

## Town of Franklin



## Conservation Commission

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### June 20, 2019 Meeting Minutes

Chairman Bill Batchelor called the above-captioned meeting to order this date at 7:00 PM. Members in attendance: Paul Harrington, Jeff Livingstone, Jeffrey Milne, Braden Rosenberg, Alan Wallach. Members absent: Staci Dooney. Also present: Bryan Taberner, Director of Planning and Community Development; Jen Delmore, Conservation Agent.

#### Commencement

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

Ms. Delmore and Mr. Taberner's Agent's Report has been appended to the minutes.

#### Public Hearing – NOI – 1256 West Central Street

Mr. Rick Goodreau of United Consultants representing the applicant addressed the Commission for construction of two parking areas and two stormwater systems with landscaping within the buffer zone of bordering vegetative wetlands. He confirmed the project had not yet been issued a DEP number.

Chairman Batchelor suggested the applicant not give testimony tonight as there is no DEP number. As well, he stated it will be recommended that a peer review is done. He stated peer review can change anything that the applicant may talk about tonight as well as shown on the plans. He stated that as it is a public hearing, it is unfair to residents or people who might be interested in this project to listen to flawed testimony. He said he takes a broader view of the situation; once peer review is done and the Commission has all the delineations, the DEP number, and all the filings necessary, they will take testimony and the public may question the specifics of the exact nature of the project and then there can be a vote. However, by law, it is the applicant's right to give testimony; but, as the Chair, he issues caution on that.

Mr. Goodreau asked what the peer review will consist of.

Chairman Batchelor stated peer review would include wetland delineations, resource areas, and project scope.

Ms. Delmore reviewed the peer review process.

Mr. Taberner confirmed there is no way to know if the peer review will be completed by July 11, 2019, which is the date of the next meeting.

Mr. Goodreau stated they were amenable to a continuance.

There was a motion made by Jeff Livingstone to continue the public hearing for the NOI for 1256 West Central Street, pending the DEP number being issued and that there will be a peer review, to a date to be

supplied by the Conservation Agent or Bryan Taberner. The motion was seconded by Paul Harrington and accepted with a vote of 6-0-0.

**Public Hearing – Continued - ANRAD – Prospect Farms**

Ms. Delmore stated the applicant submitted a request for continuance to July 11, 2019.

There was a motion made by Braden Rosenberg to continue the public hearing for the ANRAD for Prospect Farms to July 11, 2019 at 7:30 PM. The motion was seconded by Alan Wallach and accepted with a vote of 6-0-0.

**Public Hearing – Continued - NOI – New England Power Company Transmission Line ROW**

Ms. Delmore stated the applicant submitted a request for continuance to July 11, 2019.

There was a motion made by Jeff Livingstone to continue the public hearing for the NOI for New England Power Company Transmission Line ROW to July 11, 2019 at 7:35 PM. The motion was seconded by Braden Rosenberg and accepted with a vote of 5-0-1. (Mr. Harrington abstained.)

**GENERAL BUSINESS**

**Minor Buffer Zone Activity: 3 Glenwood Road**

Mr. Dave Marquedant of J.D. Marquedant & Associates addressed the Commission and stated they would like to continue this item until they hear back from the Board of Health.

Ms. Delmore stated she visited the site. She noticed a shed close to where the system is going to be put in. She asked if the shed was going to be relocated.

Mr. Marquedant stated the shed would be relocated in the same general area among the trees and probably pushed back a little.

There was a motion made by Jeffrey Milne to continue the MBZA for 3 Glenwood Road to July 11, 2019. The motion was seconded by Alan Wallach and accepted with a vote of 6-0-0.

**Minor Buffer Zone Activity: 420 Maple Street**

Mr. Frank Castano and Ms. Clara Castano, owners, addressed the Commission for a deck they propose to convert into a four-season room and mudroom. Mr. Castano stated the footprint will be the same dimensions as the deck.

Ms. Delmore stated she visited the site and Mr. Castano was present. She noted there was some debris and chicken wire fencing partially falling down in the wetland. The previous owner was responsible for the debris and fencing; however, Mr. Castano agreed to clean it up. She stated the back edge of the proposed addition is probably about 25 ft. away from the wetland. She noted there was a previous deck there which has been removed as it was unsafe. There will be six footings installed. She recommended some erosion control silt sock be put in as there is a slope. She stated Mr. Castano agreed to put in erosion control.

Chairman Batchelor reiterated this is an existing structure in the same footprint. He confirmed silt sock erosion barrier would be required.

Mr. Harrington asked how runoff would be handled as a roof will be installed



Mr. Castano stated he was not sure if he would be using gutters.

Mr. Rosenberg stated the rain hitting a deck or hitting a roof and running off should really not make a difference.

Commission members discussed the potential runoff from the roof as opposed to the deck and noted there is a distance of 25 ft. before the wetland.

There was a motion made by Braden Rosenberg to approve the Minor Buffer Zone Activity for 420 Maple Street with the stipulation that silt sock be installed for erosion control. The motion was seconded by Alan Wallach and accepted with a vote of 6-0-0.

**Permit Modifications/Extensions: DelCarte Ponds – Order of Conditions Extension**

Mr. Taberner stated three years ago there was an Order of Conditions related to the chemical treatment of the ponds; it runs out next month. A one-year extension is recommended. He confirmed the request by Solitude was for a three-year extension; however, extensions are given one year at a time.

There was a motion made by Alan Wallach to approve the DelCarte Ponds Order of Conditions permit extension. The motion was seconded by Paul Harrington and accepted with a vote of 6-0-0.

**Certificates of Compliance: 6 Alexandria Drive**

Ms. Amanda Cavaliere, consulting engineer of Guerriere & Halnon, Inc., representing the applicant, addressed the Commission for a Certificate of Compliance.

Chairman Batchelor confirmed Ms. Delmore and Mr. Taberner conducted a site visit.

There was a motion made by Jeffrey Milne to approve the Certificate of Compliance for 6 Alexandria Drive. The motion was seconded by Braden Rosenberg and accepted with a vote of 6-0-0.

**Certificates of Compliance: 173 Brook Street**

Ms. Delmore stated she performed a site visit and everything looked good; she recommended approval.

There was a motion made by Braden Rosenberg to approve the Certificate of Compliance for 173 Brook Street. The motion was seconded by Alan Wallach and accepted with a vote of 6-0-0.

**Minutes: May 23, 2019**

Mr. Rosenberg noted his name was misspelled as Brandon. There was a motion made by Alan Wallach to accept the meeting minutes for May 23, 2019, with the corrected spelling of Mr. Rosenberg's first name. The motion was seconded by Jeffrey Milne and accepted with a vote of 6-0-0.

**Discussions:** None.

**Chair and Vice Chair Elections**

There was a motion made by Alan Wallach to nominate William Batchelor to continue as Chair of the Conservation Commission for another year. The motion was seconded by Braden Rosenberg and accepted with a vote of 6-0-0.

There was a motion made by Alan Wallach to nominate Jeffrey Milne as Vice Chair of the Conservation Commission for one year. The motion was seconded by William Batchelor and accepted with a vote of 6-0-0.

**2020 Meeting Schedule**

Mr. Taberner noted a Commission meeting is scheduled for October 31, 2019. He stated he provided the Commission members with suggested schedule changes for a few of the 2019 meetings. As well, he noted a meeting schedule for the 2020 calendar year was provided to the Commission members. He asked the Commission members to review the 2019 recommended meeting changes and the 2020 meeting schedule. These items will be discussed at the next meeting.

**Chair and Commission Member Comments:** None.

**Executive Session:** None.

There was a motion made by Braden Rosenberg to adjourn the meeting. The motion was seconded by Jeff Livingstone and accepted with a vote of 6-0-0.

The meeting adjourned at 7:37 PM.

Respectfully submitted,

  
Judith Lizardi  
Recording Secretary