

Town of Franklin



Conservation Commission

**December 16, 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. This meeting will be held in the Council Chambers, second floor of the Municipal Building, for citizens wishing to attend in person.

Commencement

Chair Batchelor called the above-captioned meeting to order this date at 7:00 PM as a remote/virtual/in-person meeting. Members in attendance: William Batchelor, Jeffrey Milne, Jeff Livingstone, Andrew Mazzuchelli, Patrick Gallagher (via Zoom), Richard Johnson (via Zoom). Absent: None. Also present: Becca Solomon, Conservation Agent; Tyler Paslaski, Administrative Assistant.

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

PUBLIC HEARINGS

Public Hearing – Continued - NOI – 900 Washington Street

Ms. Lenore White from WSI stated that she finished her review. She stated that one concern which has been addressed by the applicant was the slope stabilization. She stated that the project is a subdivision. Although it maintains the 25' no touch, the slopes that are immediately near the area are very steep and the area is to be stripped down from all vegetation. She stated that the applicant has changed the erosion control measures to address those concerns. She recommended that if the project is approved, the Commission require some site inspection, possibly weekly, at least initially while the trees and grading are occurring near the wetland until the slopes have been stabilized.

Ms. Solomon stated that she agreed with Ms. White. She recommended issuing an Order of Conditions with the following standard conditions: 20, 21, 23, 24, 27-30, 32, 34, 41, 44, 51. She noted that she added condition #32 given Ms. White's comments regarding weekly reports.

There was a motion made by Jeffrey Milne to close the public hearing for the NOI for 900 Washington Street. The motion was seconded by Jeff Livingstone and accepted with a roll call vote of 6-0-0. Roll Call Vote: Milne-Yes; Livingstone-Yes; Gallagher-Yes; Mazzuchelli-Yes; Johnson-Yes; Batchelor-Yes.

There was a motion made by Jeff Livingstone to approve the NOI for 900 Washington Street with conditions #20, 21, 23, 24, 27-30, 32, 34, 41, 44, and 51, including erosion control reports and weekly inspections. The motion was seconded by Jeffrey Milne and accepted with a roll call vote of 6-0-0. Roll Call Vote: Milne-Yes; Livingstone-Yes; Gallagher-Yes; Mazzuchelli-Yes; Johnson-Yes; Batchelor-Yes.

Public Hearing – Continued – NOI – 10 Populatic Street

Ms. Solomon stated that the applicant requested a continuance of the public hearing.

Mr. Livingstone asked if the comments provided by DEP and WSI on the project are available. Ms. Solomon stated the comments are available.

There was a motion made by Andrew Mazzuchelli to continue the public hearing for the NOI for 10 Populatic Street to January 6, 2022, at 7:02 PM. The motion was seconded by Jeffrey Milne and accepted with a roll call vote of 6-0-0. Roll Call Vote: Milne-Yes; Livingstone-Yes; Gallagher-Yes; Mazzuchelli-Yes; Johnson-Yes; Batchelor-Yes.

GENERAL BUSINESS

Minor Buffer Zone Activities: None.

Permit Modifications/Extensions: None.

Certificates of Compliance: None.

Violations/Enforcement: None.

Minutes: December 2, 2021

Mr. Gallagher stated that regarding the discussion item DPW Removal of Man-Made Dams at DelCarte, he felt there was an implication in the minutes that the DPW Director was in attendance. He suggested the references to Mr. Cantoreggi be replaced with *DPW requested* so there is no confusion as to whether he was there. Ms. Solomon stated that modification can be made. Chair Batchelor requested the minutes be held until the modification is made.

Discussion Item: Agent Approvals

Ms. Solomon reviewed that an MBZA filed for 10 Emily Way was granted an administrative approval. The MBZA was filed for the removal of diseased and heavily decaying trees on the edge of the 100' buffer zone and hanging over the applicant's fenced garden. The trees were clearly in danger of failing and presented with root rot, and suspected heart rot, in addition to significant crown die-back. The trees in question had a history of failure in the branches and presented an immediate risk to the applicant's property. As such, the MBZA request was approved by the agent in order for the trees to be removed and the stumps left.

There was No Motion or Second made. Chair Batchelor asked each Commission member if they approved. Roll call vote of 6-0-0. Roll Call Vote: Milne-Yes; Livingstone-Yes; Gallagher-Yes; Mazzuchelli-Yes; Johnson-Yes; Batchelor-Yes.

Chair and Commission Comments:

Director of Planning and Community Development Bryan Taberner addressed the Commission. Mr. Taberner stated that within his department is the Conversation Agent and their responsibilities. He stated that Ms. Solomon gave notice that she is moving to a full-time job in another community. He stated that as of January 1, 2022, the conservation agent at the meetings will be Mr. Taberner until Ms. Delmore returns from leave in March. He stated that he has done the job four other times in the past. He noted that they will be doing things a little differently. As it is a time-consuming job, he will have the BETA consultant's subcontractor Wetland Strategies doing site visits for the Town, doing a write up and providing recommendations. As the agent, regarding administrative approvals, he would be giving the

approval and signing off, or it would go to the Commission if it were not time sensitive. He stated that he will be using Mr. Paslaski and others in the department to make sure all is getting done appropriately. He stated that he would be happy to answer any questions. Mr. Livingstone confirmed that the conservation agent is a part-time position. He asked if it could be made a full-time position. Mr. Taberner stated that some agents want part-time employment. He noted that they would need the budget for it and have enough work for them to do. He noted that Mr. Paslaski was transferred from the Building Department to his department this year. He stated that he does not see his department getting additional personnel. Commission members thanked Ms. Solomon for her contribution.

Executive Session: None.

There was No Motion, No Second, and No Vote Taken.

Chair Batchelor stated that the meeting was adjourned.

The meeting adjourned at 7:23 PM.

Respectfully submitted,

Judith Lizardi
Recording Secretary