

MAYNARD CONSERVATION COMMISSION
Minutes, January 26, 2010, 6:30 – 8:52

PRESENT: Commission Members Fred King (chairman), John Dwyer, Peter Keenan, Doug Moore, and Jessica Pfeifer.

Conservation Agent: Linda Hansen

Visitors: James MacDonald, Thomas DiPersio (Thomas Land Surveyors), Frank Dentino, and Martin Maria (both from Orchard Valley Construction).

ADMINISTRATIVE BUSINESS:

- Review minutes from 01/05/10. A motion was made, seconded, and approved by all present (5-0) to approve the minutes as written.

FINANCIAL:

- L. Hansen's salary for 01/18 to 01/29 = \$901.29 (39 hrs). A motion was made, seconded, and approved by all present (5-0) to pay L. Hansen's salary.
- L. Hansen's reimbursement for \$129.11. A motion was made, seconded, and approved by all present (5-0) to pay L. Hansen's reimbursement.

PUBLIC HEARING:

- Notice of Intent
DEP File number 213-0235
20 Charles Street
Robert Lopez

The applicant was not present. The agent will contact the applicant to confirm if they want to proceed with the hearing. A motion was made, seconded, and approved by all present to continue the hearing to February 2, on condition that the applicant will agree to the continuation.

- Notice of Intent
DEP File number 213-0236
10 Mark's Way (Lot 16)
Orchard Valley Construction

Thomas DiPersio presented the project to the Commission. The house is outside the 50 foot no disturb zone, although some lawn area is in this zone. The applicant has proposed mitigation in the form of removing existing lawn and adding an earth landscaped berm. Roof runoff will be directed towards two dry wells. The Commission was concerned that the driveway constructed for the house at Lot 9 was built adjacent to the wetlands and the Commission has no record of approving this driveway. This driveway runs within the southern boundary of house Lot 16. The Commission needs to find the approval for this driveway and the conditions that were imposed (and this information was not found in the folder for DEP file number 213-149 that originally approved Lots 9 and 16). In addition, the agent will check on the conservation restriction that was a condition for DEP # 213-149 Order of Condition and should be in effect on Lot 9.

The Commission would like the applicant to provide mitigation for the work within the 50 foot no disturb zone and since the applicant also owns the adjacent Lot 17, a portion of which is within the 100 foot wetland buffer, the applicant could provide mitigation on Lot 17 that is equal or greater in size for the disturbance on Lot 16. Mr. DiPersio suggested that he would provide another plan that includes mitigation on Lot 17. He will also provide information on the capacity of the dry wells proposed for roof runoff and information on the proposed landscaping for Lot 16.

With the applicant's permission, a motion was made, seconded, and approved by all present (5-0) to continue the hearing until February 2, 2010 at 7:00.

WETLANDS ISSUES

- Sign Order of Conditions for 12 – 16 Main Street (DEP file # 213-0228). Mr. MacDonald requested that the Conservation Commission provide him an Order of Conditions based on the November 17, 2009 site plans for a 37-unit building and associated stormwater and mitigation. Mr. King has modifications that he will send to the commission that expands on the draft order that was prepared by the agent. The Commission will sign the order at the next commission meeting on Feb. 2, 2010.
- Reissue Order of Conditions for 213-0233 and 213-0234 due to typo in file number. These orders were not recorded and can be reissued.
- The agent confirmed that soil was disturbed at former Boeske gas station during the canopy removal process. The soil on the lot was not stabilized and needs to be. The agent will contact the contractor that removed the canopy.

BUSINESS:

Discussion:

- Potential purchase of Cutting Property—Notice of Intent received. The Commission is concerned that the development of this property is restricted due to the priority habitat classification and the Zone 2 groundwater protection. The Commission is not interested in this lot for conservation.
- Register for MACC Environmental Conference on February 27, 2010. Three members and the agent will attend the conference.
- Taylor Road subdivision lots released by the Planning Board for potential sale and include the two lots under the Commission’s jurisdiction. The Planning Board is aware that the quit claim deed for the open space parcel was not completed.
- Town Report due January 29th
- eDEP training completed by agent on January 20th.
- The Planning Board requested a joint meeting at 9:30 to discuss Riverfront zone and Open Space Plan. Three members of the Commission and the agent attended this brief meeting.

Mail of note:

- Notification from ZBA for setback relief for 5 Parmenter Avenue (adjacent to conservation land)
- SVT activities calendar

Meeting adjourned 8:52