



TOWN OF MAYNARD
Conservation Commission

Minutes 7/14/2020

195 Main Street

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Commission Members Present: James Bullis, M. John Dwyer, John Milhaven

Conservation Administrator: Kaitlin Young

Absent: Chris Butler, Laura Mattei

Others Present: William Thornley (115 Acton Street)

Meeting called to order at 6:39 by James Bullis

Request for Determination for 115 Acton Street

The Maynard Conservation Commission reviewed the materials relative to the filing of a Request for Determination of Applicability under the Massachusetts Wetlands Protection Act and the Maynard Wetlands Administration Bylaw filed by Stacy Rosander and William Thornley of 115 Acton Street, Maynard, MA, for the removal of a barn and the construction of an in-ground pool within the 100 foot buffer of an intermittent stream. Ms. Young explained that the barn as well as the area of the pool were outside of the 50 foot No Disturbance Zone, and therefore could be considered a minor project if the Commission determined that the work would not have a negative impact on the abutting wetland resource area. Mr. William Thornley explained that the pool would have a small walkway around it, but they were not proposing a deck or patio at this time. He also explained that siltation controls would be installed at the 50 foot No Disturbance Area demarcating the edge of work.

John Milhaven made a motion to issue a negative determination for the proposed barn removal and pool installation at 115 Acton Street, which was seconded by John Dwyer and passed unanimously.

Request for Stormwater Management Permit Certificate of Compliance: 173 Main Street

The Conservation Commission reviewed the As-built plans and site images that Ms. Young took of the area. Ms. Young explained that she and the Town Engineer's only condition for approval of the Certificate of Compliance and Certificate of Occupancy was that the developer needed to hydroseed the rain garden area. Ms. Young explained that the developer had already agreed to have a service come in that week, and that he would send pictures for confirmation.

John Dwyer made a motion to issue the Stormwater Management Permit Certificate of Compliance or 173 Main Street, which was seconded by John Milhaven, and passed unanimously.

Wetlands Violation at 2 Brian Way

Mr. Dwyer explained that he had reported a potential violation at 2 Brian Way due to unpermitted paving within the wetland buffer at 2 Brian Way. Ms. Young was able to get images of the site from the road, which was compared to aerial imagery to confirm the recent unpermitted paving. Ms. Young explained that the property had a history of violations, including the construction of a shed within the buffer that

required mitigation work, and that it was possible that the mitigation measures were either unfinished or removed. This included the permanent demarcation of the “No Disturbance Zone” with rocks or fencing, and the discontinuance of mowing on the property. The Commission agreed that the homeowner should attend a future meeting and that mitigation measures were required to occur on site.

John Dwyer made a motion to issue an Enforcement Order to the owners of 2 Brian Way, which was seconded by John Milhaven and passed unanimously.

The Conservation Commission entered Executive Session at 7:10, thus adjourning the regularly held meeting. Executive Session Per MGL 30a Section 21(6) A public body may meet in executive session to consider the purchase, exchange, lease or value of real property if the chair declares that an open meeting may have a detrimental effect on the negotiating position of the public body. The Commission did not reconvene in open session.

John Milhaven made a motion to close the public meeting, which was seconded by John Dwyer and passed unanimously. John Dwyer made a motion to enter executive session, which was seconded by John Milhaven, and passed unanimously.

Documents Submitted

Remote Opening Script
RDA for 115 Acton Street
Site Report for 2 Brian
Request for Certification of Compliance for 173 Main
173 Main Street Site Report