

Town of Franklin



Conservation Commission

**March 31, 2022
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 William 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, Richard Johnson (via Zoom), Michael Rein. Absent: Patrick Gallagher. Also present: Bryan Taberner, Director of Planning and Community Development; Tyler Paslaski, Administrative Staff; Lenore White, Wetland Strategies, Inc.

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

PUBLIC HEARINGS

Public Hearing – RDA - 33 Charles River Drive

Mr. Vance Pirone, homeowner, addressed the Commission for a Request for Determination of Applicability to remove 17 trees from the backyard area of his property. He stated that 14 trees are along the line and three trees are in the yard. All of the tree removal is in the 100 ft. buffer zone. Ms. White stated that she visited the property about two weeks ago. She stated that it is a relatively simple project; the homeowner would like to clear some of the trees in the backyard. The work is approximately 40 ft. to 50 ft. away from the detention pond. There is a stockade fence that separates the trees from the resource area. She recommended a negative determination contingent upon the conditions of leaving the stumps of any trees cut down, not performing any grading, and removing the cut trees from the site. She confirmed no Notice of Intent is required. Mr. Pirone stated that is acceptable. Mr. Taberner stated that he agreed with Ms. White's recommendation.

There was a motion made by Jeffrey Milne to close the public hearing for the RDA for 33 Charles River Drive. The motion was seconded by Andrew Mazzuchelli and accepted with a roll call vote of 6-0-0. Roll Call Vote: Milne-Yes; Livingstone-Yes; Mazzuchelli-Yes; Johnson-Yes; Rein-Yes; Batchelor-Yes.

There was a motion made by Jeffrey Milne to approve the RDA for 33 Charles River Drive with a negative determination contingent upon the conditions of leaving the stumps of any trees cut down and for the applicant not to perform any grading. 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; Mazzuchelli-Yes; Johnson-Yes; Rein-Yes; Batchelor-Yes.

Public Hearing – NOI – 84 Populatic Street

Mr. Taberner reviewed that this public hearing is for a new Notice of Intent to tear down a house damaged by fire and replace it with a new single-family dwelling. He stated that BETA/Wetland Strategies has not completed its review of the NOI or conducted a site visit. As well, a DEP number has not been received. Therefore, the applicant has requested the public hearing be continued to April 14, 2022.

There was a motion made by Jeffrey Milne to continue the public hearing for the NOI for 84 Populatic Street to April 14, 2022, at 7:03 PM. 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; Mazzuchelli-Yes; Johnson-Yes; Rein-Yes; Batchelor-Yes.

Public Hearing – NOI – 60 Daniels Street

Mr. Livingstone recused himself.

Ms. Claire Hoogeboom, wetland scientist of LEC Environmental Consultants, representing the applicants/property owners, addressed the Commission for a Notice of Intent to construct a single-family dwelling at Parcel 242-043 adjacent to 60 Daniels Street, with an in-ground pool, gravel driveway, and associated grading. She reviewed the revised plans. She stated that since the last time they were before the Commission on March 17, 2022, the project received a DEP file number with no comments from DEP. They received comment letters from Ms. Lenore White of Wetland Strategies and Mr. Gary James of BETA Group. She stated that Ms. White's letter had no outstanding items remaining. Mr. James's letter had comments which were addressed in revised plans dated March 30, 2022. She stated that items addressed included removal of the stormwater depression to the rear of the home and directed drainage to the subsurface drainage system in the front of the dwelling, and the drain lines were highlighted on the plans. She stated that the engineer added a note to clarify that the downspouts from the rear of the home will be directed to the front. She stated those revisions were provided to Mr. James yesterday. She stated that Mr. James then provided a report which indicated there were no outstanding comments. She pointed out that the property owner has been corresponding with the owner of the private septic connection. The property owner is aware he must get the permit from the Town to approve the connection before he can even break ground.

Ms. White stated that she had no further comments. She confirmed that all of the work was outside the 25 ft. buffer zone, and there are appropriate erosion controls. She stated that with the conditions that the homeowner gets written permission to hook up to the sewer system, the project could go forward.

Mr. Milne asked about proposed landscaping and where the building materials will be staged during construction. Ms. Hoogeboom stated that any disturbed areas will be re-seeded. She stated that materials will be placed outside the 100 ft. buffer zone which is depicted on the plans.

There was a motion made by Jeffrey Milne to close the public hearing for the NOI for 60 Daniels Street. The motion was seconded by Andrew Mazzuchelli and accepted with a roll call vote of 5-0-0. Roll Call Vote: Milne-Yes; Mazzuchelli-Yes; Johnson-Yes; Rein-Yes; Batchelor-Yes.

There was a motion made by Jeffrey Milne to approve the NOI for 60 Daniels Street with special conditions #20, 21, 24, 27-30, 32, 34, 38, 41, 44 and 51. The motion was seconded by Andrew Mazzuchelli and accepted with a roll call vote of 5-0-0. Roll Call Vote: Milne-Yes; Mazzuchelli-Yes; Johnson-Yes; Rein-Yes; Batchelor-Yes.

Mr. Livingstone re-entered the meeting.

Public Hearing – ANRAD – Franklin Heights Parcel B

Chair Batchelor recused himself.

Mr. Taberner addressed the Commission for an Abbreviated Notice of Resource Area Delineation parcel of 219-178-002-000 (off Lincoln Street); the 20.3+/- acre property is Parcel B of the Franklin Heights housing development. He stated that they have been communicating with the representative of the project Desheng Wang of CLawe. He stated that Ms. White has visited the project; she does not believe the boundaries/flags are in the appropriate locations. He stated that Ms. White wrote a comment letter indicating that her opinion is that the boundary delineation is too inaccurate for approval or modification. Mr. Taberner stated that he, Ms. White, and Mr. Wang will conduct a site visit together to review the inconsistencies.

There was a motion made by Andrew Mazzuchelli to continue the public hearing for the ANRAD for Franklin Heights Parcel B to April 14, 2022, at 7:04 PM. **Discussion:** Mr. Michael Girardi, abutter at 48 Leanne Way, asked if there was an answer about the incomplete COC of Parcel A that was raised during the last Commission meeting. Mr. Taberner stated that he had not yet attended to that item; he will check on the COC for Part A. Ms. White stated that the project at this point is just a delineation. She stated that she is sure there is nothing in the regulations that indicates one must hold off on delineations if there is no Certificate of Compliance. She stated that a delineation is so preliminary. The motion was seconded by Michael Rein and accepted with a roll call vote of 5-0-0. Roll Call Vote: Livingstone-Yes; Mazzuchelli-Yes; Johnson-Yes; Rein-Yes; Milne-Yes.

Chair Batchelor re-entered the meeting.

GENERAL BUSINESS

Minor Buffer Zone Activities: None.

Permit Modifications/Extensions: None.

Certificates of Compliance: None.

Violations/Enforcement: None.

Minutes: March 17, 2022

There was a motion made by Jeff Livingstone to approve the meeting minutes for March 17, 2022. The motion was seconded by Michael Rein and accepted with a roll call vote of 5-0-1. Roll Call Vote: Milne-Abstain; Livingstone-Yes; Mazzuchelli-Yes; Johnson-Yes; Rein-Yes; Batchelor-Yes.

Discussion Item: Earth Day - Charles River Watershed Association - Cleanup Volunteers

Chair Batchelor confirmed that the Commission would hold the event on May 21, 2022. Commission members confirmed the T-shirt logo. It was confirmed that Mr. Livingstone is chair of the event and Mr. Rein is vice chair. Mr. Rein stated that he would not be available that weekend. Chair Batchelor discussed the canopy used at the last event. He stated that Starbucks and Big Y were sponsors in the past. Mr. Livingstone stated that the area is in pretty good shape. Chair Batchelor confirmed the area is rather pristine. Discussion commenced on how the site has been kept relatively clean. Mr. Livingstone noted that they may not need a cleanup day, but rather a celebration day for DelCorte. Chair Batchelor reviewed that May 21st is a late date and this may be a difficult time for the high school students. Mr. Livingstone continued the discussion that this event should be of a celebration of nature and DelCorte; possibly a

family event rather than an eco event. Chair Batchelor stated that there should be some trash bags. Mr. Livingstone stated that he would be responsible for coordinating face painting. Chair Batchelor stated that he would do the media; there will be T-shirts and face painting.

Mr. Milne asked about weed removal in the pond. Mr. Taberner stated that the contract has been completed. He stated that because the company has moved offices, he has yet to sit down with them to discuss if they need to do something for this coming year. Mr. Livingstone asked about restocking the pond. Mr. Taberner stated that the weeds are not gone although we are doing a good job with them. For the last treatment last year, a little different chemical mix was used. He stated that he has a few slides to show regarding what was done. Mr. Milne asked when the pond can be restocked. Discussion commenced about the need to get rid of the other species before restocking the pond. Chair Batchelor stated that someone needs to reach out to the State Department of Fisheries to determine the process to stock DelCorte ponds and if that takes place is there any natural deterrent that would not be conducive to them breeding. Mr. Taberner stated that he would make the call. It was discussed that the water needs to be tested and compared to before the company began the weed removal treatments. Mr. Taberner stated those annual reports are being provided. The last report came in at the end of the calendar year. He will provide an update.

Chair Batchelor reviewed the DelCorte event items: face painting, not doing typical sponsors, not involve high school students, more a celebration than cleanup, and there will be trash bags. Mr. Livingstone stated that he would still reach out to Starbucks. He said that maybe they will support us because they are part of the community. Mr. Taberner stated that his department is happy to assist with the T-shirts. They have a tent and table to be delivered that day. If trash is collected, he will coordinate with DPW. Chair Batchelor stated that the event will be held from 9 AM to 12 noon; the staging begins at 8 AM. He reiterated that he would do the social media. He confirmed that Mr. Livingstone should reach out to Starbucks and that Mr. Livingstone could also reach out to Big Y who has sponsored the event for the last three years. Mr. Taberner stated that Ms. Lily Rivera is the Marketing and Communications Specialist. He stated that Chair Batchelor should give Ms. Rivera a statement or something and she will turn it into flyers or anything the Commission wants. Chair Batchelor noted that the All About Franklin Facebook page has 8,000 participants. Mr. Taberner stated that Ms. Rivera will take care of everything.

Chair and Commission Comments: None.

Executive Session: None.

There was a motion made by Jeff Livingstone to adjourn the meeting. 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; Mazzuchelli-Yes; Johnson-Yes; Rein-Yes; Batchelor-Yes.

The meeting adjourned at 7:51 PM.

Respectfully submitted,

Judith Lizardi
Recording Secretary