



TOWN OF CHARLTON CONSERVATION COMMISSION

Meeting Minutes

Wednesday, June 14 2023

LOCATION: VIRTUAL VIA ZOOM & In Person

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

Members Absent: Ron Royer

Also Present: Alan Leone

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

2. **Signing of Documents:**

3. **Schedule of Public Hearings**

- a. 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 Panaccione recommended continuing the meeting to August 9, 2023 at 7pm

Motion made by Mitch Dunn to continue the hearing to August 9, 2023 at 7pm

Motion seconded by Ed Nowak

No further discussion

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

Stephen A. Balcewicz from Land Planning presented the project.

Mary Santos, resident of 61 Harrington Road and Joseph Lewandowski resident of 39 Harrington Road expressed concerns regarding the driveway.

After discussion, Angela recommended closing the hearing and issuing the Order of Conditions.

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

Motion seconded by Ed Nowak

No further discussion

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

Stephen A. Balcewicz from Land Planning presented the project.

Angela Panaccione explained that he had revised the stormwater. She recommended closing the hearing and issuing the Order of Conditions.

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

Motion seconded by Ed Nowak

No further discussion

- d. 7:00 PM Notice of Intent (NOI) DEP# _____ – 6 Gale Road: The applicant has submitted a Notice of Intent for the construction of a new shared driveway crossing with associated 1.5:1 wetland replication

Angela Panaccione recommended continuing the meeting to June 28, 2023 at 7pm

Motion made by Jackie Nowak to continue the hearing to June 28, 2023 at 7pm

Motion seconded by Mitch Dunn

No further discussion

- e. 7:00 PM Notice of Intent (NOI) DEP# 128-1898 – 29 Snake Hill Road: The applicant has submitted a Notice of Intent for the construction of a temporary electrical substation project to provide the Amazon Robotics Sortation Warehouse within BVW and 100ft Buffer Zone to BVW.

Allison Milliman from BSC Group addressed the commission and introduced Richard Lewis from VHB.

Richard explained that rain garden had been replaced by an infiltration basin as requested. Richard stated that he would be working with Graves Engineering to address few comments regarding stormwater/rain garden/plants.

Angela mentioned it would be problematic to issue the order of conditions and have conflicting site plans.

After discussion, Angela explained that any change to the plan would require an amendment request.

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

Motion seconded by Ed Nowak

No further discussion

- f. 7:00 PM Notice of Intent (NOI) DEP# _____ – Lot 4 Brookfield Road: The applicant has submitted a Notice of Intent for the construction a single-family home within 100ft of a BVW

Angela Panaccione recommended continuing the meeting to June 28, 2023 at 7pm

Motion made by Jackie Nowak to continue the hearing to June 28, 2023 at 7pm

Motion seconded by Ed Nowak

No further discussion

- g. 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 a single-family home with septic system and associated utilities

Angela Panaccione recommended continuing the meeting to June 28, 2023 at 7pm

Motion made by Ed Nowak to continue the hearing to June 28, 2023 at 7pm

Motion seconded by Mitch Dunn

No further discussion

- h. 7:00 PM Request for Determination of Applicability – 6 Timber Heights - The applicant has submitted an RDA for the construction an above ground pool

Angela Panaccione recommended issuing a Negative Determination with conditions.

Motion made by Ron Royer to 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 Jackie Nowak

No further discussion

4. Request for Certificate of Compliance

- Colburn Road – DEP No. 128-1849

Angela stated that the office had received several complaints about this, and remediation to address the stormwater runoff needed to be proposed prior to the Commission reconsidering the Certificate of Compliance. She explained to the commission that based upon a site visit conducted June 4, 2023, and review of the as-built site plan submitted by Green Hill Engineering, dated 5/12/2023, it was apparent there were significant deviations from the original proposed plan in terms of final site grading. The deviations in elevation were 3-4 feet across the southeastern portion of the lot resulting in excessive stormwater runoff now coming off the lot onto Daniels Road.

Angela recommended denying the request for COC and requesting a mitigation plan showing additional drainage on the property to address the runoff. As this project has increased the runoff to a Town Road, additional drainage was required on the lot to mitigate against this.

After discussion, the commission voted

**Motion made by Mitch Dunn to issue the Certificate of Compliance and disregard the additional grading
Seconded by Ed Nowak**

Roll Call: Mitch Dunn – “yea”, Ed Nowak – “nay”, Jackie Nowak – “nay”.

Motion did not pass.

Angela informed the commission that she would be sending a letter to the applicant requesting a mitigation plan.

- Lot 19 (64) Jennings Road – DEP No. 128-1369

Angela stated that she had sent a letter – the work did not apply to the property, only to the road.

- 70 Glen Echo Shore Road – DEP No. 128-1856

Motion made by Ed Nowak to issue a Complete Certificate of Compliance

Motion seconded by Jackie Nowak

No further discussion

Extension:

T Hall Road – DEP No. 128-1755

Angela recommended a three-year extension

Motion made by Ed Nowak to issue a three-year extension

Motion seconded by Mitch Dunn

No further discussion

Violation

417 Worcester Road –

Angela explained that DEP received a complaint regarding filling in the wetlands. She issued an Enforcement Order requesting wetlands to be restored.

Motion made by Mitch Dunn to ratify the Enforcement Order

Motion seconded by Ed Nowak

No further discussion

Lot 2 Pumpkin Lane –

No discussion

Motion to Adjourn at 8:15pm

Motion made by Mitch Dunn

Seconded by Ed Nowak

Submitted by:
Rose Conway

Accepted by Conservation Commission:

Tom O'Malley

Jackie Nowak

Ed Nowak

Mitch Dunn