



TOWN OF CHARLTON CONSERVATION COMMISSION

Meeting Minutes

Wednesday, March 8, 2023

LOCATION: VIRTUAL VIA ZOOM & In Person

Members Present: Tom O'Malley
Mitch Dunn
Ron Royer
Ed Nowak
Jackie Nowak

Members Absent: Arthur Bellerive, James Allen

Also Present: Angela Panaccione

- 1. Call to Order:** 7:00 PM – Tom O'Malley
- 2. Mail/Correspondence** Forest Cutting Plan for Charlton Orchards
- 3. Public Inquiry**

510 Stafford Street - Stockpiling within 100ft BZ

Angela informed the commission that she received a complaint regarding stockpiling within the 100ft buffer zone. The address in question was 510 Stafford Street – Slims & Berthiaume Sewer Service.

She explained that she and Rose visited the site before the holidays but could not verify the wetlands due to snow on the ground. At the time, we learned that the pile (earth/boulders) was going to be there on a temporary basis and eventually be removed.

Angela stated that on the week of February 1, 2023, an abutter contacted the office and DEP. Rose went to the site on 2/9, verified the wetland line and noted that the pile was within +/- 50 feet from the wetlands. She requested the property owner to move the pile outside the 100ft buffer, secure the pile to avoid any type of erosion/runoff with boulders and straw wattles until it is permanently off site.

Rose went back to the property on 2/15 and verified that the pile was moved outside the buffer. The remainder boulders are being grinded daily and will be out of the site as well. She requested the property owner to utilize few of the boulders to mark the 100ft buffer to avoid further incidents.

Angela explained that it was Rose's opinion that the property owner complied with the requests.

Conservation Commission Alternate Member – Alan Leone & Erica White

Angela informed the commission that there were two residents inquiring to become alternate members. After discussion, the commission voted to recommend both residents to the BOS.

Motion made by Ron Royer to recommend both residents to the BOS

Motion seconded by Ed Nowak

No further discussion

4. **Approval of Minutes:** February 8, 2023

Motion made by Ed Nowak to approve the minutes from 2/8/2023.

Motion seconded by Jackie Nowak

No further discussion

5. **Schedule of Public Hearings**

- a. 7:00 PM Notice of Intent (NOI) DEP# – 128-1888 – Lot 122B, Oxford Road- The applicant has submitted a Notice of Intent for the construction of a single-family home with well, septic and driveway/parking area.
- b. 7:00 PM Notice of Intent (NOI) DEP# – 128-1887 – Lot 122C, Oxford Road- The applicant has submitted a Notice of Intent for the construction of a single-family home with well, septic and driveway/parking area

Scott Morrison from Ecotec presented the projects. He explained that he met Angela onsite to discuss stormwater related concerns. For Lot B, he showed the revised plans with grass swales and check dams. Scott also mentioned he was proposing infiltration systems outside the buffer zone.

For lot C, he proposed a swale going down the side of the road and discharging into the wetlands and continuing running through the driveway and then through the pipe across Oxford Road.

Scott shared information regarding the possibility of putting in a storm water basin; however, he didn't believe it would be feasible.

Jeff from 140 Oxford Road came forward with concerns regarding stormwater. He explained that his property was flooded. Scott explained that he needs to hear from DPW first to decide how to proceed. Angela explained that the culvert must be on the plan. She also requested revising the plan with detailed information about the de watering.

Motion made by Ed Nowak to continue the meeting to March 22, 2023

Motion seconded by Ron Royer

No further discussion

Motion made by Mitch Dunn to continue the meeting to March 22, 2023

Motion seconded by Ron Royer

No further discussion

- c. 7:00 PM Notice of Intent (NOI) DEP# – _____ – Lot 3 Hill Road- The applicant has submitted a Notice of Intent for the construction of duplex house with parking area, septic tank, and pump chamber all with associated grading.

Angela informed the commission that the applicant requested to continue the meeting.

Motion made by Ron Royer to continue the meeting to March 22, 2023

Motion seconded by Ed Nowak

further discussion

- d. 7:00 PM Notice of Intent (NOI) DEP# 128-1890 – Lot 4B Oxbow Road- The applicant has submitted a Notice of Intent for the construction of a single-family home with septic system and associated utilities.

Jude Gauvin from OHI Engineering Inc representing Rob Hatch presented the project. He explained that the property was located to the north of Route 20 on the north side of Oxford Road. Jude stated that the lot was part of a recent ANR Plan to create five parcels. He submitted the NOI and DEP came back with comments. He explained that the project had been moved since he looked at the alternative analysis. The project was moved out of the riverfront area and completely outside of the 100-foot buffer zone for the wetlands; however, it still lied within the natural heritage area.

Jude stated that the project consisted of the construction of two-bedroom cabin and two cars garage. He explained that the septic was designed for a four-bedroom system to allow his client to expand his bedroom at some point. A driveway to serve the house was also proposed.

He explained that DEP requested drainage calculations due to the ANR/five lots. DEP also requested information regarding the total disturbance of all the five lots involved within the habitat area. Jude explained that he had done the calculations but had not submitted them yet.

Jude explained that the landowner changed the ANR to create only three lots instead of five. Due to the change, he provided an alternative analysis, and the new proposed design significantly removed the disturbance in the 200ft Riverfront Area.

Jude stated that there was a question regarding whether or not the impoundment on the site was an isolated land subject to flooding; based on the analysis done and his performed calculations, the impoundment did not meet the threshold to qualify for an isolated land subject to flooding; therefore, it was not under DEP jurisdiction. Jude explained that he was proposing the installation of a culvert in the middle of this impoundment.

Angela requested all revised plans and information to be sent to her, DEP and National Heritage.

Tom O'Malley requested a motion to continue the hearing.

Motion made by Mitch Dunn to continue the meeting to March 22, 2023

Motion seconded by Ed Nowak

No further discussion

- e. 7:00 PM Notice of Intent (NOI) DEP# 128-1880 – Griffin Road – The applicant has submitted a Notice of Intent for the construction of a battery energy storage system within 100ft Buffer Zone of a BVW

Angela informed the commission that the applicant requested to continue the meeting.

Motion made by Ed Nowak to continue the meeting to March 22, 2023

Motion seconded by Jackie Nowak

further discussion

- f. 7:00 PM Notice of Intent (NOI) DEP# 128- 1884 – Lot 7 Harrington Rd - The applicant has submitted a Notice of Intent for the construction of a single-family home with well, septic and driveway.

Angela informed the commission that the applicant requested to continue the meeting.

Motion made by Ed Nowak to continue the meeting to March 22, 2023

Motion seconded by Mitch Dunn

further discussion

- g. 7:00 PM Notice of Intent (NOI) DEP# 128-1886 – Lot 8 Harrington Rd - The applicant has submitted a Notice of Intent for the construction of a single-family home with well, septic and driveway

Angela informed the commission that the applicant requested to continue the meeting.

Motion made by Ed Nowak to continue the meeting to March 22, 2023

Motion seconded by Ron Royer

further discussion

- h. 7:00 PM Notice of Intent (NOI) DEP# _____ – Lot 2 Pumpkin Lane - The applicant has submitted a Notice of Intent for the construction of a single-family home and driveway within 100ft of Prindle Lake

Chris McClure from McClure Engineering presented the project. He explained that the property owner intended to propose a shared driveway and share septic; however, the current driveway did not comply with shared driveway regulations.

Angela stated that she had spoken to Randy from the Planning Board and had learned that the current driveway meets the criteria for a shared driveway.

Richard Watts, resident of 68 Pumpkin Lane asked if there was an emergency plan. Tom O'Malley asked if they were proposing a plan in the event of a runoff into the pond. Chris explained that he submitted a proposal for a mitigation and erosion control plan.

Richard Watts stated that the lake area had not been cleaned up.

William Nuttall, resident from 67 Pumpkin Lane asked Chris McClure where the water would go when the stormwater basin was full. Chris answered that the water would go into the natural channel alongside the road. He asked for a review to be done to make sure that the runoff would not reach the stream to avoid it going onto the road/lake.

Mitch asked if Chris could calculate how much more water would come out of the site. Chris answered yes.

After discussion, Angela recommended continuing the meeting until she has updated information from the Board of Health and have a discussion regarding the common driveway.

Motion made by Ed Nowak to continue the meeting to March 22, 2023

Motion seconded by Mitch Dunn

No further discussion

- i. 7:00 PM Request for Determination of Applicability (RDA) 265 Stafford Street - The applicant has submitted a Request for Determination of Applicability for the repair of a septic system and grading within 100ft BZ of a BVW

Jim Moran, resident of 265 Stafford Rd explained that he had filed for a septic repair. MaryAnn DiPinto presented the project stating that half of the system was outside the 50ft buffer Zone and there would be no disturbance within the 50ft.

Tom O'Malley requested a motion to issue a Negative Determination with Conditions

Motion made by Ed Nowak to close the hearing and issue a negative determination with conditions that the work described in the Request is within the Buffer Zone, as defined by 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 subject to conditions.

Motion seconded by Mitch Dunn

No further discussion

- j. 7:00 PM Request for Determination of Applicability (RDA) 107 Dresser Hill Road - The applicant has submitted a Request for Determination of Applicability for the repair and installation of a septic system with associated grading within 100ft BZ of a BVW

Art Allen from EcoTec presented the project. He stated that he was looking for a Negative Determination for the repair of a septic system.

Angela recommended a negative determination with conditions.

Motion made by Ed Nowak to close the hearing and issue a negative determination with conditions that the work described in the Request is within the Buffer Zone, as defined by 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 subject to conditions.

Motion seconded by Ron Royer

No further discussion

5. Violations & Enforcement:

26 Willis Drive DEP No. 128-1683

Angela informed the commission that an abutter made a complaint regarding construction debris into the wetlands. During her site visit, she observed that the applicant was in violation of a few of the order of conditions, including clearing passed the 25ft buffer and large boulders in the wetlands.

Mitch Dunn disagreed with her findings. After discussion the commission chose not to move forward with the violation.

Motion made by Mitch Dunn

Seconded by Ron

No further discussion

220 Sturbridge Road

Angela informed the commission that there was a possible violation of the Town's Stormwater Regulations. She stated that she was working with the property owner.

0 Center Depot Road

Angela informed the commission that she drove by the site and noticed that the work had commenced without permission. A DEP sign number had not been posted, pre activity meeting was not requested, erosion controls were not installed, the OOC had not been recorded and disturbance might have occurred passed the approved limit.

She stated that she would be issuing a letter of possible violation and visit the site with Rose Conway.

1. New/Old Business:

a. Rick Leblanc addressed the commission regarding the lot on T Hall Road – DEP No. 128-1757. He explained that he found ledge while working in the area where the roof recharge was proposed with the underground chambers.

Angela stated that she recommended other potential mitigation measures; however, without separation, she believed nothing would percolate through the ledge. She recommended the use of a rain barrel.

b. Mitch Dunn stated that he had spoken to the selectmen and that they would not sponsor the request to establish a Conservation Fund Trust. He also said that he didn't recall voting to support the article. Angela stated that it was on the record. After discussion, Mitch made a motion to rescind his vote. Angela explained that she had to have it posted on the next agenda prior to voting.

2. Set Next Meeting Date: Wednesday, March 22, 2022

Motion made by Ed Nowak to adjourn at 8:25pm

Motion seconded by Mitch Dunn

No further discussion

Submitted by:
Rose Conway


Accepted by Conservation Commission:



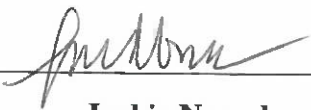
Tom O'Malley

Ron Royer

Ed Nowak



Mitch Dunn



Jackie Nowak