

Town of Franklin



Conservation Commission

**May 18, 2023
Meeting Minutes**

As stated on the agenda, this meeting is available to be attended in person and via the Zoom platform. In an effort to ensure citizen engagement and comply with open meeting law regulations, citizens will be able to dial into the meeting using the provided phone number, or citizens can participate by using the Zoom link provided on the agenda. This meeting will be held in the Council Chambers of the Municipal Building for citizens wishing to attend in person.

Commencement

Chair Patrick Gallagher called the above-captioned meeting to order this date at 7:00 PM as a remote/virtual/in-person meeting. Members in attendance: Patrick Gallagher (via Zoom), Jeffrey Milne, Jeff Livingstone, Richard Johnson, Michael Rein, Meghann Hagen. Absent: Mark LePage. Also present: Breeka Li Goodlander, Conservation Agent; Tyler Paslaski, Administrative Assistant.

Chair Gallagher thanked all applicants for their patience as the Commission is quite busy. He asked applicants to be extra communicative to facilitate moving through the public hearings.

Note: Documents presented to the Conservation Commission are on file.

PUBLIC HEARINGS

Public Hearing – NOI – Spruce Pond Aquatic Management Program

Mr. Shawn McCarthy of Solitude Lake Management addressed the Commission for the first hearing for a Notice of Intent to apply aquatic herbicides at Spruce Pond. He stated that they take care of about 400 lakes in Massachusetts. He stated that Spruce Pond Village Association approached them seeking approval to continue the aquatic management program at Spruce Pond. Solitude Lake Management has been working with them for about four years. The objective is to control nuisance and non-native aquatic plants. They want to improve and maintain the open quality of the pond. He stated they would like to use herbicides. The project objectives include the aquatic herbicide treatment of variable watermilfoil, purple loosestrife, and other nuisance filamentous algae. The project has been filed as an Ecological Restoration Limited Project under 310 CMR 10.53(4).

Chair Gallagher noted that the hearing was opened several weeks ago; the Commission wanted to raise some questions and discuss outstanding items.

Ms. Goodlander stated BETA completed their review and sent it over, and we would be looking for a response to that. She stated that in addition to their peer review, she has a handful of questions. She reviewed the following as written in her Conservation Agent Report to the Conservation Commission dated May 18, 2023: • Ecological restoration goals under 310 CMR 10.12(1)(a) – these need to be quantified. • Event sequence required under 310 CMR 10.12(1)(c) – to the best extent practicable. This can mirror time of year restrictions required under 310 CMR 10.11(3) • Work is proposed at a perennial stream crossing (Town-owned). Stream crossing information required under 310 CMR 10.12(1)(m) and

(n). The applicant has not contacted Derek Adams, DPW, for work surrounding the proposed culvert. • Time of year restrictions required under 310 CMR 10.11(3) • Alternatives Analysis to the chemicals used in the treatment (agent to review/research further). MassDEP Comment on April 19, 2023, stated higher value wildlife habitat is achieved when there is less than 100 percent open water surface and at least 30 percent coverage of native aquatic plant species. MassDEP recommends that treatment be limited to areas where invasive non-native species are dominant.

Mr. McCarthy discussed an area that he was no longer planning to treat. Ms. Goodlander stated that it should be in the proposal. Mr. McCarthy stated that he would send Ms. Goodlander responses to address each concern. Chair Gallagher stated that it would be best to respond to BETA's comments in written form. Ms. Goodlander stated that if the applicant has quantifiable data, it needs to be included in the permit. Commission members asked questions and made comments.

Ms. Goodlander stated that the applicant's permit expired, and there was an unpermitted herbicide application last fall. This is an after-the-fact NOI filing for the unpermitted use last fall. She discussed the previous NOI. Mr. McCarthy stated that he apologized for the one treatment that happened outside of the window; they are looking to reinstate this and are filing the new NOI. He discussed the request for the client to show the survey analysis of species and that it would be a cost burden for the client.

Mr. Livingstone stated that the last time this was done there was much debate on the NOI. The previous NOI incorporates much of that debate. He asked where the previous information is. He reviewed that they did extensive assessment analysis; the original NOI was the result of a great deal of dialogue. Mr. McCarthy stated that he thinks a lot of what was in the original NOI is in the new one which is 50 pages.

Ms. Goodlander stated that the applicant was not able to do an extension on the NOI as it expired. She stated that the applicant needs to quantify what they want to protect. She asked how the applicant would know that if they do not fully assess their site.

There was a motion made by Richard Johnson to continue the public hearing for the NOI for Spruce Pond Aquatic Management Program to June 1, 2023. The motion was seconded by Meghann Hagen and accepted with a roll call vote of 6-0-0. Roll Call Vote: Milne-Yes; Livingstone-Yes; Johnson-Yes; Rein-Yes; Hagen-Yes; Gallagher-Yes.

Public Hearing – NOI – 25 Forge Parkway

Mr. Philip Cordeiro of Allen & Major Associates, representing the applicant, addressed the Commission for the project that proposes to construct a 16,000 sq. ft. building addition, 17 additional parking spaces, and a paved contractor yard within the 100 ft. buffer zone to BVW, specifically within the 25 ft. to 100 ft. buffer zone; disturbance within the 25 ft. to 50 ft. buffer zone is limited to grading and disturbance within the 50 ft. to 100 ft. buffer zone includes grading, paving, and the proposed building addition. Mr. Cordeiro reviewed that they were before the Commission a few weeks ago. He stated that there were two outstanding issues which included the coordination of plantings and species and that the BETA consultant had a stormwater management concern regarding infiltration rate. He stated that the stormwater management concern has been resolved, and BETA issued a letter. He stated that assuming the conservation agent is comfortable with the plants, they would like to close the hearing.

Ms. Goodlander stated that she is very much comfortable. She stated that she recommended approval with special conditions #20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 46, 47, 48, 49, 50, and 51.

There was a motion made by Meghann Hagen to close the public hearing for the NOI for 25 Forge Parkway. The motion was seconded by Jeff Livingstone and accepted with a roll call vote of 6-0-0. Roll Call Vote: Milne-Yes; Livingstone-Yes; Johnson-Yes; Rein-Yes; Hagen-Yes; Gallagher-Yes.

There was a motion made by Meghann Hagen to approve the NOI for 25 Forge Parkway subject to special conditions #20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 46, 47, 48, 49, 50, and 51. The motion was seconded by Jeff Livingstone and accepted with a roll call vote of 6-0-0. Roll Call Vote: Milne-Yes; Livingstone-Yes; Johnson-Yes; Rein-Yes; Hagen-Yes; Gallagher-Yes.

Public Hearing – ANRAD – 1 Paddock Lane – Applicant Requested Continuance

Chair Gallagher stated that the applicant requested a continuance. Ms. Goodlander stated that they have not gone for the site visit yet.

There was a motion made by Michael Rein to continue the public hearing for the ANRAD for 1 Paddock Lane to June 1, 2023 at 7:02 PM. The motion was seconded by Meghann Hagen and accepted with a roll call vote of 6-0-0. Roll Call Vote: Milne-Yes; Livingstone-Yes; Johnson-Yes; Rein-Yes; Hagen-Yes; Gallagher-Yes.

Public Hearing – NOI – Maplegate Solar North – Applicant Requested Continuance

Chair Gallagher stated that the applicant requested a continuance. Ms. Goodlander stated that the applicant paid their peer review. Ms. Hagen asked about impervious coverage. Ms. Goodlander discussed the paths. Chair Gallagher confirmed the entire solar installation that they are showing to the Commission is in Franklin.

There was a motion made by Jeffrey Milne to continue the public hearing for the NOI for Maplegate Solar North to June 1, 2023. The motion was seconded by Michael Rein and accepted with a roll call vote of 6-0-0. Roll Call Vote: Milne-Yes; Livingstone-Yes; Johnson-Yes; Rein-Yes; Hagen-Yes; Gallagher-Yes.

Public Hearing – NOI – 2 Elm Street

Mr. Robert Valluzzi, applicant/owner, addressed the Commission for an after-the-fact Notice of Intent for partial work/fill within BVW and associated buffer zone. Ms. Goodlander stated that she wanted to confirm the wetland boundary line. She stated that they were going to meet again on site; she is waiting on Ms. Karon Skinner Catrone. Chair Gallagher stated that they cannot have substantive conversations without having a better sense of where the wetland line is, and then they can talk through the different options and looking at wetland replication elsewhere on the property. Mr. Valluzzi stated that he was unaware of anyone coming out. Ms. Goodlander stated that it was going to be Ms. Skinner Catrone and her for the site visit. She discussed the soils that will need to be looked at to define the boundary. Chair Gallagher stated the next step would be to have Ms. Skinner Catrone follow up with Ms. Goodlander to schedule a time to go out. Mr. Valluzzi stated that some of his back property he will use to replicate.

There was a motion made by Michael Rein to continue the public hearing for the NOI for 2 Elm Street to June 1, 2023 at 7:04 PM. The motion was seconded by Jeff Livingstone and accepted with a roll call vote of 6-0-0. Roll Call Vote: Milne-Yes; Livingstone-Yes; Johnson-Yes; Rein-Yes; Hagen-Yes; Gallagher-Yes.

Public Hearing – RDA – Grove Street Well 6

Chair Gallagher stated that he opened the public hearing.

Water & Sewer Superintendent Doug Martin addressed the Commission for a Request for Determination of Applicability for DPW to top snags within a BVW complex surrounding the Grove Street Well 6 Field/Water Treatment Plant. He reviewed the location of the Well 6 well field and showed photographs. There are six heads in the well field. There are dead trees surrounding the well field and a wellhead has already been damaged by a deceased tree. They are looking to clear all the dead limbs and trees to reduce the possibility of more electrical connections being damaged.

Commission members asked questions. Mr. Martin stated that he thinks the wellheads would be covered under the insurance policy. He reviewed that he thinks about six or seven trees would need to be addressed. He noted that there is a fence around the buildings but not around the wellfield.

Ms. Goodlander reviewed that any work within jurisdictional resource areas is non-exempt from the WPA; however, considering the impact of the proposed work is negligible to the BVW ecosystem, conservative in nature, and is in the best practice to protect utilities and human health/safety, she recommended the Commission issue a negative determination.

There was a motion made by Jeff Livingstone to close the public hearing for the RDA for Grove Street Well 6. The motion was seconded by Meghann Hagen and accepted with a roll call vote of 6-0-0. Roll Call Vote: Milne-Yes; Livingstone-Yes; Johnson-Yes; Rein-Yes; Hagen-Yes; Gallagher-Yes.

There was a motion made by Jeff Livingstone to approve the RDA for Grove Street Well 6 with a negative determination. The motion was seconded by Richard Johnson and accepted with a roll call vote of 6-0-0. Roll Call Vote: Milne-Yes; Livingstone-Yes; Johnson-Yes; Rein-Yes; Hagen-Yes; Gallagher-Yes.

Public Hearing – RDA– Fisher Street Water Treatment Plant Pilot Test

Chair Gallagher stated that he opened the public hearing.

Water & Sewer Superintendent Doug Martin addressed the Commission for a Request for Determination of Applicability for DPW to conduct an iron and manganese removal pilot pump test at the Fisher Street Water Treatment Plant to two stormwater basins within Bordering Land Subject to Flooding and the 100 ft. buffer zone to BVW. He discussed that they have a membrane treatment system which is becoming outdated, and they are looking at other treatment options. To do so, they must do a pilot program. This involves bringing in a trailer with different test media that will filter the water through. The test water will get discharged to the storm drain which will make its way to the wetland area.

Ms. Goodlander reviewed that the proposed work, including the discharge, is considered exempt from state review since it consists of public utility maintenance, repair, and replacement activities. The stormwater basins to which the test is discharging toward/to are jurisdictional under the local wetlands protection bylaw (Chapter 181) only. She stated that DPW or CDM Smith should give courtesy notification to the Conservation Department prior to the start of work. She recommended approval with a negative determination. Chair Gallagher stated that he appreciates the transparency; he thinks it is good for the process.

There was a motion made by Richard Johnson to close the public hearing for the RDA for Fisher Street Water Treatment Plant Pilot Test. The motion was seconded by Jeff Livingstone and accepted with a roll call vote of 6-0-0. Roll Call Vote: Milne-Yes; Livingstone-Yes; Johnson-Yes; Rein-Yes; Hagen-Yes; Gallagher-Yes.

There was a motion made by Richard Johnson to approve the RDA for Fisher Street Water Treatment Plant Pilot Test with a negative determination. The motion was seconded by Meghann Hagen and accepted with a roll call vote of 6-0-0. Roll Call Vote: Milne-Yes; Livingstone-Yes; Johnson-Yes; Rein-Yes; Hagen-Yes; Gallagher-Yes.

GENERAL BUSINESS

Minor Buffer Zone Activities: 6 Dwight Street

Ms. Lauren Demake, owner (via Zoom), addressed the Commission for an MBZA for a buffer zone restoration project (exempt under 310 CMR 10.02(2)(b)(2)(c) & (d)); the proposed work includes the removal of multiflora rose (invasive), as well as phragmites (invasive), dandelions (non-native), and clover (non-native) within existing lawn. Ms. Demake stated that she would like to take out the invasives and plant native species along the border of the wetlands.

Ms. Goodlander noted that the lawn extends to the wetland boundary edge and an undisturbed vegetated 25 ft. buffer zone does not exist; however, the applicant is still seeking relief from local regulations which prohibit work within the 25 ft. buffer zone. She reviewed that the applicant is looking to replace removed non-native vegetation with native vegetation and till to remove root systems of invasive vegetation. She stated that the lawn is already existing disturbed area. She asked Ms. Demake to tell the Commission how she plans to prepare the site.

Ms. Demake stated that she would start with cutting down the bushes and planting along the border, and next season she would rip up the lawn and replace with native grasses or other shorter native shrubs. She stated that she may use a hand pushed rototiller. Ms. Goodlander stated that the applicant will need to rototill at least 4 to 6 inches to rip up the root matter. She asked the Commission to approve a silt fence instead of a bio-degradable compost sock. She reviewed that she would like to add some conditions to the permit including: the applicant shall contact the conservation agent prior to the removal of vegetation to ensure identification of invasive/non-native species, the applicant shall contact the conservation agent/Commission prior to rototilling the existing lawn to confirm if erosion and sedimentation controls are necessary, the applicant shall conduct a turtle sweep prior to the start of any rototilling, a potential condition regarding time of year for tilling, and all other standard MBZA conditions apply.

There was a motion made by Meghann Hagen to approve the Minor Buffer Zone Activity for 6 Dwight Street subject to the conditions that have been outlined by Ms. Goodlander. The motion was seconded by Jeffrey Milne and accepted with a roll call vote of 6-0-0. Roll Call Vote: Milne-Yes; Livingstone-Yes; Johnson-Yes; Rein-Yes; Hagen-Yes; Gallagher-Yes.

Minor Buffer Zone Activities: 23 Spruce Pond Road – Administrative Approval

Ms. Goodlander reviewed that this MBZA is ratification for an administrative approval for a proposed in-situ deck replacement within the 100 ft. buffer zone. The buffer zone in this area consists of existing disturbed and manicured lawn. The new 12 in. deck footings (3) will be hand dug, poured concrete for a total disturbance of 3 sq. ft.

There was a motion made by Jeff Livingstone to ratify the Minor Buffer Zone Activity for 23 Spruce Pond Road – Administrative Approval. The motion was seconded by Michael Rein and accepted with a roll call vote of 6-0-0. Roll Call Vote: Milne-Yes; Livingstone-Yes; Johnson-Yes; Rein-Yes; Hagen-Yes; Gallagher-Yes.

Minor Buffer Zone Activities: 5 Laurel Court

Mr. Paul Kuehnel, owner, addressed the Commission to install a 24 ft. round above-ground pool off the backside of the house. He stated that they are within the 100 ft. buffer zone of the wetlands but outside of the 50 ft. zone. He stated it is about a one-day construction of the pool.

Ms. Goodlander stated that she did a site visit and has no concerns; she recommended approval.

There was a motion made by Michael Rein to approve the Minor Buffer Zone Activity for 5 Laurel Court. The motion was seconded by Jeffrey Milne and accepted with a roll call vote of 6-0-0. Roll Call Vote: Milne-Yes; Livingstone-Yes; Johnson-Yes; Rein-Yes; Hagen-Yes; Gallagher-Yes.

Minor Buffer Zone Activities: Sculpture Park – Town of Franklin

Ms. Natalie Regan-Lampert, GIS Specialist for Town of Franklin, addressed the Commission regarding an MBZA for a project at the Sculpture Park. She stated that this is important to the town. She stated that the site is the former town swimming pool; in 2014 it opened as a sculpture park. She stated that it is an accessible open space. She stated that the permanent impacts are things like concrete slabs for benches and concrete for footings for signage; the temporary impacts include the restoration of native plant species throughout the entire park. She explained that visitors to the park will appreciate this for years to come. She stated that the entire park is previously disturbed area. She showed photographs of the existing area. She stated that benches and picnic tables will create the opportunity for people to stop by and stay awhile. She stated that the purpose of this work is to increase bio-diversity in the ecosystem of the park. The proposed work will occur within the 100 ft. buffer zone to the pond, and the total area of disturbance will be less than 1,000 sq. ft. She stated that all of the proposed work will be in previously disturbed area, and there are no anticipated impacts to the nearby wetland resource area. She reviewed details of the project which are contained in her letter to the Conservation Commission dated May 11, 2023, and provided in the meeting packet. She reviewed and discussed the photographs provided in the meeting packet. Ms. Goodlander stated that she suggested an accessible picnic table so someone in a wheelchair could pull up to the picnic table. Ms. Regan-Lampert stated that she liked the idea of an accessible bench. She reviewed the details of the temporary impacts and permanent impacts as outlined in her provided letter. She reviewed plantings as outlined in her letter and stated that she would submit the plant list and noted it was not provided with the original submission. She discussed areas where revegetation would be needed.

Commission members asked questions and made comments. Ms. Goodlander stated that it was going to be rededicated in June. She responded to the question of a water feature; she explained that she had not received a grant that she applied for, but was reviewing costs. Ms. Regan-Lampert stated that an idea that had been mentioned was a pavilion as a way to get out of the sun. Ms. Goodlander noted that everyone likes to feed the ducks there, but it causes a nutrient load that can encourage algae. Ms. Regan-Lampert reviewed the scheduling. She stated that artwork has not been selected yet, signage will be put in by DPW, clearing and planting might be late in the season now but will be looked at for the fall, and invasive removal can start now; permanent impact items can be started now. She noted volunteers and DPW involvement.

Discussion commenced on the possible smell from the water. Ms. Regan-Lampert stated that regarding the art, there will be more spaces for art in the park. She discussed that the opportunities would be rotating and starting out for two years with the option to reapply for another two years. The vision is to have the art rotate over several years. She stated that going forward, the Highway Department would work with the artists to make a plan, and the artists would maintain their work by checking on it every few months to fix anything as needed with approval from the Commission and DPW.

Chair Gallagher thanked Ms. Regan-Lampert and suggested approval with a note about an additional 600 sq. ft. for installation of an additional path to an accessible picnic table.

There was a motion made by Meghann Hagen to approve the Minor Buffer Zone Activity for the Sculpture Park – Town of Franklin including the requirements as Chair Gallagher just stated with the accessible square footage for the path and the accessible picnic table. The motion was seconded by Jeff Livingstone and accepted with a roll call vote of 6-0-0. Roll Call Vote: Milne-Yes; Livingstone-Yes; Johnson-Yes; Rein-Yes; Hagen-Yes; Gallagher-Yes.

Permit Modifications/Extensions: 33 Charles River Drive – Permit Modification

Mr. Vance Pirone, owner (via Zoom), stated that David Hobaica from Eastern Pool was in attendance at the meeting via Zoom as well. He stated that during the excavation of the pool based on the original design the material they were digging up was not sufficient. The material to the left of the house was more appropriate for the installation of the pool, so it was suggested that the pool be moved 14 ft. to the right and closer to the house. He stated that it is in a better position with the buffer zone. Mr. Hobaica stated that the unsuitable material that they hit was mostly boulders, logs, and some stumps. He showed the plans on his shared screen and noted it is now further from the wetlands.

Chair Gallagher noted that there was some discussion on stormwater impacts on nearby properties. Ms. Goodlander stated that she is not concerned about that. She stated that based on the initial permit to now, the impervious surface has been reduced, and it is further away from the wetlands. She recommended approval.

There was a motion made by Richard Johnson to approve the Permit Modification for 33 Charles River Drive. The motion was seconded by Jeff Livingstone and accepted with a roll call vote of 6-0-0. Roll Call Vote: Milne-Yes; Livingstone-Yes; Johnson-Yes; Rein-Yes; Hagen-Yes; Gallagher-Yes.

Certificates of Compliance: Margaret's Cove

Ms. Stephanie Hoban (via Zoom) of Strong Point Engineering Solutions representing Rich Whittington. She stated that Margaret's Cove is a subdivision roadway, and all the work has been substantially completed. Everything has been stabilized, and stormwater has been functioning for about three years with no issues. It was cleaned out when construction was finished. She stated that they are looking for a certificate of compliance. Chair Gallagher noted that there was a significant amount of fill outside of the buffer zone and questioned how that would be addressed given its proximity to the wetland resources.

Ms. Goodlander stated that the stockpile is on lot #6. This COC request is for a full certificate of compliance and lot #6 is not in compliance; as such, she recommended a partial release. She stated that she went back and looked at the original plan set as well. She stated that regarding the tree plantings, there is one tree missing that is within buffer zone, and there are different species than what was permitted; but they are still oaks.

Mr. Rich Whittington of Whitman Homes (via Zoom) discussed the stockpile. He stated that they have not developed lot #6 due to the surplus of materials on the site. They are also trying to permit Madeline Village on Cottage Street which is going to require a lot of material. So, it did not make sense to have all the material removed from the site to develop lot #6 and then have to purchase a lot of material to develop Madeline Village if/when it gets approved. He stated that he believes the stockpile is outside of the 100 ft. buffer. Regarding the trees, it was multiple species that were allowed under the Planning Board approval. He stated that he does not think they waived from the list. Ms. Goodlander stated that based on the planting legend of species for the ConCom approval for what was permitted, there is a deviation from that. She stated that they were both oaks, but there is also missing vegetation. She stated that however

small it may be, it is not reflective of what was permitted. She pointed out on the plans where the one tree is missing. She stated that white oaks were permitted.

Chair Gallagher stated that he thinks the soil stockpile is the bigger question. He asked would it be appropriate to require erosion controls. Ms. Hoban stated that the stockpile has erosion control around the base. Ms. Goodlander stated that it has straw wattles and referenced the Order of Conditions for the type of erosion control. Chair Gallagher stated that they are not in a position to issue a certificate of compliance for the lot where the stockpile is. He stated that it is outside the buffer zone, but under the Wetlands Protection regulations; He stated that we are allowed to look at things that we find can have an affect on the resource areas. He stated that there should be adequate erosion controls there complying with the Order of Conditions and the bylaw.

Ms. Goodlander stated that looking at the plan, she estimates it is about 30 ft. to 50 ft. outside of the 100 ft. buffer zone. Mr. Whittington stated that the pile has been there for two years, and they have not had any issues with any sediment or erosion coming from the stockpile and leaching to the buffer zone. He stated that he has no objection in coming back to the Commission when they are about to move/disturb the pile. Ms. Goodlander stated that she is not apt to recommend a full COC on the entire plan; as it is presented, there is still an outstanding item based on the conditions and just general construction management the soil stockpile should not be there. She stated that she had mentioned to the applicant already that there are erosion control issues. She stated that it is a big stockpile. She stated that they can do a COC release on lots #1-5 and not lot #6, and that is very standard across the state and other subdivisions.

Chair Gallagher stated that it is fine to do a partial COC with a condition of the tree; he is not comfortable with a full COC given the condition of lot #6.

There was a motion made by Jeffrey Milne to approve a partial Certificate of Compliance for Margaret's Cove for lots #1-5 subject to a condition that the tree that is shown on the plans but not yet planted will be planted and subject to a further condition that the straw wattles be replaced with bio-degradable wattles as per the Order of Conditions. The motion was seconded by Richard Johnson and accepted with a roll call vote of 6-0-0. Roll Call Vote: Milne-Yes; Livingstone-Yes; Johnson-Yes; Rein-Yes; Hagen-Yes; Gallagher-Yes.

Certificates of Compliance: 16 Hemlock Lane

The applicant, who did not identify himself except to say he was the owner, stated that they are living at 16 Hemlock Lane and in the process of selling the house. He stated that the buyer's counsel came across an Order of Conditions that was not closed out when the subdivision was built around 2006; this is holding up the conveyance. He stated they are trying to get this closed out.

Ms. Goodlander recommended an approval; she stated that she did a site visit.

There was a motion made by Michael Rein to approve the Certificate of Compliance for 16 Hemlock Lane. The motion was seconded by Meghann Hagen and accepted with a roll call vote of 6-0-0. Roll Call Vote: Milne-Yes; Livingstone-Yes; Johnson-Yes; Rein-Yes; Hagen-Yes; Gallagher-Yes.

Violations/Enforcement: None.

Minutes: May 4, 2023

There was a motion made by Richard Johnson to approve the meeting minutes for May 4, 2023. The motion was seconded by Jeff Livingstone and accepted with a roll call vote of 6-0-0. Roll Call Vote: Milne-Yes; Livingstone-Yes; Johnson-Yes; Rein-Yes; Hagen-Yes; Gallagher-Yes.

Discussion: 126 Grove Street

Chair Gallagher stated that this is for a future project. He stated that he and Ms. Goodlander met with the project team for a pre-filing meeting. He stated that they did some site clearing work that ventured into the 25 ft. no touch zone. They were very responsive once they realized it had occurred and pulled back the fill that had gone into the wetland. He stated that he would like this noted on the record for when they do come before the Commission as there would have to be some element of replication to address that area.

Discussion: OSRP Update – Looking Ahead

Ms. Goodlander stated that the third public hearing is on May 20th. She stated that June 7th is her deadline for having the entire plan compiled and posted for comment period.

Discussion: Budget Inquiries - Summer Intern and Beaver Institute Tuition Reimbursement

Ms. Goodlander discussed the DelCorte planting and noted she met with Franklin Future Leaders twice. She stated that one of the trees died. She stated that she would like to spend about \$350 to get another tree. She discussed that she would like to hire Rex, a junior that came in for open space, but she does not have any budget for him. She discussed that she would like the Commission to approve that she takes money out of the Wetlands Fund which is very cushioned. She said she is thinking about hiring him for up to 20 hours per week. She would like him to attend the ConCom hearings, delve into regulations, and accompany her on site visits. She stated that he has to be hired at minimum wage which is \$15 per hour; she is thinking of hiring him at \$15.50 for just over three months at 20 hours per week which is approximately \$3,720. She stated that she would ask for \$4,000 to round it up.

Ms. Goodlander stated that she is part of the BeaverCorps program and the Town of Franklin does not have reimbursement for that. She thought it would be worth the effort to ask if the Commission would approve the \$2,500 tuition reimbursement. Chair Gallagher stated it would be money well spent. Commission members asked questions and made comments. Mr. Johnson asked what is the Commission's budget. Ms. Goodlander stated about \$198,000. Mr. Rein asked if the intern could be put in the budget for future years rather than coming out of the Commission's budget. Ms. Goodlander stated that Tri-County had a career fair and made requests to have an intern.

Discussion commenced regarding the previous Conservation Department administrative assistant and the current need for such. Discussion commenced regarding the Farmers Market which starts in June and the Commission has a table there. Ms. Goodlander asked the Commission to work with Roger and set themselves up on a schedule for the Farmers Market. Ms. Hagen stated that she would take that on. Chair Gallagher requested some kind of Google form to sign up ahead of time.

There was a motion made by Richard Johnson to approve the budget allocations that Ms. Goodlander requested for the summer intern and the Beaver Institute. The motion was seconded by Jeff Livingstone and accepted with a roll call vote of 6-0-0. Roll Call Vote: Milne-Yes; Livingstone-Yes; Johnson-Yes; Rein-Yes; Hagen-Yes; Gallagher-Yes.

Chair and Commission Comments:

Mr. Johnson requested a review of the budget at a future meeting. Ms. Goodlander stated that approximately \$198,000 is solely Conservation Commission and does not include staff. Discussion

commenced on what the money pays for. Ms. Goodlander stated that it gets replenished by gifts and people donate to it.

Chair Gallagher stated that the Commission has one seat on the CPA committee, and Mr. Livingstone is currently serving as the CPA representative. This is coming up for reappointment in June. Mr. Livingstone stated that he would be more than happy to let someone else take the position, or he will stay if everyone wants him to. Mr. Livingstone provided a summary of what the representative does on the committee. Chair Gallagher asked members to think about if they would be interested in the committee; this item will be brought up again at the June 1st or June 15th meeting to determine the representative.

Executive Session: None.

There was a motion made by Richard Johnson to adjourn the meeting. The motion was seconded Michael Rein and accepted with a roll call vote of 6-0-0. Roll Call Vote: Milne-Yes; Livingstone-Yes; Johnson-Yes; Rein-Yes; Hagen-Yes; Gallagher-Yes.

The meeting adjourned at 9:36 PM.

Respectfully submitted,

Judith Lizardi
Recording Secretary