



# TOWN OF CHARLTON CONSERVATION COMMISSION

## Meeting Minutes

Wednesday, June 22, 2022

LOCATION: VIRTUAL VIA ZOOM

**Members Present:** Robert Hartwig  
Ed Nowak  
Mitch Dunn  
Arthur Bellerive

**Members Absent:** Thomas O'Malley, James Allen, Ron Royer

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

1. **Call to Order:** 7:00 PM – Arthur Bellerive

2. **Public Inquiries:**

3. **Approval of Minutes**

None

4. **Signing of Documents (DOA, OOC, COC, Ext, Etc.)**  
ORAD DEP# 128-1863

5. **Schedule of Public Hearings**

- a. 7:00 PM Notice of Intent (NOI) DEP# 128-1863 – 0 Center Depot Rd – William Brunelle – The applicant has submitted a Notice of Intent for the construction of a single-family house with septic system and well within the 100ft BVW

Jason Dubois stated that he did a site walk with Rose Conway. He also stated that DEP had a comment regarding the installation of additional erosion control. Jason explained that there was a stone wall running down to the level of the road and he didn't see the need to install the erosion control. Angela didn't have a problem with it and recommended closing the hearing and issuing a Standard Order of Conditions.

**Motion made by Robert Hartwig to close the hearing and issue an Order of Conditions**

**Motion seconded by Mitch Dunn**

**No further discussion**

- b. 7:00 PM Notice of Intent (NOI) DEP# \_\_\_\_\_ – Worcester Rd – GSMP Realty Trust – The applicant has submitted a Notice of Intent for the construction of a 5,000sq. ft. commercial building with associated parking, stormwater and utilities with the 100ft buffer zone

Angela recommended continuing the hearing to July 13, 2022

**Motion made by Robert Hartwig to continue the hearing on July 13, 2022**

**Motion seconded by Ed Nowak**

**No further discussion**

- c. 7:00 PM Notice of Intent (NOI) DEP# 128-1865 – Lot C – 21 Blood Rd – Aaron & Kayla Solitro – The applicant has submitted a Notice of Intent for the construction of a single-family house with septic system and well within the 100ft BVW

Jay Dubois presented the project. He stated that DEP had few comments and it had been addressed. Angela asked for the correct Deed Number. Jason stated that the correct deed number was 63956.

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

**Motion made by Ed Nowak to close the hearing and issue an Order of Conditions**

**Motion seconded by Mitch Dunn**

**No further discussion**

- d. 7:00 PM Notice of Intent (NOI) DEP# 128-1867 – 23 S. Buffumville Shore Rd – Heather Slater – The applicant has submitted a Notice of Intent for the construction of two patios connected by stone, stairs and pergola.

Daniel Cook and Heather Slater presented the project. Heather explained to the commission that she was proposing the installation of a lower patio along the walk out basement and the installation of stair from her current deck to the lower patio. She was also proposing stone stairs from the lower patio to the upper patio as well as the construction of a fire pit and a pergola. She informed she would no longer be installing a retaining wall in front of the house.

Angela recommended closing the hearing and issuing a Standard 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**

## **6. Certificate of Compliance:**

**Wamsutta Ridge Road – DEP# 128-675**

Angela recommended the issuing of an invalid Certificate of Compliance

**Motion made by Mitch Dunn to issue an Invalid Certificate of Compliance**  
**Motion seconded by Robert Hartwig**

**No further discussion**

**Wamsutta Ridge Road – DEP# 128-0939**

Angela recommended the issuance of a Complete Certificate of Compliance

**Motion made by Mitch Dunn to issue a Complete Certificate of Compliance**  
**Motion seconded by Ed Nowak**

**No further discussion**

**7. Project Monitoring:**

LNG, Amazon. Angela informed there are no new information/issues to date.

**8. Violations & Enforcement:**

**Gould Road**

Angela explained that the property owner had an open Order of Conditions. The Order had been issued to Christine Wilson in 2020. Angela explained that the area had been cleared and the new owner was in violation of the Order of Conditions. Angela stated that the owner had hired a professional and was working on a restoration plan.

**City Depot Road**

Angela informed the commission that the cleaning had not been finalized. She explained that the State is in an official drought, and he had enough time to finalize the work. Angela recommended giving him three days to fix the erosion controls and basins; fines will be issued by Monday, June 27, 2022. She also recommended to issue a Cease and Desist if the wetlands were not cleaned by July 13.

**Motion made by Mitch Dunn to have the applicant complying with Angela’s recommendations.**  
**Motion seconded by Ed Nowak**

**No further discussion**

**57 Pumpkin Lane**

The following residents from Prindle Lake were present:

Richard Watts – 68 Pumpkin Lane; Mark Cauley - 9 Oak Ridge Drive; Peter & Maria Capuano - 50 Pumpkin Lane and Thomas Racine 60 Pumpkin Lane

Angela read the email form EcoTec regarding the clean up referenced to the Enforcement Order.

“Dear Commission Members,

I was present on the 54 & 60 Pumpkin Lane restoration site yesterday with Gene Tretheway and it is my opinion that the restoration work associated with the enforcement order was completed in accordance with the Wetland Resource Area & Buffer Zone Restoration Protocol prepared by Ecotec, dated August 31, 2021, and the site restoration plan prepared by McClure engineering, dated August 31, 2021.

Completed work includes:

- Sediment removal from the identified sediment impacted resource areas and buffer zone;
- Sediment removal from the roadside ditch below the driveway at 57 Pumpkin Lane;
- Seeding, straw mulch and straw wattle installation at the road shoulder area at 60 Pumpkin Lane (i.e., Area 'SH'), and;
- Sweeping and removal of sediment along the edge of the paved roadway.

Additionally, two flocculant logs were installed within the roadside ditch below the driveway at 57 Pumpkin Lane to provide treatment of potential stormwater runoff. Please note that at Mr. Racine's request, all flagging was removed from his property at 60 Pumpkin Lane upon completion of the restoration work.

I hope that this information is helpful and would recommend that the project is completed and stabilized as soon as possible.

Kind Regards,

**Scott Jordan, CPESC"**

Maria Capuano stated her concerns regarding the erosion control's lack of maintenance and lack of preparation prior to heavy rain and storms. She stated that despite their efforts, the issue continued and that the storm on June 9<sup>th</sup> caused another significant runoff. Maria explained that she had never seeing any runoff since the construction started. She also mentioned that the stones placed by DPW was creating a new path for the stormwater to run.

Richard Watts stated that the work was never stopped regardless of the Cease and Desist.

After discussion, the commission agreed to require the property owner to submit a Notice of Intent and initiate a daily \$100 fine for violating a Cease & Desist and not installing erosion control.

**Motion made by Ed Nowak to require the property owner to submit a Notice of Intent and to initiate fines at \$100 a day for violating the Cease and Desist and not installing proper erosion control.**

**Motion seconded by Mitch Dunn**

**Mitch Dunn asked the commission if he could go over the site and shut him down. The commission agreed.**

**No further discussion**

## **9. New/Old Business:**

Phil Millette – Lakes & Ponds Committee

Angela informed the commission that Phil Millette would like to join the Lakes & Ponds Committee

**Motion made by Ed Nowak to recommend Phil Millette to the Lakes & Ponds Committee**

**Motion seconded by Mitch Dunn**

**No further discussion**

## **145 Glen Echo Shore Road – DeCosta**

James DuPlainte, resident form Sutton, MA representing the resident from 145 Glen Echo Shore Drive Marie DeCosta addressed the commission regarding the current situation with the deeded beach rights. James explained that the new owner from 164 Glen Echo Shore Road was denying access to other lots. He understood that it was out of jurisdiction of the CCC; however, he believed that the removal of the dock by the owner of the property was within the CCC jurisdiction. James explained that the dock was dumped in front of his client's home. He asked who request to remove the dock.

Angela explained that the regulation didn't require a permit for removal/demolition.

James stated that the owner of the property had cut trees, built a permanent dock, parked an 30ft long trailer parallel to the stormwater culvert and placed the removed dock near the pumping station and blocking the stormwater drainage.

Angela Panaccione explained that she had advised the property owner for file for a NOI to do the work on his property. However, she explained that trees had not been cut.

Angela explained that she couldn't force the resident to remove the dock. James stated that he was obstructing the stormwater culvert.

Marie DeCosta explained that the said owner has not installed a floating dock; it was a permanent dock.

Rose Conway informed that she would be on site the next day to verify the tree cutting and dock installation. Rose also informed the commission that she had spoken to the BOH, DPW, and the Building Department regarding the situation. She stated that she had not had any comment from any department at the time.

Arthur Bellerive stated that the commission would investigate further.

### **10. Meeting Adjourned:**

**Motion made by Robert Hartwig to adjourn at 8:20PM**

**Motion was seconded by Ed Nowak**

**No further discussion**

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

**Accepted by Conservation Commission:**

\_\_\_\_\_  
**Ed Nowak**

*Robert V. Hartwig*  
\_\_\_\_\_  
**Robert Hartwig**

*M. V. Dunn*  
\_\_\_\_\_  
**Mitch Dunn**

*Arthur Bellerive*  
\_\_\_\_\_  
**Arthur Bellerive**