

**MAYNARD CONSERVATION COMMISSION**  
**Minutes, October 6, 2009, 6:30 – 9:22**

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

Conservation Agent: Linda Hansen

Visitors: John McNulty and Lisa Barnes (Victory Plaza); James MacDonald and Rob Truax (12 – 16 Main St.)

**ADMINISTRATIVE BUSINESS:**

- Review minutes from 09/15/09. A motion was made, seconded, and approved by all present (5-0) to accept the minutes from 09/15/09 as written.

**FINANCIAL:**

- L. Hansen's salary for 09/28 to 10/09 = \$879.45 (39 hrs). A motion was made, seconded, and approved by all present (5-0) to pay L. Hansen's salary.
- L. Hansen's reimbursement = \$ 182.84. A motion was made, seconded, and approved by all present (5-0) to pay L. Hansen's reimbursement.
- John Dwyer training costs = \$ 90. A motion was made, seconded, and approved by all present (5-0) to pay the MACC training costs.

**PUBLIC HEARING:**

- Request for Determination  
Victory Plaza (86 – 98 Powder Mill Rd)  
Bill Cunningham  
John McNulty and Lisa Barnes were present for the applicant. The Commission reviewed the Request for Determination for repainting of the existing parking lot and adjusting the existing sidewalks which was similar to the RDA issued in April 2002. A motion was made, seconded, and approved by all present (5-0) to issue a Negative Determination #2 under the Wetlands Protection Act. Negative Determination #2 states that the work is within an area subject to protection under the Act, but will not remove, fill, dredge, or alter the area and therefore does not require the filing of a Notice of Intent. A motion was made, seconded, and approved by all present (5-0) to issue a Negative Determination #6 under the Maynard Wetland Administrative Bylaw with the words "area and/or" stricken. Negative Determination #6 states that the work described in the Request is not subject to review and approval by the Town of Maynard.
- Notice of Intent – Continued Hearing  
DEP file number 213-0228  
12 – 16 Main Street  
James MacDonald and Rob Truax were present for the hearing. Mr. Truax presented the Commission with new plans that were drawn up for the Planning Board. He indicated that any additional Planning Board changes would involve the parking issue. The applicant did not have a restoration plan finalized. A motion was made, seconded, and approved by all present (5-0) to continue the hearing with the applicant's permission until November 3 at 7:00.

**WETLANDS ISSUES**

- 112 Powder Mill Road, alteration within the 200 foot Riverfront zone. The Conservation Commission confirmed that this property is within the 200 ft Riverfront zone. The commission discussed how to handle the activity performed in riverfront zone. A portion of the riverfront zone is in Acton, although the Acton agent does not want to pursue this. The commission recommended a request for compliance, revegetating the area with native planting or seed mixes, including adding information on the regulations for fencing that does not interfere with wildlife. The letter should indicate the seed mix will probably not germinate and will need to be applied with a tacifier. The letter will also request a follow

up appointment with the agent for a site visit to confirm compliance. A motion was made, seconded, and approved by all present (5-0) to address this situation with a request for compliance.

- Taylor Road Subdivision, DEP file number 213-205, requires an LSP to certify trash dump. The agent will confirm with Gerry Byrne that the applicant provide the Conservation Commission with documentation, stamped by an LSP that the trash dump is not hazardous waste.
- Site visit report for 4 Heights Terrace. The agent made a site visit to 4 Heights Terrace to confirm that the installation of a drainage channel in the rear yard does not need a permit. The agent measured the distance from the drainage channel to the neighbor's wetland as greater than 100 feet and determined that no permit was required.
- Ratify violation notice for 5 Burns Court. The commission read through the notice of violation that was sent on September 22, 2009. A motion was made, seconded, and approved by all present (5-0) to ratify the violation notice.
- Tree cutting in BVW at 31 Harrison Street. The agent will forward the email communication to the commission and make a site visit. The Commission believes that any work within the BVW should submit an RDA.

**BUSINESS:**

**Discussion:**

- The Conservation Commission was concerned that Article 14 was not recommended by the Finance Committee. Mr. Keenan volunteered to attend the Finance Committee meeting to discuss the discrepancy between the step plan in Article 6 and Article 14. The agent will request that the Commission be added to the finance committee's agenda.
- Updates to GIS maps for open space plan. The updates are still in progress and the Commission needs to schedule time to review the draft plans
- Warrant articles approved from Spring Town meeting. Stormwater bylaw approval included comments from AG, which were cautionary and will not be applicable to the revised stormwater bylaw.
- Mr. Keenan reported on OAR cleanup effort on Assabet River (letter to the editor sent to thank OAR).
- The agent reported on the MSMCP Annual Meeting held October 2, including the funding available from DCR for sustainable forestry.
- SuAsCo Cisma organization was awarded money for invasive removal and funded two projects. The Cisma steering committee voted to award their available project funding to SWEET, a local Sudbury group to remove invasives in downtown Sudbury, and SVT to help fund their beetle farming project to control purple loosestrife.

**Mail of note:**

- Mosquito Control Board Environmental Impact Report Update (on CD).
- MACC Sept/Oct newsletter

**Meeting adjourned 9:22**