlands
- **Condition #19** – During construction earthwork brought to final grade shall be finished as indicated or specified, earthwork shall be conducted to minimize the duration of exposure of unprotected soils...the earth has been dug up and left
- **Condition #21** – all embankments or disturbed areas within the 100 foot buffer zone shall be loamed, limed, fertilized, seeded and proper steps shall be taken to avoid erosion during the winter season...nothing has been done to date
- **Condition #40** – Site grading and construction shall be scheduled to avoid periods of high water. Once begun, grading and construction shall move uninterrupted to completion to avoid erosion and silt action of the wetlands...it looks like this may have been started, but is now abandoned.
- **Condition #42** – all disturbed upland areas shall be brought to final finished grade, bare ground that cannot be permanently stabilized within 30 days shall be stabilized by temporary measures...piles of dirt have just been left there.
- **Condition #44** – All stumps, brush, waste, and debris shall be removed from the construction site...trees have been cut down and all brush and slash cuttings have been left there.
- **Condition #55** – the contractor shall chip all brush and slash cuttings on site and stockpile chippings... there has been no chipping and nothing has been removed from the site.

Justin questioned whether a phone call should be made to the applicant about these violations before an enforcement order is issued.

George responded he does not think building permits have been issued on the site as yet and recommended a letter be written to the applicant noting the violations and asking the applicant to attend the Commissioner's next meeting on December 16th with resolutions to the complaints/violations. If after that nothing is done, then the Commissioners should issue enforcement orders on the lots.

Justin added the applicant should respond to the Commissioners within seven days of receipt of the letter.

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- **Other (continued)**

- **Gray Road – The Kettle** – George reported a couple of ANR lots to build more houses are being considered for this property. He said he has asked the Planning Board where these houses were going to be built, as there is a pond on it. He said as soon as he receives more information on the pond, he will talk to the Planning Board, again. This is the Pohja Farm property.

- **For Signature**

- **For Signature – COC #304-099 – Baldwin Drive – Korde & Associates, PC Request – Letter dated 11/04/2013 (Discussion)**

George explained this Certificate of Compliance was never recorded with the State and the lawyers for it have requested another Original be signed and sent to them so it can be recorded.

George Andrews recommended and David Symonds seconded the recommendation that another COC be signed by the Commissioners and sent to the lawyers to be recorded. All were in favor.

- **FY2015 Budget Request** – The Commissioners reviewed the Budget Request which Janet Haley prepared for FY2015 for the Commission. The only changes from last year would be a request for the 1.5% increase in salary for the Assistant and a second recommended by the Chairman for an increase of \$100 in Postage to meet the expected increase in postage for the next year.

David Symonds moved and Justin Duplessis seconded the motion to submit the prepared requested budget, with the increase in postage, and recommendation of 1.5% increase for the Assistant's Salary, to the Town Coordinator. All were in favor.

- **Other** – George said he has received nothing for Site Walk requests for the last two weeks and no paperwork has come from the Building Inspector which needs to be addressed.

ADJOURNMENT

Irwin Hendricken moved and David Symonds seconded the motion to adjourn the meeting at 8:05 p.m. All were in favor.

Respectfully submitted,

Janet R. Haley
Conservation Commission Dept. Assistant

Meeting Documents

The following documents are on file in the Conservation Commission Office:

COC #304-099 – Baldwin Drive

NOIs #304-0272, 0271 - Lots 10 & 11 Hubbardston Road

ANR for Gray Road – The Kettle

FY2015 Budget Request for Conservation Commission

Conservation Commission Office Inventory