



TOWN OF CHARLTON CONSERVATION COMMISSION

Meeting Minutes

Wednesday, August 10, 2022

LOCATION: VIRTUAL VIA ZOOM

Members Present: Tom O'Malley
Mitch Dunn
Arthur Bellerive
Ed Nowak
Ron Royer (via Zoom)
Robert Hartwig (via Zoom)

Members Absent: James Allen

Also Present: Rose Conway

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

Mitch Dunn, yes – Robert Hartwig, yes – Arthur Bellerive, yes – Ron Royer, yes – Tom O'Malley, yes – James Allen, no – Ed Nowak, yes

2. **Public Inquiries:** Rose Conway informed the commission that she received a complaint about trees being cut within wetlands on 190 Brookfield Road. She explained that after visiting the location, she learned that there were no wetlands located in the area.

3. **Approval of Minutes – none**

4. **Schedule of Public Hearings**

- a. **7:00 PM Notice of Intent (NOI) DEP# 128-187 – 166 Partridge Hill Road** – The applicant has submitted a Notice of Intent for the expansion and repair of an existing dock and the replacement of a deck

Rose Conway informed the commission that this project was a continuation of the last meeting. Mary Romagnano, the applicant addressed the commission. She explained that she had become disable, so she decided expanding the existing dock and deck to make it handicapped accessible. The commission reviewed the plan the chair asked if anyone had comments. Rose explained that South Charlton Reservoir was a Great Pond, and that DEP had a comment regarding the Chapter 91 License. She stated that she had instructed the applicant to apply for one and recommended closing the meeting and issuing the Order of Conditions.

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

Motion seconded by Ed Nowak

Roll Call - Mitch Dunn, yes – Robert Hartwig, yes – Arthur Bellerive, yes – Ron Royer, yes; Thomas O'Malley, yes; Ed Nowak, yes

No further discussion

- b. 7:00 PM Notice of Intent (NOI) DEP# _____ – 120 Ramshorn Rd – The applicant has submitted an after the fact Notice of Intent for the construction of a 12X20 deck

Rose Conway recommended the commission to continue the hearing due to the lack of a DEP No.

Motion made by Robert Hartwig to continue the hearing on August 24, 2022

Motion seconded by Arthur Bellerive

Roll Call - Mitch Dunn, yes – Robert Hartwig, yes – Arthur Bellerive, yes – Ron Royer, yes; Thomas O'Malley, yes; Ed Nowak, yes

No further discussion

- c. 7:00PM Notice of Intent (NOI) DEP# _____ 190 Southbridge Road- The applicant has submitted a Notice of Intent for the installation of two taps from the existing natural gas pipelines

Diana Walden & Matt Nowak from BSC Group representing Tennessee Gas Pipeline presented the project. Diana shared his screen and went over the site explaining that her client was filling for a small interconnection project at 190 Southbridge Road along their existing transmission gas pipeline easement. She explained that the project would provide the connection to send natural gas from these transmission lines through the meeting station through the lateral to the LNG facility that had been previously permitted by the commission. She went over the project location and surrounding resource areas. Rose asked regarding the revised plan and the new proposed changes. Diana explained that four additional pipeline pipe support excavations; each had two feet in diameter with a total of four. She had also added a trench to go from that equipment and into the meter station.

Rose Conway asked if anyone had any question. She recommended continuing the hearing pending on a DEP No.

Motion made by Mitch Dunn to continue the hearing on August 24, 2022

Motion seconded by Arthur Bellerive

Roll Call - Mitch Dunn, yes – Robert Hartwig, yes – Arthur Bellerive, yes – Ron Royer, yes; Thomas O'Malley, yes; Ed Nowak, yes

No further discussion

- d. 7:00PM Notice of Intent (NOI) DEP# _____ - Lot 1 T Hall Road – The applicant has submitted a Notice of Intent for the construction of a single family home with associated work within the 100ft buffer zone to a BVW

Rose Conway informed the commission that a DEP NO. had not been issued. She recommended continuing the hearing to August 24, 2022.

Motion made by Mitch Dunn to continue the hearing on August 24, 2022

Motion seconded by Arthur Bellerive

Roll Call - Mitch Dunn, yes – Robert Hartwig, yes – Arthur Bellerive, yes – Ron Royer, yes; Thomas O'Malley, yes; Ed Nowak, yes

No further discussion

- e. 7:00 PM Notice of Intent (NOI) DEP# 128- 1872 – Pumpkin Lane – The applicant has submitted a Notice of Intent for the construction of a driveway for a single family home

Peter Engle from McClure Engineering presented the project. He explained that the applicant had filed an after the fact NOI due to the violations affecting the resource areas. He explained that 90% of the site was stable and most of the site was vegetated; He stated that the work was pretty much completed. Rose showed the driveway pictures to the commission. The commission didn't have any question. Rose Conway recommended closing the hearing, but not issuing the Order of Conditions.

Motion made by Mitch Dunn to close the hearing

Motion seconded by Arthur Bellerive

Roll Call - Mitch Dunn, yes – Robert Hartwig, yes – Arthur Bellerive, yes – Ron Royer, yes; Thomas O'Malley, yes; Ed Nowak, yes

No further discussion

- f. 7:00 PM Notice of Intent (NOI) DEP# _____ – Daniels Road – The applicant has submitted a Notice of Intent for the construction of a single family home with associated site work within 100ft buffer zone to BVW

Rose Conway recommended the commission to continue the hearing to August 24.

Motion made by Ron Royer to continuing the hearing to August 24, 2022

Motion seconded by Arthur Bellerive

Roll Call - Mitch Dunn, yes – Robert Hartwig, yes – Arthur Bellerive, yes – Ron Royer, yes; Thomas O'Malley, yes; Ed Nowak, yes

No further discussion

- g. 7:00 PM Determination of Applicability (RDA) – 87 Little Muggett Road – The applicant has submitted a Request for Determination of Applicability for the installation of a septic system within the 100-ft buffer zone of a BVW

Seth Lajoie represented the applicant and explained that the project was within the 100FT buffer zone. The existing septic system was 50ft from the BVW; this system would be abandoned, and plumbing would be added to have the new septic system installed in front of the house outside the 100FT buffer.

The commission didn't have any question

Rose Conway recommended issuing a Negative Determination

Motion made by Mitch Dunn to close the hearing and issue a negative determination 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 Arthur Bellerive

Roll Call - Mitch Dunn, yes – Robert Hartwig, yes – Arthur Bellerive, yes – Ron Royer, yes; Thomas O’Malley, yes; Ed Nowak, yes

No further discussion

5. Certificate of Compliance:

167 Nuggett Drive – DEP# 128-1492

No action

Lot 1 T Hall – DEP# 128-1756

Rose Conway recommended issuing an Incomplete Certificate of Compliance; she explained that the work never commenced

Motion made by Mitch Dunn to issue an Incomplete Certificate of Compliance

Motion seconded by Arthur Bellerive

Roll Call - Mitch Dunn, yes – Robert Hartwig, yes – Arthur Bellerive, yes – Ron Royer, yes; Thomas O’Malley, yes; Ed Nowak, yes

No further discussion

36 McIntyre Rd – DEP#128-1639

Rose Conway informed the commission that during her inspection, she observed that the site was not stabilized and therefore not ready for a COC.

No action was taken

6. Project Monitoring

a. Amazon

Rose Conway informed the commission that she visited the site on August 3, 2022 to inspect the erosion control in preparation for the proposed culvert installation.

b. LNG

Rose Conway informed the commission that she went on a site inspection along route 169 to check the installation of the erosion controls. Rose stated that during the walk, she noticed areas with a steep drop. She requested the installation of reinforced silt fence on those areas.

c. Little Nugget Dam Repair

Rose Conway informed the commission that ACS Excavation and Trucking had been awarded the contract for the Dam Repair. She explained that DPW would be performing the removal of vegetation near the dam and that the work would start between September and October of 2022.

7. Violations & Enforcement:

a. Final evaluation report

Rose Conway stated that she met Art Allen from Ecotec and Jay Gadourey on the site; according to Art Allen’s report, the applicant had completed the remainder cleaning of the wetlands. She recommended motion to lift the enforcement Order issued to the applicant.

Motion made by Mitch Dunn to lift the EO

Motion seconded by Arthur Bellerive

Roll Call - Mitch Dunn, yes – Robert Hartwig, yes – Arthur Bellerive, yes – Ron Royer, yes; Thomas O’Malley, yes; Ed Nowak, yes

No further discussion

8. New/Old Business

a. Glen Echo Lake Drawdown

Rose Conway read the report received from the Board of Health:

“CMG Environmental, Inc. (CMG) prepared this email to document today’s 10:00 AM site inspection at the above referenced address.

Present: Kevin Chambers, his wife (sorry I did not get her name), Jim Philbrook (BOH), Angela Panaccione (Con Com), Gary Magnuson (CMG)

Objective: Inspect shallow well.

Information collected: All parties inspected the well and discussed it’s construction.

Date of construction: unknown (likely 40-50 years ago)

Shallow well: constructed of pre-cast concrete tiles

Well line has a foot valve located about 4 inches from the bottom of the well (information provided by homeowner)

Did not inspect the well pump (likely a “jet pump” located in the house).

CMG surveyed the elevation of the well relative to an arbitrary datum of 100.00 feet at the top of the concrete well tile (the top tile).

Top tile top elevation = 100.00 feet

Water elevation in well = 94.49 feet (or 66” below top of well)

Water elevation in lake = 94.53

Calculated bottom of well = 85.82 (based on 102” inches of water in well – or 8.66 feet)

Water in the well is currently about at the same elevation as the water in the lake (within 0.04 feet)

Well currently has 8.66 feet of water in it.

Some basic assumptions:

If water in lake is lowered 2 feet one would expect the water in the well to drop by about two feet (so to elevation 92.49 – yielding about 6.66 feet of water in well)

If water in lake is lowered 4 feet one would expect the water in the well to drop by about four feet (so to elevation 90.49 – yielding about 4.66 feet of water in well)

If water in lake is lowered 6 feet one would expect the water in the well to drop by about six feet (so to elevation 88.49 – yielding about 2.66 feet of water in well)

CMG did NOT conduct a hydrogeologic analysis of the well or the soils in the area. CMG did NOT conduct hydraulic conductivity testing of the well to determine the wells yield.

CMG can NOT, does NOT, and will NOT provide an evaluation of the yield of this drinking water supply well based on this very limited assessment.

I trust that this information is helpful.

Please respond with any questions.

Regards

Gary Magnuson”

Rose Conway explained that she had spoken to Andrew Golas to follow up on the BOH report. She stated the Andrew had stated that giving the fact that Mr. Chamber’s well maintained the same elevation as of the lake, it was his decision to limit the drawdown to a maximum of four feet based on the Mean Annual High Water Mark. The Town would be filling for an amendment of the existing Order of Conditions DEP No. 128-1843 to limit the drawdown to four feet.

Tom O’Malley stated he was concerned with the drought conditions and the drawdown.

Rose Conway explained that DEP was recommending a late start and an early refill. She stated that she would be working with the Glen Echo Association and would use caution.

Jackie Nowak addressed the commission; she stated she was disappointed with the decision. After some discussion, she stated that she would be going in front of the Board of Selectmen.

Kevin Chambers addressed the commission; he showed concerns about the High Annual Water Mark. He also shared some specification about his well and his household water consume inside

Rose Conway explained that the Town would be filling for an amended; in the process, all abutters would be notified for a new public hearing at which time he could address any concerns regarding the filling.

Jackie Nowak requested to go in front of the BOS prior to the commission approving the amendment.

Rose Conway stated that she would speak with Andrew and things would probably move simultaneously

9. Meeting Adjourned:

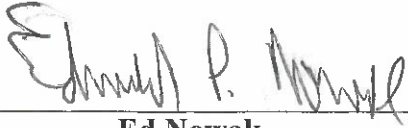
Motion made by Arthur Bellerive to adjourn at 7:50PM

Motion was seconded by Ed Nowak

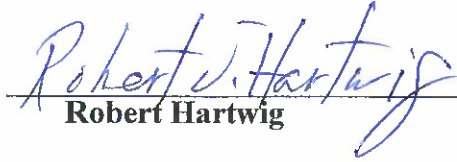
No further discussion

Submitted by:
Rose Conway

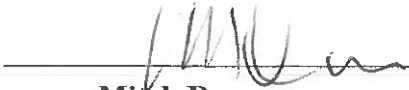
Accepted by Conservation Commission:



Ed Nowak



Robert Hartwig



Mitch Dunn



Arthur Bellerive



Ron Royer



Tom O'Malley