

Town of Franklin



Conservation Commission

**January 21, 2021
Meeting Minutes**

As stated on the agenda, due to the concerns regarding the COVID-19 virus, this meeting will be conducted as a Remote/Virtual Conservation Commission meeting. In an effort to ensure citizen engagement and comply with open meeting law regulations, citizens will be able to dial into the meeting using the provided phone number, or citizens can participate by using the Zoom link provided on the agenda.

Chair Batchelor called the above-captioned meeting to order this date at 7:00 PM as a Remote Access Virtual Zoom Meeting. Members in attendance: Bill Batchelor, Jeffrey Milne, Alan Wallach, Patrick Gallagher. Members absent: Jeff Livingstone, Paul Harrington. Also present: Jen Delmore, Conservation Agent.

Commencement

Chair Batchelor announced this meeting will be video recorded.

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

PUBLIC HEARINGS

Public Hearing – Continued - NOI – Lot 34 Mastro Drive

Ms. Delmore stated the applicant requested a continuance to February 18, 2021.

Ms. Meghann Hagen, 13 Wood Haven Drive, asked if there was a limit to the number of times an applicant can request a continuance. Chair Batchelor stated the Commission would not randomly allow any certification to go on without a cause. On this issue, there are some engineering-based factors for the continuance.

Ms. Barbara Elliott, 6 Wood Haven Drive, asked for clarification of the Town's process for allowing someone to build something behind where she lives.

Ms. Delmore reviewed the NOI process. She stated the access driveway is proposed to cross the wetland and stream by using a box culvert. The applicant is investigating an access option so as to not have to cross the wetland and stream. As well, the stream status is still to be determined.

Chair Batchelor stated the Conservation Commission guards the land and makes sure if a permit is granted to build that it does not interfere with wetlands and or municipal, state, and federal guidelines.

Mr. Kevin Collins, 14 Wood Haven Drive, questioned the 16 ft. driveway that was allowed seven years ago as it seems excessive if the goal was to minimize impact on the stream. Chair Batchelor stated the Conservation Commission deals with issues that are put before the Commission and with what the applicant is proposing at this time. He stated that if the Commission approves what the applicant is proposing, it will meet all conservation laws and requirements. Mr. Collins asked how the status of the stream is determined as it changes throughout the year. Chair Batchelor explained the process used for stream status determination.

Ms. Delmore stated the project that was in front of the Commission seven years ago was similar, but it is being looked into again based on current conditions.

Ms. Anne Marie Mitchell, 8 Wood Haven Drive, stated that the area to the right of her house is flooded after every storm.

There was a motion made by Jeffrey Milne to continue the public hearing for the NOI for Lot 34 Mastro Drive to February 18, 2021, at 7:00 PM. The motion was seconded by Alan Wallach and accepted with a roll call vote of 4-0-0. Roll Call Vote: Milne-Yes; Wallach-Yes; Gallagher-Yes; Batchelor-Yes.

Public Hearing – Continued - NOI – 380 Beaver Street – Chilson Park Playground Expansion

Ms. Brooke Cotta, Assistant Town Engineer, representing the Town as the applicant, addressed the Commission for the expansion of the existing public park off Beaver Street (Chilson Park). She stated this is a continuation from the public hearing discussion at the last meeting. She reviewed the existing playground area, restroom facility, and beach area. The proposed expansion would involve upgrading the existing playground, clearing a portion of the woods and grading to accommodate a new grass practice field (80'x130'), a sprinting track (10'x170'), a fitness obstacle course (50'x100') with wood chip footing, concrete lacrosse walls, and a flood storage mitigation area. She stated the plan was revised to show the erosion controls. She confirmed there is no bordering vegetated wetland aside from the B1-B3 mentioned, and no DEP file number has been issued yet.

There was a motion made by Alan Wallach to continue the public hearing for the NOI for 380 Beaver Street, Chilson Park Playground Expansion, to February 4, 2021, at 7:01 PM. The motion was seconded by Patrick Gallagher and accepted with a roll call vote of 4-0-0. Roll Call Vote: Milne-Yes; Wallach-Yes; Gallagher-Yes; Batchelor-Yes.

Public Hearing – Continued - NOI – Beaver Street Sidewalk and Drainage Improvements

Ms. Brooke Cotta, Assistant Town Engineer, representing the Town as the applicant, addressed the Commission for installation of sidewalks, curbing and drainage basins on Beaver Street from West Central Street to Chilson Park. She stated this is a continuation from the public hearing discussion at the last meeting. She reviewed the plans. She stated wetland flags were revised from the last meeting. The revised plan now accurately shows the Brook and BVW on the north side. There is no BVW on the southwest side. The BVW is accurate on the east side of the culvert. Chair Batchelor noted that the project was reviewed under the Natural Heritage and Endangered Species Program and they have determined the project will not adversely affect the resource area habitat.

Ms. Delmore confirmed Ms. Cotta's review of the plan revisions. She discussed that if the rip rap area around A1 could be underwater, how would it stop the sediment. Ms. Cotta stated they can look into whether the rip rap area can be shortened; they can observe it during high water levels. Ms. Delmore recommended waiting for comments from the State, therefore continuing the public hearing.

There was a motion made by Patrick Gallagher to continue the public hearing for the NOI for Beaver Street Sidewalk and Drainage Improvements to February 4, 2021, at 7:02 PM. The motion was seconded by Jeffrey Milne and accepted with a roll call vote of 4-0-0. Roll Call Vote: Milne-Yes; Wallach-Yes; Gallagher-Yes; Batchelor-Yes.

GENERAL BUSINESS

Minor Buffer Zone Activities: None.

Permit Modifications/Extensions: None.

Certificates of Compliance: None.

Violations/Enforcement: None.

Minutes: None.

Discussion Items: None.

Chair and Commission Comments: None.

Executive Session: None.

There was a motion made by Alan Wallach to adjourn the Remote Access Virtual Zoom Meeting. The motion was seconded by Patrick Gallagher and accepted with a roll call vote of 2-0-0. Roll Call Vote: Milne-Yes; Batchelor-Yes. Mr. Wallach and Mr. Gallagher did not vote.

The Remote Access Virtual Zoom Meeting adjourned at 7:35 PM.

Respectfully submitted,

Judith Lizardi
Recording Secretary