



# TOWN OF CHARLTON CONSERVATION COMMISSION

## Meeting Minutes

Wednesday, April 27, 2022

LOCATION: VIRTUAL VIA ZOOM

**Members Present:** Tom O'Malley  
Robert Hartwig  
Ed Nowak  
Ron Royer  
Mitch Dunn  
Arthur Bellerive

**Members Absent:** James Allen

**Also Present:** Angela Panaccione, Conservation Director, and Rose Conway

1. **Call to Order:** 7:00 PM – Tom O'Malley

2. **Public Inquiries:**

None

3. **Approval of Minutes**

None

4. **Schedule of Public Hearings**

- a. 7:00 PM Abbreviated Notice of Resource Area Delineation – 28 Curtis Hill Road & New Spencer Road – Clea Blair – The applicant has submitted an Abbreviated Notice of Resource Area Delineation to confirm the wetland line.

Angela Panaccione informed the commission that there were few discrepancies within the application. The applicant requested continuing the hearing to 5/11.

**Motion made by Ed Nowak to continue the hearing to May 11, 2022 at 7pm**  
**Motion seconded by Mitch Dunn**  
**No further discussion**

- b. 7:00 PM Notice of Intent (NOI) DEP# 128-1857 – 360 Stafford Rd – Kenneth Pecore – The applicant has submitted a Notice of Intent for the construction of a septic system and barn, paving and existing driveway, and associated grading and utilities site work within the Buffer zone to BVW

Kate O'Donnell from Ecotec presented the project; she explained that she had submitted a revised plan showing the wetland replication and planting plan as well as the Request for the Certificate of Compliance.

Angela recommended closing the hearing and issuing the Order of Conditions.

**Motion made by Mitch Dunn to close the hearing and issue the Order of Conditions.**

**Motion seconded by Ed Nowak**

**No further discussion**

- c. 7:00 PM Notice of Intent (NOI) DEP# 128-1858 – Muggett Hill Road – Highway Department – The applicant has submitted a Notice of Intent for the replacement of the existing culverts, grading, paving, and associated site work

Scott Morrison from EcoTec presented the project. He explained that the DEP File Number had been issued since the last meeting and he had addressed all comments.

Angela stated that she assessed the culvert and felt that there were ways to improve some conditions. She also stated that an abutter expressed concerns regarding flood on his property. She requested to continue the meeting so she could meet with Scott on site with the abutter to discuss and address his concerns. Scott agreed to meet on site with the engineer designer and the abutter.

**Motion made by Robert Hartwig to continue the hearing to May 11, 2022 at 7pm**

**Motion seconded by Ed Nowak**

**No further discussion**

- d. 7:00 PM Notice of Intent (NOI) DEP# 128-1860 – 79 Old Worcester Rd – ExxonMobil – The applicant has submitted a Notice of Intent for the installation of a water line.

Angela informed the commission that the applicant had requested to continue the project to May 11.

**Motion made by Robert Hartwig to continue the hearing to May 11, 2022 at 7pm**

**Motion seconded by Arthur Bellerive**

**No further discussion**

- e. 7:00 PM Notice of Intent (NOI) DEP# 128-1859 – Lot 3 Prindle Road – The applicant has submitted a Notice of Intent for the construction of a single-family home, driveway and septic

Matthew Marro presented the project. He explained that the project included part of the construction was located in the buffer zone was the house, driveway, pump chamber and tank. Erosion control proposed were waddles and silt fence. He addressed DEP comments.

Frank Lombardi, resident of 20 Prindle Hill Rd asked if the site had been subdivided. Nelson Burlingame answered no. Frank stated that he didn't have any objection to the project.

**Motion made by Mitch Dunn to close the hearing and issue the Order of Conditions.**

**Motion seconded by Ed Nowak**

**No further discussion**

**5. Certificate of Compliance:**

Lot 17-1 J Davis Road – CIL Realty of MA, Inc

No action was taken

58 Haggerty Road – Karen Lacroix

Angela recommended issuing a Complete Certificate of Compliance

**Motion made by Robert Hartwig to issue a complete Certificate of Compliance**

**Motion seconded by Ed Nowak**

**No further discussion**

Brookfield Road and City Depot Rd – DPW

Angela recommended issuing a Complete Certificate of Compliance

**Motion made by Mitch Dunn to issue a complete Certificate of Compliance**

**Motion seconded by Ron Royer**

**No further discussion**

360 Stafford Street – Pecore

Angela recommended issuing a Partial Certificate of Compliance with a caveat that the wetland replication will be completed with the new Order of Conditions.

**Motion made by Mitch Dunn to issue a Partial Certificate of Compliance**

**Motion seconded by Ron Royer**

**No further discussion**

**6. Project Monitoring:**

Angela informed the commission that she was still monitoring National Grid and Amazon

**7. Violations & Enforcement:**

Amazon –

Angela informed the commission that over the heavy rainstorm, sediments run into the brook and pond thru the erosion control breach. She stated that residents had called the office and DEP.

Mitch Dunn stated that the pond was not longer brown. He asked what procedure was used to clean the pond. Angela stated that liquid flocculant was utilized.

236 Southbridge Road - Violation

Glenn Krevosky represented RMP. He explained that the floodplain had changed in elevation up to 4ft related to today. He stated that a field survey would be performed to verify the change and the fill would be addressed accordingly. He stated that the initial project was not built per plain and that he will be requesting for a Certificate of Compliance.

After discussion, the commission agreed to wait for the surveying of the area to confirm the final flood plain elevation and move forward with any restoration.

Angela asked if there was a presence of BVW on the site. Glenn answered that he walked the site and noticed that there were only catching basins. Initially, he did not find hydric soil/BVW. He would be confirming.

Tom O'Malley asked if the site was secure. Glenn proposed to install erosion controls at the low point of the slope to avoid run off in case of heavy rain.

**Motion made by Mitch Dunn to continue the discussion in 30 days**

**Motion seconded by Ron Royer**

**No further discussion**

Matt Gagner presented himself informing that he received an Enforcement Order regarding the violation on RPM. He didn't agree with the Enforcement Order and that he could only appeal with the Superior Court. He stated that Advantage Enterprises did not place fill in the area.

Angela stated that Bernard and the operator of the machine stated that Advantage had placed the fill and that she wrote the Enforcement Order based on the information she was given.

Matt Gagner explained that Advantage Enterprises didn't have any employees or machineries on the site.

Angela stated that under the Order of Conditions all contractors and subcontractors should be familiar with the site plan. Three pages of the site plan showed the flood plain line/ RPM and wetlands.

Angela recommended to rectify the Enforcement Order to only go to RPM reliving LNG and Advantage.

**Motion made by Mitch Dunn to lift the Enforcement Order for Advantage and LNG**

**Motion seconded by Robert Hartwig**

**No further discussion**

**8. Meeting Adjourned: 8:10 PM**

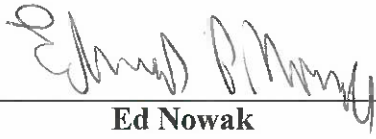
**Motion made by Tom O'Malley to adjourn at 7:46PM**

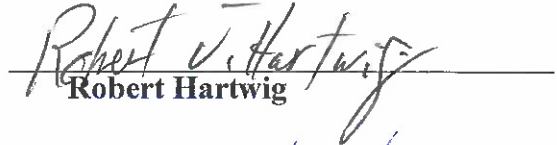
**Motion was seconded by Ed Nowak**

**No further discussion**

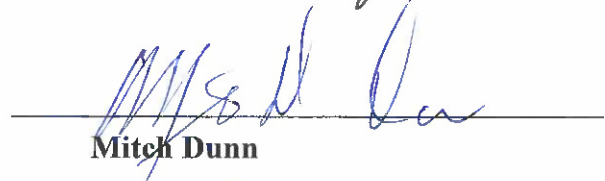
**Submitted by:**  
**Rose Conway**

**Accepted by Conservation Commission:**

  
Ed Nowak

  
Robert Hartwig

  
Ron Royer

  
Mitch Dunn

  
Arthur Bellerive

  
Tom O'Malley