



## MILLBURY CONSERVATION COMMISSION

*A Better World Through Conservation*

EX-102  
TOWN CLERK  
OCT 18 PM 12:00  
MILLBURY, MASS.

### Meeting Minutes

**Date: November 3, 2021 | Time: 7:00 P.M.**  
**Large Conference Room | Municipal Office Building**

Present: Ronald Stead, Jeff Raymond, Paul DiCiccio

Absent: Christopher Weagle, Raymond Keddy

Chairman Stead opened the meeting at 7:00 PM

Mail – No mail.

Minutes- The Commission reviewed the minutes for the October 6, 2021 & October 20, 2021 meetings. Mr. Raymond made a motion to approve the

7:05 P.M.      Public Hearing- NOI- DEP # 224-0829 (continued from 10/20/2021 )  
Douglas Backman  
115 West Main Street, 3 & 4 Burbank Street

Ann Marton of LEC Environmental, representing the applicant, gave a brief overview of the draft Special Order of Conditions and Finding Statements submitted to the Board for their review. They were prepared by Ms. Marton, peer reviewer Ecotone NE, and Commission staff. Specifically, the orders discussed included #21, #40, #41, #42 and #46. The Applicant's attorney, John Shea, commented that the applicant has meet all statutory requirements and has submitted a fair and comprehensive application. Mr. Shea expressed he felt the Commission had all the information necessary to vote on this project tonight.

Tony Cameron, 30 Miles Street, stated he was neither for or against this project but expressed concern about the applicant providing their own Special Conditions. Don Flynn of Ecotone NE, the Commission's peer reviewer, and Ms. Marton stated they developed the Special Conditions together at the Commission's request. Mr. DiCiccio made a motion to close the public hearing, seconded by Mr. Raymond. All in favor, motion approved. Mr. DiCiccio made a motion to approve the NOI, seconded by Mr. Raymond. All in favor, motion approved.

7:10 P.M.      Public Hearing- NOI- DEP # 224-0830 (continued from 10/20/2021)  
Benjamin Pearson  
27 Rogers Street

Robert G Murphy, representing the Applicant, explained that an 8" pipe under the driveway of new proposed house will help water flow towards the wetlands. He also noted that while the pipe under the driveway would not fix existing water issues elsewhere on Rogers Street, it would not make the situation any worse.

Mr. Murphy noted there is a pipe crossing Rogers Street but it was not put in by the Town, per a conservation with DPW, although the road was paved by the Town.

Mr. Murphy noted the applicant will clean up a debris pile on 27 Rogers Street, which has been used for a dumping site for vegetative debris by neighbors.

The applicant will also build a swale to help the water flow from the pipe under the driveway into the wetland area. Members of the public asked and the applicant agreed to maintain the culvert and keep it clear of debris.

Mr. Murphy stated that 25 Rogers Street & 10 Border Ave have existing water issues at the corner of their lots on Rogers Street. The new proposed driveway at 27 Rogers would not affect that situation or make the issue worse. Mr. Murphy suggested the current water issue could be corrected by 25 Rogers Street by adding a culvert under their driveway.

An abutter asked if a Special Conditions could be included so that the applicant would be held accountable to what has been said tonight. The supported including a special condition in the OOC related to maintaining the culvert, to which the applicant was amenable. Mr. Raymond inquired about additional information regarding stormwater calculations related to the proposed culvert under the driveway.

Mr. DiCicco made a motion to close the hearing, seconded by Mr. Raymond. Mr. DiCicco and Mr. Stead in favor, Mr. Raymond opposed. Motion approved.  
Mr. DiCicco made a motion to approve the NOI, seconded by Mr. Raymond.  
Mr. DiCicco and Mr. Stead in favor, Mr. Raymond opposed. Motion approved.

7:15 P. M.      Public Hearing- NOI- DEP # 224-0825 ( Continued from 20/202/021 )  
McLaughlin Family Trust  
17 Rice Road- Construction of 52 Condominium Units and Associated Site Work  
Mr. Stead noted the applicant requested a continuance to the next meeting. Mr. DiCicco made a motion to continue the public hearing to the November 17 meeting, seconded by Mr. Raymond. All in favor, motion approved.

## **OTHER BUSINESS:**

Conservation Commission Annual Report  
The Commission reviewed the report and had no additional comments, Mr. Raymond made a motion to approve the Report, seconded by Mr. DiCicco. All in favor, motion approved.

2022 Conservation Meeting Schedule

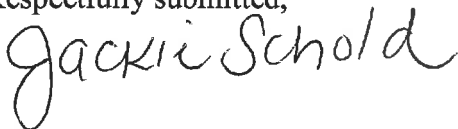
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The Commission reviewed the schedule and had no additional comments, Mr. Raymond made a motion to approve the Report, seconded by Mr. DiCicco. All in favor, motion approved.

Mr. Raymond made a motion to adjourn at 8:35pm, seconded by Mr. DiCicco. All in favor, meeting adjourned.

The next scheduled meeting is Wednesday, November 17, 2021 at 7pm.

Respectfully submitted,



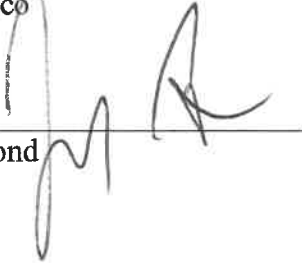
Jackie Schold,  
Conservation Clerk



Ronald Stead, Chair




Paul DiCicco



Jeff Raymond

Christopher Weagle, Vice Chair



Raymond Keddy