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Agent's Report - 06/09/2016

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TO: Franklin Conservation Commission

FM: George Russell, AICP
Conservation Agent

RE: Agent's Report

DATE: June 7, 2016

1.0. Projects

1.1. Ben Franklin Charter School NOI (cont.): This project has gone to peer review and no testimony was taken when the hearing was opened. The "incorrect" filing fee has been corrected. The peer review report has not yet been received.

1.2. 7 Briarwood NOI: This application has been filed to address violations concerning the deposition of vegetative debris in a jurisdictional area and the cutting of vegetation in a priority/estimated habitat under the jurisdiction of Mass Fish and Wildlife (MF&W). I have included photographs in your packet to show the violations in question. The application has been filed with the MF&W and I would recommend no final action be taken by the Commission until MF&W review and respond to the application.

The mitigation plan has been reviewed by the Kristin and her comments were sent to the applicant and are also included in your packet with the photographs.

If the NOI is approved, in addition to any conditions required by MF&W, I would recommend the following special conditions: 19, 20, 23, 24, 27-30, 33, 34, 39, 40, 44 & 47.

1.3. 31 Hayward, NOI: This application has been filed to address violations concerning the deposition of vegetative debris and dirt in a jurisdictional area and to correct a point source discharge on site. This is a disagreement between the applicant and my office concerning the required fee for this project. I have included e-mail and the regulations to which they pertain for the Commission's edification. I cannot recommend any action by the Commission until this issue is resolved since if the fee is incorrect, the application is incomplete.

If the NOI is approved, I would recommend the following special conditions: 20, 23, 27-30, 34 & 44.

1.4. 100 Financial Park NOI: The Commission voted for peer review for this application and as of this date, the fee has not yet been paid

1.5. Rolling Brook Subdivision NOI: There are still outstanding issues that need to be worked out between the applicant, the Planning Board and the peer review for both bodies. I would recommend a continuance of the hearing.

1.6. 300 Fisher Street NOI: We have received comments from MF&W concerning the project and these have been forwarded to the applicant and BETA. The final peer review has not been received and a continuance of the hearing is in order.

1.7. Maple St. ANRAD: The wetlands lines have been reviewed and approved by the peer reviewer and the ANRAD is ready to be approved.

2.0. General Business

2.1. Minor buffer Zone Activities

2.2 Permit modifications/extensions

None

2.3. Certificate of Compliance

2.3.1. 529 W. Central St.: A site inspection and file review has been completed and all is ready for the release to be granted.

2.3.2. 9 Molly Lane: There are actually 2 requests for this address: one for the original NOI which should be granted as "invalid" and one for the new NOI which given that everything is complete, should be granted.

2.4. Discussion items

2.4.1. Education and Outreach: Take it away Tara.

2.4.2. Annual Report: Enclosed in your packets is the latest version of the Annual Report. I have incorporated all comments I have received and the only remaining items to be added are the final numbers of permits etc. which we will add at the end of the month.

2.4.3. DelCarte: In terms of the implementation of the DelCarte Study, we have determined that the work appears to be eligible for a sole source contract and we are investigating this with the state to make sure. BETA is developing the NOI and other necessary permit applications as well as the technical specs for any contract to do the work.

One significant issue that has come up is that part of the pond is in a zone 2 water recharge area and one of the herbicides recommended by ESS, the 2-4-D, cannot be used. We are therefore developing the NOI and bid specs to only include treatment for one.

I have spoken to the DPW Director concerning the spreading of wood chips in the area between the pond and the playground. He has told me he will not place any more material in this area. **HOWEVER**, the most recent dumping of wood chips in this area was not done by DPW and we are trying to find out who placed them there. I have touched base with the police to inform them of the situation and have sent you a copy of my e-mail. We are also putting "the word out" on our social media and putting up signs at the site.

I have also observed that the fencing at the dam has been repaired.

2.5. Minutes**2.6. Violations:****3.0. Chair and Commission Comments****4.0. EXECUTIVE SESSION**