

**Franklin Conservation Commission
Minutes of Meeting
November 1, 2018**

To: Town Clerk
cc: Members
File

Members Present: Bill Batchelor, Tara Henrichon, Angela Gelineau, Jeffrey Milne, George Russell, Conservation Agent
Members Not Present: Paul Harrington, Jeff Livingstone, Staci Dooney.

Chairman Batchelor announced the meeting would be audio and video recorded. He reviewed how the Commission operates. He stated that Mr. Russell, Conservation Agent, makes recommendations to the Commission based on law; the Commission interprets the law and the needs of the individual. Therefore, it is the Commission's responsibility to come to a decision, not Mr. Russell's decision; he is here in an advisory technical capacity.

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

Public Hearing – NOI – 173 Brook Street - Vey

Mr. Robert Vey of Norfolk Engineering representing the applicants Michael and Jo-Ann Polakoff addressed the Commission for a septic system. Mr. Vey stated it is an existing three-bedroom home with a failed septic system. He proposed a septic system design with a 1,500-gallon septic tank and two infiltrator trenches in the rear yard. The trenches are in the buffer zone within 50 ft. to 100 ft. from the wetlands that were flagged by Dan O'Driscoll. He showed erosion control barriers around the entire system. He stated this is an upgrade to the existing system; it is essentially a replacement. He stated that it is less than 50 ft. long and within 3 ft. of grade so it is not vented.

Mr. Russell stated the NOI number has been received. He recommended approval with the stipulations as outlined in his Agent's Report.

There was a motion made by Jeffrey Milne to close the public hearing for the NOI for 173 Brook Street. The motion was seconded by Tara Henrichon and accepted with a vote of 4-0-0.

There was a motion made by Jeffrey Milne to grant the Order of Conditions for the NOI for 173 Brook Street with stipulations #20, 23, 24, 27-30, 33-35, 41, 44 and 51. The motion was seconded by Angela Gelineau and accepted with a vote of 4-0-0.

Public Hearing – Continued - ANRAD – 725 Summer Street - TRC

Mr. Russell recommended the hearing be continued to the November 15, 2018, meeting because the final peer review report has not been received.

Mr. Kurt Cusack, 6 Woodchester Road, asked what this hearing was about. As this is behind his house, he would like to know what they are planning.

Mr. Russell stated this is a hearing on the wetland's designation at 725 Summer Street; he does not know what they are planning.

Chairman Batchelor stated this is for a wetland's designation at this point; the Commission does not know what is going in there.

Ms. Gelineau stated that if the applicant was going to do work within the wetlands, then they would come back here and we would have details on that work; but, that would be yet another hearing.

Ms. Henrichon stated that if Mr. Cusack would like to know where the wetlands line is since he lives there, then by all means, he should come back to the next meeting.

There was a motion made by Angela Gelineau to continue the public hearing for the ANRAD for 725 Summer Street to November 15, 2018, at 7:10 PM. The motion was seconded by Jeffrey Milne and accepted with a vote of 4-0-0.

GENERAL BUSINESS

Certificate of Compliance: 9 Hemlock Lane

Mr. Russell stated the applicant conformed with the Commission's policy on expired permits. He recommended the release be granted.

Ms. Amanda Cavaliere of Guerriere & Halnon, Inc. addressed the Commission; she stated this is self-explanatory and she would be happy to answer any questions.

There was a motion made by Jeffrey Milne to grant the Certificate of Compliance for 9 Hemlock Lane. The motion was seconded by Tara Henrichon and accepted with a vote of 4-0-0.

Public Hearing – Continued - NOI – 725 Union Street – Holmgren Engineering

Mr. Russell stated a request from the applicant has been received to continue this hearing to the next meeting. He stated that one of the big deals with this application has been zoning-related issues. Plans have now been submitted to the Planning Board. They are different than the plans the Commission currently has in front of them. He has been in contact with the developer's representative and they said they are going to wait for the preliminary comments from the Planning Board and peer review and redo the plans as necessary and then resubmit them to both boards. He stated he is aware of an issue regarding drainage from the peer reviewers.

There was a motion made by Angela Gelineau to continue the public hearing for the NOI for 725 Union Street to November 15, 2018, at 7:15 PM. The motion was seconded by Jeffrey Milne and accepted with a vote of 4-0-0.

GENERAL BUSINESS (continued)

Certificate of Compliance: Sandy Knoll Estates

Mr. Russell stated this Order of Conditions was originally denied by the Commission but approved under a superseding order. He stated he has been requesting from the developer for awhile information as to whether the work was completed according to plan; it was finally received. In light of that, he recommended the COC be granted with the understanding and the condition that stipulation #26 in the superseding order remains in perpetuity; that condition requires a developer to maintain the drainage basins.

There was a motion made by Angela Gelineau to grant the Certificate of Compliance for Sandy Knoll Estates with the condition that stipulation #26 be retained in perpetuity as required by the superseding order. The motion was seconded by Tara Henrichon and accepted with a vote of 4-0-0.

Minutes: October 18, 2018

There was a motion made by Tara Henrichon to accept the meeting minutes for October 18, 2018. The motion was seconded by Jeffrey Milne and accepted with a vote of 4-0-0.

Commission members discussed the requested revisions to the August 30, 2018, meetings minutes. Members discussed that Franklin TV does not put the meeting videos on the Town website immediately.

Discussion: Application Process

Ms. Henrichon requested that a particular sentence in the draft of the proposed attachment to all applications indicating that it is the responsibility of the applicant to decide which application to file be put in bold font.

Commission members informally agreed said sentence should be put in bold and underlined.

Mr. Russell stated no problem. He requested the Commission to vote to accept this be attached to all applications.

There was a motion made by Jeffrey Milne to accept the modification and to put it on the application. The motion was seconded by Angela Gelineau and accepted with a vote of 4-0-0.

Chair and Commission Member Comments

Mr. Russell requested the Commission members note in his Agent's Report that the Town Attorney has indicated it would not be a good idea to put land use attorneys on the professional consultants list that is handed out.

Signed Orders of Conditions & Certificates of Compliance

Certificate of Compliance – Sandy Knoll Estates – Maple Sands – SE159-590

Certificate of Compliance – 9 Hemlock Lane – Van De Giesen – SE159-779

Orders of Conditions – 173 Brook Street – Polakoff – CE159-1190

There was a motion made by Jeffrey Milne to adjourn the meeting. The motion was seconded by Angela Gelineau and accepted with a vote of 4-0-0.

The meeting adjourned at 7:24 PM.

Respectfully submitted,

Judith Lizardi
Recording Secretary