



# TOWN OF CHARLTON CONSERVATION COMMISSION

## Meeting Minutes

Wednesday, July 13, 2022  
LOCATION: VIRTUAL VIA ZOOM

**Members Present:** Thomas O'Malley  
Robert Hartwig  
Ed Nowak  
Mitch Dunn  
Arthur Bellerive  
Ron Royer  
James Allen (Via Zoom)

**Members Absent:** None

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

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

2. **Public Inquiries:**

James Laplante from Sutton addressed the commission regarding the camper parked on 146 Glen Echo Shore Road. He asked if a notice of enforcement or time frame regarding the removal of dock and replacement of the camper.

Angela informed that she had requested him to move the camper; however, his camper was not affecting the stormwater system.

Rose Conway explained that she could not request him to remove his camper or the dock as it was out of the Conservation Commission jurisdiction. She explained that she asked him to keep it away from the drainage.

She also stated that it was her knowledge that the property owner was planning on removing trees so he could utilize the space to park his camper.

James stated that he had already cut trees. Angela stated that the had brush cleared.

After discussion, the commission agreed that the subject was a civil matter.

Marie DeCosta addressed the commission with concerns about installing a dock and weed racking and debris going into the water. She stated that the dock removed from the water and placed in front of her mom's house is on the of the stormwater drain.

Rose Conway explained that she had spoken to Gerry Foskett and asked him to let her know if he had any concerns; she stated that she had not heard back from Gerry.

After discussion, Rose stated that she would follow up with DPW.

3. **Approval of Minutes – May 11 and June 8, 2022**

4. **Motion made by Robert Hartwig to approve the minutes from May 11 and June 8, 2022**

**Motion seconded by Mitch Dunn**

**No further discussion**

## **5. Schedule of Public Hearings**

- a. 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 27, 2022

**Motion made by Ron Royer to continue the hearing on July 27, 2022**

**Motion seconded by Ed Nowak**

**No further discussion**

- b. 7:00 PM Notice of Intent (NOI) DEP# 128-1866 – 65 Pumpkin Lane – The applicant has submitted a Notice of Intent for the construction of a 24X64 ft addition on an existing home

Carl MacGillivray presented the project stating that his daughter was proposing an addition to the existing family single home located at 65 Pumpkin Lane. He was proposing a 24X64 addition including a car garage. Angela informed the commission that she did a site visit on June 30; she stated the work will be on a preexisting lawn and it was about 70 ft away from the stream. Angela recommended closing the hearing and issuing an 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**

- c. 7:00 PM Request for Determination of Applicability (RDA) – 278 Stafford Street – The applicant has submitted a request for Determination of Applicability to replace an existing septic tank with a two compartment, 1500-gallon tank and 1000 pump chamber

Angela informed the commission that she did a site visit on June 30; she stated that the proposed work was the replacement of a septic tank. Angela explained that a significant patch of Japanese Knotweed was present on site and that she recommended the property owner to begin the eradication process through solarization (or other approved means) as soon as possible. She recommended issuing a Negative Determination.

**Motion made by Robert Hartwig to close the hearing and issue a Negative Determination with Conditions**

**Motion seconded by Ron Royer**

**No further discussion**

- d. 7:00 PM Request for Determination of Applicability (RDA) – 82 Beach Road – The applicant has submitted a request for Determination of Applicability for the abandonment/removal of an existing septic system in failure and the installation of a new 1,500 gallon septic tank and 1,000 gallon pump chamber system

Peter Engle from McClure Engineering presented the project stating that the proposed work involved the replacement of an existing septic system. Angela recommended closing the hearing and issuing a Negative Determination.

**Motion made by Robert Hartwig to close the hearing and issue a Negative Determination with Conditions**  
**Motion seconded by Ed Nowak**  
**No further discussion**

**6. Certificate of Compliance:**

**94 Haggerty Road – DEP# 128-641**

Angela explained that the original Order of Conditions was for a subdivision road and showing the house. Angela recommended issuing a Partial Certificate of Compliance only for the construction of a single family home; it did not include the subdivision access road.

**Motion made by Robert Hartwig to issue a Partial Certificate of Compliance – does not include the road**  
**Motion seconded by Ed Nowak**

**No further discussion**

**7. Project Monitoring:**

LNG – Rose Conway stated that she conducted an erosion control inspection at the Meter Station.

Muggett Hill/DPW – Angela had concerns with the sedimentation clean up. She explained that the cleaning of the outfall was part of the approved Order of Conditions, but it appeared that when the work went for bid, it was decided not to remove the sediments due to the cost. She explained that the sediments should be removed at the same time as the work was being performed.

Chris McClure explained that he was trying to come up with a solution with DPW. Angela stated that she would speak to Gerry Foskett to discuss an alternative method so the work could be performed simultaneously.

**8. Extension:**

**107 Leland Drive – DEP#128-1694**

Angela recommended approving the extension to three years expiring on December 11, 2025

**Motion made by Robert Hartwig to extend the Order of Conditions to 12/11/2025**  
**Motion seconded by Ed Nowak**

**No further discussion**

**9. New/Old Business:**

**Glen Echo Drawdown**

Kevin Chambers, resident of 171 Sunset Drive addressed the commission stating that he would like to have the drawdown back to 4ft as it was previously agreed due to the fact he had a shallow well. He explained that this

well had been surveyed in the past and it had been established that his well operated based on the same water level as the lake.

Kevin explained that last fall, when he was not living at the lake for a period of time, the lake was almost six feet down. He stated that he went to the Town Hall and Rose and Arthur Bellerive went to the dam and verified that the water level was around 5 ½ feet based on the previous measurement method.

Kevin stated that the Order of Conditions had a contingency plan for the shallow well and that is stated that the Town would provide him water if the deep drawdown affected his well. He asked the commission how it would happen in a proactive manner without affecting his quality of life. He also stated that had spoken to James Philbrook that he would not allow water buffalos.

Angela addressed few of the comments stating that there had been consistent reporting of the drawdown; however, Rose Conway was not being copied on the emails. Also, she explained that under the new Order, the drawdown is based on the Mean Annual High Water Line is not on the top of the Dam; it was lower. Based on the calculations submitted by the consultant who filed for the Drawdown, that AHW line was lower than the dam. In addition, she stated that the Shallow well contingency plan stated that the Glen Echo Association would provide portable water in whatever means was approved by the Board of Health. She continued stating that if the property owner were not amendable, the commission and the Glen Echo Association would discuss another option.

Angela asked if Mr. Kevin was not concerned with the chemical treatment. Kevin and Deborah Chambers stated that they test the water in his well after the lake is treated and they have not had any problem.

Jackie Nowak, president of the Glen Echo Association and Andrew M. addressed the commission.

Jackie stated that as far as she knew, there was no agreement between the town and Mr. chambers to keep the Drawdown at a four foot.

Jackie explained that currently, the lake has two invasive species, which according to studies, can be effectively treated by deep drawdowns. She also explained that by doing deeper drawdown, we would limit the amount of chemicals, which would keep the property values up.

Andrew McMahan addressed the commission stating that a rock was not a reliable way of measurement. He stated that he scribed on the dam and measured with two 24ft board off the dam.

Andrew Golas addressed the commission explaining that he spoke to the BOH about ways that portable water could be provided in the instance the well went dry. He stated that he would work with the BOH to look into the mechanisms and would go back to the commission with he details.

Tom O'Malley asked to continue the discussion at the next meeting.

## **10. Violations & Enforcement:**

### **57 Pumpkin Lane**

Peter Engle from McClure Engineering addressed the commission regarding the current conditions of the site. After all the improvements, he believed that the site had been stabilized and the rainfall went directly into the Stormwater retention.

Angela asked the status of the filling of the Notice of Intent. Peter asked if it was necessary. Angela stated yes.

The contractor for the project stated that there was no evidence of new sediments after the last storm and that the video showing the runoff was from 2021.

Tom Racine, resident from 60 Pumpkin Lane stated that he took the video on June 9, 2022. There was a very heavy rainstorm and sediments went into the lake. Angela asked if he had used his phone to take the video. Tom stated yes and that he would stop by the office the next day to show it.

After discussion, the commission decided to stop the stormwater fines and lift the Cease & Desist.

**Motion made by Mitch Dunn to stop the stormwater fines and lift the Cease & Desist.**

**Motion seconded by Ron Royer**

**No further discussion**

### **RPM – 236 Southbridge Road**

Glen Krevosky updated the commission regarding the fill into the flood plain. He explained that he now had the existing conditions topography provided by the land surveyor. He predicted that he would have a final plan in five to six weeks and then would be working on the removal of the fill. He added that erosion controls were installed.

The property owner asked if they could start the work once the plan was finalized.

Angela explained that the commission must approve the restoration plan and the site should be staked out prior the commencing any work.

### **James Way Road Subdivision**

Jay informed the commission that he had removed the sediment per Art Allen's direction; however, after EcoTec's last inspection, Art Allen requested an extension to August 1<sup>st</sup> to finalize the cleanup of the area no.3

**Motion made by Mitch Dunn to extend the clean up deadline to August 1<sup>st</sup>, 2022**

**Motion was seconded by Ron Royer**

**No further discussion**

### **11. Meeting Adjourned:**

**Motion made by Robert Hartwig to adjourn at 8:30PM**

**Motion was seconded by Ed Nowak**

**No further discussion**

Rose Conway

Accepted by Conservation Commission:



**Ed Nowak**

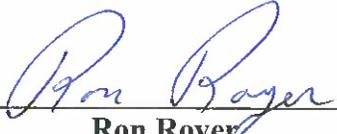
**Robert Hartwig**



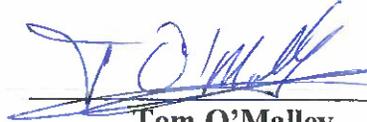
**Mitch Dunn**



**Arthur Bellerive**



**Ron Royer**



**Tom O'Malley**