

CONSERVATION COMMISSION
MINUTES
July 21, 2021
7:15 PM
Virtual Meeting

Present: Terry Maitland, Amy Green, Carolyn Kiely, Zywia Chadzynska, Jim Colman

Absent: Tim McKinnon

Natural Resources Director and recording secretary: Tom Tidman

Zoom Host: Fran Portante

Regular Business

8:00 PM: Chairman Maitland called the meeting to order and read the remote meeting protocol.

8:05 PM: Request for Determination: 5 Fernwood Road

Paul Bourget (owner) presented plans to re-loam and seed his front lawn and to seed and plant an area beside his driveway (south side) near wetlands. Mr. Bourget noted that he was of the understanding that the replacement of an existing driveway did not require a wetlands filing. He mentioned that the previous driveway was broken and uneven. The old pavement was loaded and hauled away; new gravel was added and compacted prior to repaving. He also mentioned that dirt from under the old pavement was scraped and placed on the side of the driveway closest to the wetlands and spread to make the area level.

The Commissioners asked why the work within the buffer zone was done without first getting a permit. Mr. Bourget stated the extra soil removed from under the driveway was used to make the area right next to the new driveway level, to fill in a depression. Once he was informed by the Conservation Agent that a permit was required, he had hay wattles installed and all work next to the driveway ceased. After meeting with the Conservation Agent, he filed the Request for Determination (RDA). The filing included a planting plan for 10 native shrubs, to be installed this year, to help restore the area next to the wetlands and close to the driveway. A 5' wide grass strip for snow removal will be maintained on the wetland side of the new driveway.

Commissioners asked if the new driveway was wider than the one that was replaced. Mr. Bourget noted that a small area of pavement has been added to straighten out an angle. He pointed out the area on the plan which is included in the filing, noting that cars had been parked previously on the lawn there.

Commission discussed whether to issue a fine for the buffer zone work done, which could amount to \$200 per day of the violation. A compromise position was reached in which the applicant would add an additional 3 shrubs, Arrowwood Viburnums, to his planting plan, extending the planting area at the upper end of the planting border, where haybales had been placed.

Decision: Jim moved to issue a Negative 3 Determination, meaning the work described in the Request is within the Buffer Zone, as defined in the regulations, but will not alter an Area subject to protection under the Act. Therefore, said work does not require the filing of a Notice of Intent. He included the following special conditions:

1. Three additional Arrowwood Viburnums shall be added to the proposed buffer zone planting plan, raising the total of native shrubs to be planted to thirteen (13).
2. The applicant is required to report back to the Conservation Commission in one year to report the condition of the shrubs. Any plants that don't survive the first growing season will be replaced prior to reporting to the Commission.

Carolyn seconded the motion, and the roll call vote was 3 ayes and one abstention.

Commission Business: Terry led a brief discussion addressing vacation schedules for the commissioners during the month of August. A polling of the committee revealed that the only week in August with quorum was Wednesday, August 18th. Fran and Tom will notify applicants of the August schedule and request the applicants that have already filed for the first meeting in August to waive the 21 day requirement to open a meeting.

Terry announced that the hearing for 12 Spring Hill Road is continued to September 15.

The meeting was adjourned at 9:10 PM.



Terrence Maitland, Chair