

Town of Franklin



Conservation Commission

TOWN OF FRANKLIN
TOWN CLERK

2019 SEP 10 A 9:10

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**August 22, 2019
Meeting Minutes**

Chairman Bill Batchelor called the above-captioned meeting to order this date at 7:00 PM. Members in attendance: Jeffrey Milne, Jeff Livingstone, Paul Harrington, Staci Dooney, Alan Wallach, Braden Rosenberg. Members absent: None. Also present: Jen Delmore, Conservation Agent.

Commencement

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

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

Public Hearing – RDA – 3 Glenwood Road

Mr. Dave Marquedant of J. D. Marquedant & Associates addressed the Commission for a failed septic system. He noted Mr. Andrew Berman, property owner/applicant, was present in the audience. He reviewed the drawings and noted property location, septic system, and leach bed. He stated almost the entire property is lawn with a few trees. He explained the project involves replacement of the septic system and existing cesspools that are about to collapse. He confirmed the plan has been approved by the Board of Health. He stated the wetlands are across the street as noted on the plans.

Ms. Delmore stated she conducted a site visit in June when the applicant filed an MBZA. The applicant since withdrew the MBZA and filed an RDA. She stated the proposed erosion control is about 70 ft. from the wetland; all looked good when she was there.

Chairman Batchelor stated this appears to be a standard septic system and he does not see any difficulty.

There was a motion made by Jeffrey Milne to close the public hearing for the RDA for 3 Glenwood Road. The motion was seconded by Alan Wallach and accepted with a vote of 7-0-0.

There was a motion made by Braden Rosenberg to approve the RDA for 3 Glenwood Road with a Negative Determination 3, Positive Determination 2a, and Positive Determination 5. The motion was seconded by Jeffrey Milne and accepted with a vote of 7-0-0.

GENERAL BUSINESS

Minutes: July 25, 2019

There was a motion made by Jeffrey Milne to accept the meeting minutes for July 25, 2019. The motion was seconded by Staci Dooney and accepted with a vote of 7-0-0.

Public Hearing – RDA – 186 Maple Street (Bellingham)

Mr. Weston Standish of Borrego Solar Systems, Inc. addressed the Commission for construction of a 4,000 kW (AC) ground-mounted solar energy system off Maple Street in Bellingham. He pointed out the

town line between Bellingham and Franklin on the plans. He noted there are no wetlands within the Franklin property or within 100 ft. of the property line.

Chairman Batchelor stated the Commission can only approved for Franklin.

Ms. Delmore stated she conducted a site visit and walked the property. She noted concern with the southeast portion of the site because GIS showed wetlands off the property; however, there were none on the property or within 100 ft. She confirmed that on the Franklin side they are not even in the resource area. She stated the applicant filed the RDA to obtain confirmation that the work and the area is not within the Commission's jurisdiction.

Chairman Batchelor stated the Commission is going to approve this with a Negative Determination 4 and 6.

There was a motion made by Jeffrey Milne to close the public hearing for the RDA for 186 Maple Street (Bellingham). The motion was seconded by Staci Dooney and accepted with a vote of 7-0-0.

Public Hearing – Continued - NOI – Margaret's Cove

Ms. Delmore stated the applicant formally requested a continuance to the September 5, 2019 meeting at 7:05 PM.

There was a motion made by Staci Dooney to continue the public hearing for the NOI for Margaret's Cove to September 5, 2019 at 7:05 PM. The motion was seconded by Jeffrey Milne and accepted with a vote of 7-0-0.

Public Hearing – Continued - ANRAD – Prospect Farms

Ms. Delmore stated Ms. Lenore White of WSI noted some questionable flag locations during her initial review. Ms. White spoke with the botanist who agreed to meet her at the site to discuss it; however, this is an additional review. Therefore, an additional fee will be needed from the applicant. Ms. Delmore stated she tried to contact Andrews Survey & Engineering, Inc., but they have not returned her call. She is waiting to hear from them. She noted there is a new contact person for this project as the original contact has left the firm.

There was a motion made by Alan Wallach to continue the public hearing for the ANRAD for Prospect Farms to September 5, 2019 at 7:10 PM. The motion was seconded by Jeffrey Milne and accepted with a vote of 7-0-0.

GENERAL BUSINESS (continued)

Chairman Batchelor recused himself; Mr. Wallach recused himself.

Minor Buffer Zone Activity: Trooper Paul Barry Way – Fire Lane

Ms. Delmore stated she conducted a site visit and confirmed it is overgrown. She stated the MBZA is for clearing and removal of weeds and brush on and within 2 ft. of the edges of the fire lane. She recommended approval with the condition that any future re-growth within the same limit of work may be maintained as long as the Conservation office is notified with an MBZA of said maintenance clearing so the office can approve the activity.

Mr. Roy Blanchard reviewed the process of notifying the Conservation office. He stated he does not want the weeds and brush to get out of control.

Ms. Delmore stated there was concern that the basins there are overgrown, as well. She asked if there was a plan for maintaining them.

Mr. Blanchard stated at least half was done the last time he was there two weeks ago; he will check to see if it was completed.

Ms. Delmore stated she was there last week and work was going on at the intersection of Trooper Paul Barry Way and Shayne Road. The workers said they were changing a 2 in. water pipe to a 4 in. water pipe. She stated there are no permits for any activity there at this time.

Mr. Blanchard stated he is with the property management company and that work was with the developer. He stated he can speak to the developer about it; he thinks he heard the work regarded the sprinkler system.

Ms. Delmore asked Mr. Blanchard to relay the message that any work out there needs to be permitted through this Commission; if she goes there and sees any work going on that is not permitted, she will have to issue a stop-work order.

Mr. Blanchard said he will let them know.

Vice Chairman Milne noted the past relationship with the property management company was not very good. The Commission is hoping for a new start and that the company will honor their commitments and file with the Agent as needed.

There was a motion made by Braden Rosenberg to approve the MBZA for Trooper Paul Barry Way – Fire Lane with the condition that future regrowth be brought before the Commission before work occurs and the Conservation Agent should be notified of any additional work within the resource area buffer. The motion was seconded by Staci Dooney and accepted with a vote of 5-0-0.

Chairman Batchelor re-entered the meeting; Mr. Wallach re-entered the meeting.

Permit Modifications/Extensions: 74 Elm Street - Extension

Ms. Delmore stated this order was extended on September 17, 2018 with an expiration on September 17, 2019. The applicant is requesting a one-year extension. She recommended approval.

There was a motion made by Jeffrey Milne to approve a one-year extension to September 17, 2020 for 74 Elm Street. The motion was seconded by Alan Wallach and accepted with a vote of 7-0-0.

Certificate of Compliance: 303/327/3520 Refurbishment Project

Ms. Delmore stated this project is in the same area that the Commission recently approved an Order of Conditions for New England Power Transmission Line ROW. This COC is for the exploratory soil borings done prior to filing for that project. The applicant is requesting to close out that permit; they will continue with the recently approved permit.

There was a motion made by Braden Rosenberg to approve the Certificate of Compliance for 303/327/3520 Refurbishment Project. The motion was seconded by Staci Dooney and accepted with a vote of 7-0-0.

Violations: None.

Discussion Items: Agent Approvals

Ms. Delmore reviewed the types of items that fall under Agent Approvals such as dangerous trees. She noted she provided the Commission members with a list of the most current Agent Approvals.

Chairman Batchelor stated he had no questions or concerns on any of them. He noted that as voted at the last Commission meeting, the Agent now has the ability on NOIs to ask for BETA review.

Ms. Delmore confirmed every NOI will go to BETA for review unless she deems it is not necessary, in which case she will contact the applicant to let them know. She responded to Commission members' questions about the administrative approvals.

Chair and Commission Member Comments: None.

Executive Session: None.

There was a motion made by Jeff Livingstone to adjourn the meeting. The motion was seconded by Jeffrey Milne and accepted with a vote of 7-0-0.

The meeting adjourned at 7:33 PM.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Judith Lizardi", written over a horizontal line.

Judith Lizardi
Recording Secretary