



MILLBURY CONSERVATION COMMISSION

A Better World Through Conservation

Meeting Minutes

Date: November 4, 2020 | Time: 7:00 P.M. | via Zoom Meeting

Present: Ronald Stead, Anthony Cameron, Paul DiCicco, Raymond Keddy

Absent:

7:00 P.M. Chairman Stead opened the meeting at 7:00 PM.

Mr. Stead reviewed the minutes of October 7 and October 21. There were no questions or comments. Mr. Cameron motioned to approve the minutes as written, seconded by Mr. DiCicco. All in favor, motion approved.

7:05 P.M. **IDIAM, LLC – Continuation**
Notice of Intent - DEP File #: 224-0813
139-141 Worcester-Providence Turnpike

Mr. Stead reopened the public hearing based on the recommendation from DEP as to how best close this project out. Mr. McCormack explained that an Order of Conditions can be written to include language stating the current basin is sufficient and no further work is necessary. And Certificate of Compliance can then be immediately requested as no work would be done. Mr. Krevosky, the applicant's representative, proposed an alternate route of rescinding the Enforcement Order but the Commission believed issuing an OOC was the cleanest way to close the project out as a Notice of Intent has already been submitted. Mr. Cameron motioned to close the hearing and issue an OOC with no work required of the applicant to satisfy and close the Enforcement Order, seconded by Mr. DiCicco. All in favor, motion approved.

7:10 P.M. **Keolis Commuter Services**
Request for Determination of Applicability
Railroad Right-of-Way - Vegetation Management Plan

Ms. Clary Coutu and Mr. Matt Donovan represented the applicant. Ms. Coutu explained Keolis/MBTA renews their Vegetation Management Plan every 5 years and the 2016-2020 is set to expire soon. They are required to come before every town commission their service runs through. Ms. Coutu explained that vegetation and mechanical controls would take place but that it would not alter a jurisdictional area. Mr. DiCicco inquired about the memo from MACC regarding whether an RDA was the appropriate filing. Ms. Coutu explained that the project is solely buffer zone, not altering a jurisdictional area, only applying herbicide and mechanical controls and that this is something that has

always been done by the MBTA/Keolis. Mr. Cameron motioned to issue a negative determination, seconded by Mr. DiCicco. All in favor, motion approved.

7:15 P.M.

David Mason

Request for Determination of Applicability

28 Hayward Lane – Removal of Trees

Mr. Mason explained that he is looking to remove several trees from his property due their size, health, and proximity to his house. Mr. Cameron inquired how the trees will be removed and requested that straw waddles be installed during the removal. Mr. Mason noted that stumps would also be ground. Mr. Keddy further requested that a 2' siltation fence be installed to protect the water while the work is being complete. Mr. Cameron made a motion to give a negative determination, seconded by Mr. Keddy. All in favor, motion approved.

7:20 P.M.

Millbury Self Storage, LLC

Request for Determination of Applicability

147 Providence Street – Removal of Trees and Replace Retaining Wall

Mr. O'Connell of Turning Point Engineering represented the applicant. Mr. O'Connell explained that the applicant is looking to remove a failing retaining wall between the back of a self-storage building and a wetland area and replace it with riprap. Mr. O'Connell further explained that there are several small trees that will need to be removed but the stumps will remain to stabilize the soil. The riprap will be 6'-8'. The work will be done with a crane. Mr. O'Connell noted the removal of the retaining wall will not affect the foundation of building. Mr. Stead complimented the applicant on the plan they provided as being helpful to the Commission in reviewing the project. Mr. DiCicco made a motion to issue a negative determination, seconded by Mr. Cameron. All in favor, motion approved.

7:25 P.M.

Roland Lachance

Request for Determination of Applicability

48 Davis Road – Removal of Dock

Linda Lachance spoke on behalf of the applicant, her father. Ms. Lachance said that the dock was built in 2007 on land owned by Mr. Lachance by the owner of 48 Davis Road, with the permission of Mr. Lachance at the time. Mr. Lachance would like to remove the dock as he believes it could be a financial liability. Mr. DiCicco noted that if it is a matter of safety, the Commission should act on it, agreed upon by Mr. Stead. Mr. DiCicco made a motion for a negative determination, seconded by Mr. Cameron. All in favor, motion approved. Richard Lachance asked when the neighbor at 48 Davis Rd would be notified to remove the dock. Mr. Stead explained that that is beyond the jurisdiction of the Conservation Commission and that the Commission only determines if the work would have an impact on wetland resource areas. At Mr. Lachance's request, Mr. Stead asked Mr. McCormack to send 48 Davis Rd a letter notifying them of the decision. Ms. Lachance requested a date by which the neighbor would complete the removal work. The Commission explained

that they cannot do that as the RDA is issued to the property owner and the Commission cannot make an abutting neighbor do the work.

OTHER BUSINESS:

Request for Certificate of Compliance – 50 Grafton Road – New England Power Company – DEP File #224-0806

Mr. Stead conducted a site visit earlier in the week and found no issues. Mr. Cameron made a motion to approve the Certificate of Compliance, seconded by Mr. Keddy. All in favor, motion approved.

Report from Mr. Bruce DeVault regarding development of Trails Committee

Mr. Stead introduced Mr. DeVault and expressed the Commission's support for the development of a Trails Committee. Mr. DeVault noted that he walked two of Conservation properties to familiarize and identify needs. The trails at the Clearview development will be done by the applicant with assistance from the local Boy Scouts Troop. Mr. DeVault reviewed the outline of the Trails Committee mission and goals that will be presented to the Board of Selectmen. He noted he has 12 people who expressed interest in serving on the Committee. Mr. Stead requested that Mr. McCormack investigate how much money the Conservation Commission has and if it can be used to support this effort. Mr. DeVault requested permission from the Commission to proceed and requested the Commission's support with the development of a Trails Committee. Mr. Keddy made a motion to that effect, seconded by Mr. DiCicco. All in favor, motion approved. Mr. Keddy further expressed he would be willing to be a part of this committee and would like to stay apprised of any new developments.

Update of Forest Management Plan

Mr. McCormack explained that Chestnut Forestry Services plans to come out in the next month or so to map and flag the area. They will then present a plan before moving forward with the cutting. This project coincided well with the creation of the Trails Committee.

Update on 146 Wheelock Enforcement Order

Mr. McCormack explained that he received an additional letter from the owner of 146 Wheelock stating that they have hired an environmental engineering firm to flag and map the wetland and buffer zones area and will then come back to the Commission with a restoration plan.

Designation of Vice Chair

Mr. McCormack pointed out that the Commission does not currently have a Vice Chair designated. Mr. Stead requested that item be added to the next meeting's agenda.

Email from Shoppes at Blackstone Valley for Manhole Repair

Mr. Stead explained he got an email from the manager of the Shoppes stating a manhole at the corner of McCracken and the entrance to the Shoppes that is blown up and broken. The Shoppes wants to fix the issue but the abutter is making some

demands and does not wish to meet before the pandemic is over or the Town Hall is open. Mr. Stead was hoping to find out if the Commission could assist in this project in way. Discussion ensued as to the description of the problem and how the Shoppes might be able to approach fixing the issue. Mr. Stead asked Mr. McCormack to reach out to the Building Inspector and/or DPW to see what could be done.

Mr. DiCicco made a motion to adjourn at 8:11pm, seconded by Mr. Cameron. All in favor, motion approved.

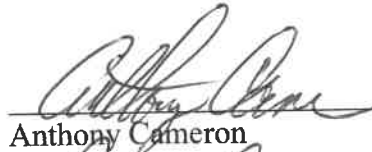
Respectfully submitted,



Conor McCormack
Assistant Planner



Ronald Stead, Chair


Raymond Keddy

Anthony Cameron



Paul DiCicco