

**Franklin Conservation Commission
Minutes of Meeting
March 28, 2019**

To: Town Clerk
cc: Members
File

Members Present: Bill Batchelor, Paul Harrington, Jeff Livingstone, Jeffrey Milne, Staci Dooney, Alan Wallach, Braden Rosenberg.

Members Not Present: None.

Also Present: George Russell, Conservation Agent, Bryan Taberner, Director, Planning and Community Development.

Chairman Batchelor announced the meeting would be audio and video recorded. He thanked Mr. Russell for his valuable work as Conservation Agent for the past five years; he noted this will be Mr. Russell's last meeting as he is retiring.

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

Public Hearing – Continued - NOI – 38 Pond Street – G&H

Mr. Russell stated that he has a communication from BETA Engineering addressed to the Chairman of the Planning Board, dated March 27, 2019, referencing the Site Plan for 38 Pond Street; he asked that it be entered into the record. He indicated that based on this review, there will be potentially significant plan revisions on this; therefore, he recommended the hearing be continued. He also stated that in the BETA letter, as well as in his Agent's report, there is mention that there is still an ownership question that part of the project is not owned by the applicant.

Chairman Batchelor stated that he was under the impression that there was to be a signed agreement among the owners.

Mr. Russell stated that has not happened. He stated he has been in contacted with the engineer for the project and he has authorization from them to continue the hearing to the next meeting.

There was a motion made by Jeffrey Milne to continue the public hearing for the NOI for 38 Pond Street to April 11, 2019, at 7:00 PM. The motion was seconded by Staci Dooney and accepted with a vote of 7-0-0.

GENERAL BUSINESS

Minutes: March 14, 2019

Mr. Livingstone stated he had edits to the minutes. Commission members agreed to delay the minutes until the next meeting.

Chairman Batchelor announced that all the public hearings for tonight will be continued as all the data is not available so the Commission cannot take testimony or go forward with an up or down vote. He noted that the public is welcome to stay and ask any questions about any part of the meeting.

Public Hearing – Continued - NOI – Amego School – Washington Street

Mr. Russell stated that the peer review from WSI was received informally and it appears that the wetlands line is very good, but a formal report from them has not been received. Also, he stated that he does not have a peer review report back from BETA, yet. Therefore, he recommended the hearing be continued to the next meeting.

There was a motion made by Jeffrey Milne to continue the public hearing for the NOI for Amego Schools, Washington Street, to April 11, 2019 at 7:05 PM. The motion was seconded by Braden Rosenberg and accepted with a vote of 7-0-0.

GENERAL BUSINESS (continued)

Discussion: Del Carte Earth Day Update

Ms. Dooney stated she received feedback from the high school. The notice has been sent out to all students that it is an available area that day, specifically DelCarte, for students to come to provide community service. She received an email from one student asking how many slots were available.

Chairman Batchelor stated that would be a terrific addition to this year's program at DelCarte.

Mr. Wallach stated he went to Starbucks in Franklin and spoke to the store manager about the efforts at DelCarte on April 27th. She said whatever is needed; they are definitely on board. He stated that the Commission will get coffee and cold drinks and whatever is needed. The manager also said that she has at least two people on her staff that will participate in the day. He stated that he also drafted a proposal to the store manager of Big Y asking for a donation of cupcakes with the Earth Day logo. He hand-delivered the letter, but did not speak with the manager, Nate Draper. He left his contact information. He will go to Big Y tomorrow to see if he can meet with the manager.

Chairman Batchelor stated he had a deep relationship with the family that owns Big Y; they are a terrific family. He stated that he is going to assume that they will be happy to participate, but you never know.

Mr. Rosenberg stated he spoke with Carlos Rebelo, Highway & Grounds Superintendent; he stated we are all set to coordinate pick up for trash bags. They are going to drop everything off, tables and chairs, that we need. Mr. Rosenberg noted they are doing the Beaver Pond event the same day. They asked if we needed tents, but it was not on our list, so he said to keep them at Beaver Pond. He will coordinate with Mr. Rebelo closer to the event. He stated that they should be all set with safety vests, bags, rakes, shovels, pick up and drop off, and a couple of chairs. He stated that he and Mr. Rebelo noted that if people show up to the Beaver Pond event and want to go to DelCarte, they are more than welcome to.

Chairman Batchelor noted that flyers are being made for the event. They will be posted in various locations.

Mr. Wallach provided an update on the T-shirts.

Ms. Celorier stated the Recreation Department was ordering 100 and she said 50-60 would be needed; Recreation will contact Ms. Celorier when they come in.

Chairman Batchelor spoke about the “All About Franklin” blog. Weather permitting, he thinks they will have a good crowd.

Mr. Russell noted that ADA compliance work was being done at DelCorte. The contractor was not able to complete the work before the winter weather. The contractor is going to try to complete the work during the first few weeks of April. Mr. Russell reviewed the work that needed to be done. He has been in contact with the Tri-Country Regional School Carpentry Department about building the new pavilion on the concrete pad that was set in; he has not heard back from them yet. He stated the contract has been signed for the next three years of pond treatment for the invasives. They will probably be doing the third-year treatment in June.

Public Hearing – Continued - NOI – Upper Union Street Solar

Mr. Russell stated he would like to enter into the record a letter from Wetland Strategies, Inc., dated March 27, 2019, which is the wetlands peer review for that site. Basically, WSI has indicated that the amount of disturbance exceeds the amount allowed under the law. However, subsequent to that, he received an email dated today from WSI that revised plans were submitted yesterday. She took the time to review them and is now comfortable with the revised plans. However, that information has not been received yet in terms of a formal memo. He stated that revised plans were received from the applicant yesterday. Those also went to BETA Engineering and WSI. He has not received anything formal back from either of the peer reviewers. He has talked to the applicant and they have authorized an extension of the hearing until the next meeting.

There was a motion made by Jeffrey Milne to continue the public hearing for the NOI for Upper Union Street Solar to April 11, 2019 at 7:10 PM. The motion was seconded by Braden Rosenberg and accepted with a vote of 7-0-0.

Public Hearing – Continued - NOI – Spring Street Renewables – Andrews Eng.

Mr. Russell stated that peer review has not been received from either WSI or BETA Engineering. He recommended that the hearing be continued; he has received an okay from the applicant.

There was a motion made by Staci Dooney to continue the public hearing for the NOI for Spring Street Renewables to April 11, 2019 at 7:15 PM. The motion was seconded by Braden Rosenberg and accepted with a vote of 6-0-1. (Mr. Milne abstained).

Public Hearing – Continued - NOI – 27 Forge Parkway – Guerriere & Halnon

Mr. Russell stated that he received the peer review from WSI indicating that everything is okay. However, there have been some issues with the drainage and engineering portion of the project. Therefore, he recommended a continuation of the hearing to the next meeting.

There was a motion made by Staci Dooney to continue the public hearing for the NOI for 27 Forge Parkway to April 11, 2019 at 7:20 PM. The motion was seconded by Jeffrey Milne and accepted with a vote of 7-0-0.

Chair, Commission Member, and Agent Comments

Mr. Russell stated that in his Agent’s Report there is a note to please read page 4. He stated that he thinks until a new Agent is hired, it is critical that NOIs, especially those that contain wetlands delineations, be sent for peer review. He asked, because the local bylaw requires the Commission authorize peer review, how would the Commission feel about a motion tonight to authorize any NOIs that are filed between now and the hiring of a new Agent automatically go to peer review. It will save the applicants two to three weeks of time because we can tell them that they are going to have to go to peer review. They can get it to BETA and they will develop a scope of services. It is entirely possible that the process of peer review will

be started even before the public hearings are open. He does not say this to minimize the expertise of the town staff, it is just that we are expecting some really significant wetlands delineation applications coming forward. They will include acres and acres of wetlands delineations. He is just trying to expedite the process while there is a lack of staff.

Mr. Bryan Taberner confirmed he would be the interim Conservation Agent.

Chairman Batchelor stated that some NOIs do not require peer review.

Mr. Russell stated that he feels that anyone who has a wetlands delineation as part of the NOI should have peer review; he discussed some examples.

Commission members asked questions and discussed.

Mr. Russell stated that the Commission has been dealing with this on an individual basis. He was just trying to make it a little bit easier while there was not a new Agent hired yet. Nevertheless, just leave it that it is his recommendation going forward for the Commission that when they get an NOI application that includes a wetlands delineation, that line should be evaluated by an independent third party. He also strongly recommended that as a stipulation of approval, stipulation 23 be included which requires reports on the project from a professional every April and October. Those reports are invaluable to track the progress and know what is happening.

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

The meeting adjourned at 7:30 PM.

Respectfully submitted,

Judith Lizardi
Recording Secretary