

10/19/2017

**Franklin Conservation Commission
Minutes of Meeting
October 19, 2017**

To: Town Clerk
cc: Members
File

Members Present: Bill Batchelor, Tara Henrichon, Paul Harrington, Jeff Livingstone, Jeffrey Milne, Staci Dooney

Members Not Present: Angela Gelineau; George Russell, Conservation Agent, was not present.

Chairman Batchelor announced the meeting would be audio and video recorded.

Mr. George Russell's Agent's Report has been appended to the minutes.

Public Hearing – NOI – 16 Berkshire Drive – Moelders

Chairman Batchelor stated that the engineer and applicant asked that this hearing be continued due to some forms not being available.

Mr. David Gorden was present at the meeting.

There was a motion made by Paul Harrington to continue the public hearing for the NOI for 16 Berkshire Drive to November 2, 2017 at 7:25 PM. The motion was seconded by Jeffrey Milne and accepted with a vote of 6-0-0.

Public Hearing – Continued - NOI –31 Hayward Street – G & H

Chairman Batchelor stated that this issue should be continued to November 2, 2017 because the final plans have yet to be approved from BETA and WSI.

There was a motion made by Paul Harrington to continue the public hearing for the NOI for 31 Hayward Street to November 2, 2017 at 7:30 PM. The motion was seconded by Jeffrey Milne and accepted with a vote of 6-0-0.

GENERAL BUSINESS

Minutes:

Chairman Batchelor stated the meeting minutes for October 5, 2017 were in error and Mr. Russell was requesting changes. He suggested that the meeting minutes be voted on at the November 2, 2017 meeting.

Violation: 5 Crystal Drive

Ms. Catherine Quinn, homeowner, addressed the Commission. She stated that she did receive a letter, but did not know she was supposed to attend the last meeting and that if she had not called, she would not know that she had to attend this meeting. She said that there was nothing in any of the letters stating the time. She apologized and said she and her husband have not been in a situation recently to get this resolved. She stated that on the 17th she hired Land Planning, Inc. and paid them \$300.00 to begin the work. She stated that Mr. Bill Halsing of Land Planning has all the documentation that Mr. Russell had sent to her. She noted that she had discussed her situation with Mr. Russell.

Chairman Batchelor stated he has some concerns as this issue, based on documentation, has gone back to May 5, 2017. Per the documentation, there has been about six attempts to contact Ms. Quinn.

Ms. Quinn stated she had been in contact with Mr. Russell regarding her situation.

Chairman Batchelor stated that the difficulty the Commission is facing is that this could have been solved to some degree. The Commission does have compassion and they do understand situations. But, clearly in this situation it appears that other than Ms. Quinn's letter of September 12, 2017 there is no other documentation from her.

Ms. Quinn stated that was because she did not document her conversations with Mr. Russell. But, she has called and spoken with Ms. Celorier. She stated this was the earliest she could get to this.

Chairman Batchelor stated that he has a letter from Mr. Russell from Wednesday stating that Mr. Russell opposes any continuances.

Ms. Quinn stated that she has hired the civil engineer to begin the work. She has been trying via phone calls to contact Mr. Russell to let him know that the civil engineer has been hired to begin the work.

Mr. Livingstone stated that it was too bad Ms. Quinn was not at the last meeting as there was a huge debate about this. He stated that the Commission does not want to get adversarial. He noted that the documentation on one side was so extensive and as there is not much on the other side, it makes it look like avoidance. He noted that one of the letters threatened legal action by the city and still no one came to the meeting. He finds it hard to digest that no one showed up.

Ms. Quinn stated that she may have been concerned about having the money to pay for the service.

Mr. Livingstone stated that the Commission was indicating they really wanted to talk to her and the message they were receiving back was silence.

Ms. Quinn apologized for not appearing at the last meeting.

Mr. Livingstone stated that it was important for Ms. Quinn to get the letter stating that she had employed Land Planning in the file, as this would be a letter and record of intent.

Ms. Quinn gave the letter to Ms. Celorier.

Ms. Celorier stated she would give the letter to Mr. Russell on Monday.

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Mr. Harrington stated that it was important that they do not actually begin any work.

Mr. Livingstone stated that the Commission just wants to get the situation remedied because that is the charter.

Chairman Batchelor stated it is the Commission's responsibility to uphold the statutes of the town and state. He stated this should have been resolved and never come to this point. He suggested that this be continued to November 2, 2017, against the wishes of Mr. Russell. He told Ms. Quinn that the Commission would like her to return to the November 2, 2017 meeting. He asked Ms. Quinn if her engineering firm could be with her on November 2. He stated that it would behoove Ms. Quinn to have someone there that could represent her and speak to her situation. He reminded her to not do any work on her property.

Ms. Quinn stated that she would ask the firm she hired to attend the November 2, 2017 meeting.

Mr. Livingstone suggested that her firm come up with suggested solutions that make sense given the laws and her budget and before the next Commission meeting her firm and Mr. Russell have a discussion and walk through the proposal to vet it prior to the meeting. Then she should come to the next meeting with her firm.

Chairman Batchelor stated that if all that were to happen, the Chairman would look favorably on not issuing a violation. He stated that we are not here to punish; we are here to get things done.

Ms. Quinn confirmed the procedure Mr. Livingstone suggested. And, she confirmed that she knew that work should not commence. She also noted that since the first letter was received, whenever the lawn has been mowed the clippings have been put back into the grass.

Chairman Batchelor thanked Ms. Quinn for attending the meeting and stated that he looked forward to seeing her at the November 2, 2017 meeting.

There was a motion made by Tara Henrichon to extend the enforcement order for 5 Crystal Drive to November 3, 2017 to allow the time for this work to be done. The motion was seconded by Jeff Livingstone and accepted with a vote of 6-0-0.

There was a motion made by Staci Dooney to adjourn the meeting. The motion was seconded by Jeffrey Milne and accepted with a vote of 6-0-0.

The meeting adjourned at 7:40 PM.

Respectfully submitted,

Judith Lizardi
Recording Secretary