



**Town of Hanover Conservation Commission,
Hanover Town Hall, 550 Hanover St., 2nd Floor Meeting Room
MINUTES for MAY 15, 2013**



APPROVED 6/19/13

Those Members and Staff Present: Lou Paradis, Chairman; Lisa Satterwhite, Vice Chairman; Frank Brierley, Hearing Officer; William Woodward, Commissioner; Amy Walkey, Cons. Agent; Sandra MacFarlane, DMI Admin. Asst.

Those Members not Present: (vacant) Commissioner

Others: as per attached Sign-in Sheet

6:30 PM I. ANNOUNCEMENTS & DATES TO REMEMBER: Chair Paradis opened the meeting and made the following announcements:

1. **June 5 and 19, 2013** @ 6:30 PM in 2nd Flr. Meeting Room - Town Hall- The Chair noted that decisions made during Item 3 below, may affect the June meeting dates.
2. **Vacancies on Commission-** 2 Associate positions, 1 full Member- Ms. MacFarlane reported that the a potential candidate for the full member position has come forward this week the Selectmen's Office will be forwarding further information shortly.
3. **Summer Schedules-** The Commission discussed potential meeting dates, including June 5 & 19, 2013; July 3 & 17, 2013; August 7 & 21, 2013 resulting in the vote below.

a. available Wed's: June 12 & 26, 2013; July 10, 24 & 31, 2013; August 14 & 28, 2013 (see calendar on back)

VOTE: Upon motions made by Commissioners Satterwhite and Woodward respectively, it was voted to post Conservation Meetings for the following dates due to the summer schedules:

June 5, June 19, July 17, and August 14, 2013

The Chairman also announced that due to the cancellation of the May 1, 2013 meeting due to lack of quorum, all items from the May 1st agenda were re-scheduled for tonight's meeting.

II. DISCUSSIONS:

1. **#409 Columbia Rd.-** Building 19- *violation issue*

The Agent explained that an Enforcement Order was issued to Hajjar Management Co., Inc. for work in the upper parking lot area that included removal of buffer plants along a slope to an abutting wetland (at #427 Columbia Rd.) and the deposit of trash and storm debris that was pushed over the slope to an Isolated Vegetated Wetland (IVW) without notice to the Commission or the issuance of a permit. Paul Mahoney, General Manager, Hajjar Mgt., was present to explain that the recent storms caused a lot of damage to the vegetation on site and that debris around and in the dumpster blew onto the next lot. In an effort to resolve the situation, the parking lot was thoroughly cleaned, including the use of a bobcat machine to remove some of the broken and unhealthy plants. He apologized for the violation and agreed to full restoration of the disturbed areas. The Commission ratified the Enforcement Order as written, emphasizing the use of native New England wetland and buffer plants and the installation of conservation posts. Also approved was the *Proposal to Hanover Conservation Commission* dated 4/30/13 including the location of a 4 ft. high wooden stockade (or similar) fence. However, the Commission added that additional sections are to be installed to extend the fence up to the front corner of the building at #409 Columbia and that at the area directly behind the dumpster(s), the fence sections shall be a minimum of 6 ft. in height to prevent windblown debris from settling off-site.

VOTE: Based on the discussion above and upon a motion and second made by Commissioners Woodward and Satterwhite, respectively, it was voted 4-0-0 to ratify the EO with restoration, fencing, and conservation posts.

III. ACTION ITEMS:

1. **Request for Amended Order of Conditions:**

a. **SE 31-952, # 199-295 Webster St.-** *review of proposed revisions to OOC for possible Amended Order of Conditions*

The Commission reviewed revisions to the plan for the Webster Village project including an increase to the number of units and reconfiguration of the buildings. The Commission determined that a new Notice of Intent filing was not necessary, but that an Amended Order of Conditions is required.

VOTE: Upon a motion and second made by Commissioners Woodward and Satterwhite, respectively, it was voted 4-0-0 to allow submission of a Request to Amend an Order of Conditions.

b. **SE 31-749, #1504 Hanover St.-** *review of proposed revisions to OOC for possible Amended Order of Conditions*

No action was taken on this item, as no further information was received from the Property Owner.

2. Vandalism on Open Space Parcels:

a. **Morrill Allen Phillips Wildlife Sanctuary**~ *use of Conservation Land Account funds*

The Agent explained that a complaint was received, including photo evidence, of damage to this Open Space parcel and that site inspections of the area would be conducted this week to ascertain the extent of the problem. Ms. MacFarlane added that due to the active use of a large fire pit and large trenches that were dug, safety is a concern and that both the Police and Fire Dept's had been notified via e-mail. In addition, the Board of Selectman's Office was copied on the correspondence, as this parcel is under their jurisdiction. Lack of volunteers to maintain trails and parcels at large, as well as DPW's full schedule, was discussed resulting in a suggestion to allow the use of Conservation Land Funds to at least bring the area back to a safe condition. A brief discussion ensued regarding recent requests from local Scout Leaders for environmentally based Eagle Scout projects resulting in the following vote:

VOTE: Upon a motion and second made by Commissioners Brierley and Woodward, it was voted 4-0-0 to allow the use of up to \$2,000 from the Conservation Land Fund if a solution using volunteers cannot be found in a timely manner to restore the area to a safe condition.

3. Review of Wetland and Buffer Zone Restoration Plans:

a. **SE 31-925A, #70 Elm St., Tolman Rd.**~ *review of wetland replication and rain garden status*

The Agent reported that Mr. Rodriguez will attend the next meeting for a discussion regarding the status of the plantings. She noted that concerns for the rain garden functioning, and viability of the replication area were increasing due to the current condition of the soils. She added that the debris/dirt piles had been removed from the site and that the width of the roadway was measured in the field and is accurate to the plan.

b. **#311 Pleasant St.**~*update on restoration plan*

The Commission reviewed and ratified an Enforcement Order (EO) for work done on this site in and near wetlands without a permit. The restoration plan discussed with Property Owner Dennis Shaw was accepted and will be included within the EO when mailed.

VOTE: Upon a motion and second made by Commissioners Woodward and Brierley, it was voted 4-0-0 to ratify the EO as written.

4. Requests for Certificates of Compliance: Although the requests listed below were submitted by each Applicant that listed a status of "all work completed", no action was taken on Items 4.c. and 4.d. due to the incomplete status and various issues at each site.

a. **SE 31-1047, #676 Center St.**~ *based on "work completed"*

VOTE: Upon a motion and second made by Commissioners Woodward and Brierley, it was voted 4-0-0 to issue the Certificate.

b. **SE 31-1051, #688 Center St.**~ *based on "work completed"*

VOTE: Upon a motion and second made by Commissioners Woodward and Brierley, it was voted 4-0-0 to issue the Certificate.

c. **SE 31-1057, #73 Sunset Point**~ *based on "work completed"* - No action taken.

d. **SE 31-1036, #1775 Washington St., Dick's Sporting Goods**~ *based on "work completed"* - No action taken.

5. Enforcement Order Ratification:

a. **#808 Circuit St.**~ *for work in buffer zone to BVW without a permit*

The Agent reported that although there are unresolved violation issues at this site and the property is for sale, Chris Pongratz is working cooperatively with the Staff to complete the work prior to the final sale. The Commission reviewed and ratified an Enforcement Order for alteration and filling within the buffer zone to an on-site BVW, paving of a driveway that was to remain gravel surface, missing conservation posts, and the rebuilding of a bridge across a stream without permits. Additional site inspections and follow up meetings with Mr. Pongratz are planned. This topic will be on the next agenda for an update.

VOTE: Upon a motion and second made by Commissioners Woodward and Brierley, it was voted 4-0-0 to ratify the EO.

7:00 PM III. PUBLIC HEARINGS:

1. **BL 13-18, # 17 Rosehill Rd.**~ RDA~ *for grading and landscaping in BZ to BVW*

PRESENT: Dana Altobello, PE, Merrill Associates, Inc., Applicant's Representative

DISCUSSION: Mr. Altobello presented a plan dated 4/16/13 that detailed proposed work to a stone retaining wall and minor grading to flatten sloped areas at a residential property to improve stormwater flow on the site and to repair/replace a damaged, weak retaining wall located near a walk-out access point from the house. He noted location of erosion control materials, areas to be filled, areas of additional rip rap installation, and noted that materials from the site will be re-used for the repair of the wall area.

The Agent noted concern for the amount of buffer zone disturbance, which was more than 2,000 sf., and the age of the wetland line (+10 yrs.). Noting that wetland lines expire within a 3 year period, she recommended professional review of the wetland flagging.

Mr. Altobello noted that he was unaware there was an issue at this time, given the minor nature of the project.

The Agent reiterated the amount of disturbance and proximity of work to the wetland, and noted that the distance to work may change, based on an accurate wetland line.

Mr. Altobello explained that the change to the slopes is only 6" or less in a very small area of the yard.

VOTE: Based upon the discussion above and upon a motion and second made by Commissioners Satterwhite and Brierley respectively, it was voted 3-1-0 with Commissioner Woodward voting in the negative, to close the hearing and issue a Positive Determination of Applicability with the requirement of submission of a Notice of Intent application for the work as presented.

2. **BL 13-21, #24 Meadow Dr.**~ RDA~ *for removal of mature trees, landscaping, conservation post install in BZ to BVW*

PRESENT: Ms. Ellen Gezotis, Property Owner

DISCUSSION: The Agent noted that in 2009 a plan was prepared detailing areas of tree removal, landscaping and minor grading up to 50 ft. from an on-site BVW. Ms. Gezotis explained that the work was not done, but that due to storm damage, it has become a necessity. The Agent provided a recently approved plan from 8 Brook Circle, showing it as an abutting property, as well as indicating that the wetland line on the 24 Meadow Dr. plan was not accurate. She pointed out that the wetland had shifted, especially at flags 11 and 5. She recommended submission of a revised plan with an updated wetland line and the installation of conservation posts.

VOTE: Based upon the discussion above and upon a motion and second made by Commissioners Woodward and Brierley respectively, it was voted 4-0-0 to close the hearing and issue a Negative #3 Determination of Applicability with conditions as follows:

- that any future work on site within the 100 ft. buffer to the BVW shall require new wetland delineation;
- and installation of conservation posts.

3. **BL 13-30, #68 Honeysuckle Ln.**~ RDA~ *for installation of inground swimming pool in BZ to BVW*

PRESENT: none

VOTE: Upon a motion and second made by Commissioners Woodward and Brierley respectively, it was voted 4-0-0 to continue the hearing to June 5, 2013 at 7:00 PM as per the Applicant's request.

4. **BL 13-24, #76 Donna Dr.**~ RDA~ *for installation of new septic system in BZ to BVW*

PRESENT: Peter Lyon, PE, Collins Engineering Co., Inc., Applicant's Representative

DISCUSSION: Mr. Lyons presented a plan dated 4/16/13 for replacement of a failed residential septic disposal system. He pointed out that the closest distance from the proposed work (installation of new pump chamber and leaching field) to the BVW is 51 ft. He also noted that the existing septic tank can be re-used. He added that all work is proposed on existing lawn with minimal grading required. Further that the plan has been approved by the Board of Health. The Agent agreed that the location was acceptable and necessitated by the failed condition of the existing system.

VOTE: Based upon the discussion above and upon a motion and second made by Commissioners Woodward and Brierley respectively, it was voted 4-0-0 to close the hearing and issue a Negative #3 Determination of Applicability.

5. **BL 13-04, SE 31-1068, #1131 Webster St.**~ NOI~ *cont'd from 4/17/13 meeting*

PRESENT: Fred Geisel, PE, Applicant's Representative; Jim Paskell, Applicant/Property Owner

DISCUSSION: Mr. Geisel presented a plan dated 4/17/13 which detailed revisions to the Riverfront Area (RFA) boundaries to Ben Mann Brook. He pointed out that due to property line concerns, the property lines were reviewed and another boundary marker~ a stone bound~ was found which increased the accuracy of the lines. He noted that

¹ DEP # has not been assigned by DEP as of agenda posting date.

the distance from the house changed to 21.3 ft. from 21.0 ft. due to the revised line. Mr. Paskell explained that the driveway location was also adjusted to accommodate a swale to direct stormwater along the driveway to lessen impacts to the abutting property. Mr. Geisel added that although the majority of the site is within RFA, the current septic and house design meet State and local regulations. In response to questions from abutters regarding elevations of the house and flooding abutting properties, Mr. Geisel pointed out on the plan elevations near the river that were "3 to 10 ft. higher in places" than the elevation of the proposed house, therefore he felt that the house would have little or no effect on abutting properties.

The Agent reported on a site inspection conducted with the Commission's Consultant Tom Liddy and the Chairman to confirm RFA and Annual Mean High Water Line (AMHWL). As a result, the RFA and AMHWL were confirmed to wetland flag R11, but noted that the northern portion of the property was not field verified. The Commission required that any future work in the northern portion of the site would require full field review and certification.

A brief discussion ensued regarding conservation posts, keeping the driveway surface gravel, and removal of trees, resulting in the special conditions issued below.

VOTE: Based upon the discussion above and upon a motion and second made by Commissioners Woodward and Brierley respectively, it was voted 4-0-0 to close the hearing and issue an Order of Conditions with the following conditions:

- conservation posts installed at the 25 ft. no-disturbance buffer;
- minimum of two (2) infiltration dry wells for roof run-off;
- the driveway shall remain gravel surface with reminder in OOC of violation and possible fines if paved;
- Agent to be present to review tree removal for minimum of removal of mature trees.

6. BL 13-23, SE 31-1070, #34 Twin Fawn Dr.- NOI- for std, septic, pool, etc. in BZ to BVW

PRESENT: none

VOTE: Upon a motion and second made by Commissioners Woodward and Brierley respectively, it was voted 4-0-0 to continue the hearing to June 5, 2013 at 7:00 PM as per the Applicant's request.

7. BL 13-22, SE 31-1069, #1226 Webster St.- NOI- for installation of new septic in BZ to BVW

PRESENT: Thomas Tasney, Property Owner/Applicant, Deborah Keller, PE, McKenzie Engineering Group, Inc., Applicant's Representative

DISCUSSION: Ms. Keller presented a plan dated 4/10/13 showing the relocation of a residential septic disposal system from the easterly portion of the site to a location closer to the house, but further from the on-site BVW (68.7 ft.). Ms. Keller gave a brief history of the site noting various permits issued and that the cul-de-sac layout exists, but was not built at the time of the house construction, rather a separate driveway was located off Webster St. The Agent added that a waiver had been granted by the Board of Health from the required 100 ft. setback to wetlands and pointed out that the original system was allowed at 50 ft. from the BVW. Ms. Keller noted that Board of Health approval has been granted for the proposed septic system which did not require waivers. In response to Commissioner Satterwhite's questions regarding necessary removal of mature trees in the buffer, Ms. Keller noted that the plan proposed a minimum of cutting and that the work could be done under supervision of the Conservation Agent if necessary. Several abutters present from Rockland and Hanover expressed concerns for future plans of the site. Chair Paradis stated that the current application was at hand and that discussion of future plans was not in the prevue of this meeting. Mr. William Lee, 10 Cynthia Way, stated that when Mr. Tasney's current house was built, both driveways flooded so badly that he had to install a sump pump system. He was concerned that more building or even disturbance from the new system could add to the problems. Further, he asked Ms. Keller for details on the decommissioning of the existing system. Ms. Keller assured Mr. Lee that the old system would be abandoned according to the Board of Health and Title V regulations. Commissioner Woodward voiced concerns that several concessions seemed to have been made for the construction of the house without any indications in Board of Health or Planning Board records of the necessity or the reasons for those concessions. A reminder of the issue at hand was given by the Chair and the Agent noted that further information may be available from the Building Dept.

VOTE: Based on discussion above and upon a motion and second made by Commissioners Woodward and Brierley respectively, it was voted 4-0-0 to close the hearing and issue an Order of Conditions with conditions as follows:

- decommissioning of the existing septic system shall be as per Board of Health and Title V regulations;
- tree cutting to be kept at a minimum and as per the Agent's field recommendations.

8. BL13-28, SE 31-1071, #1 Tolman Rd.- NOI- for construction of sfd and assoc. work in BZ to BVW

PRESENT: Melsi Xhengo, Applicant; Deborah Keller, PE, McKenzie Engineering Group, Inc., Applicant's Rep.

DISCUSSION: In response to the Commission's question regarding discussions that may relate to both this hearing and the next, #5 Tolman Rd., Ms. MacFarlane noted that since the owners, applicants, and Engineer presenting the plans are the same for both lots, it was acceptable to open both hearings at once so that any discussion relating to both could be heard, but noted that any votes and special conditions must be taken separately. Both #1 and #5 Tolman Rd. hearings were opened.

Ms. Keller gave a brief history of the subdivision including previous and open permits, and noted that although the wetlands and related work for the subdivision were done by Rimmer Environmental, the wetland delineation for the current single family dwelling projects was recently completed by Brad Holmes, Wetland Specialist, CEI. She pointed out that the Series "C" wetland area was relocated from the previous plan, SE 31-925A, but did not change in a manner to effect proposed construction areas. It was also noted that the septic designs and locations for both lots were recently approved by Board of Health. In response to questions regarding conservation posts for #1 Tolman Rd., Ms. Keller explained that the property line which is located greater than the 35 ft. no-disturbance setback (37 ft.) from wetland flag #44 is closer than the setback, and that posts would not be necessary due to the driveway location. A brief discussion ensued regarding conservation posts at the 35 ft. setback to wetland flags #C13- #C15, resulting in agreement that the area could support one or two, however, no consensus was reached as to how many or final location(s).

Regarding #5 Tolman Rd., Ms. Keller pointed out the raised cart path along the western property line and location of proposed work, in regard to the lack of erosion control materials on the site. She also noted that the wetland line was reviewed by Mr. Holmes with no changes to the previously approved plan. The Agent explained that there were two (2) initial concerns with the lot, outdated wetland line and piles of excavated materials from the razing of the burned house and driveway. Also that pieces of asphalt debris had washed down into the replication area and rain gardens built under SE 31-925A. However, due to the recent wetland review by Mr. Holmes and cleanup of the site prior to the hearing, those issues were resolved. Ms. Keller explained that all the debris was hauled away to a licensed facility, with reclamation of the cement blocks and other materials that could be re-used.

It was noted that the old right-of-way for the rail bed located westerly along the property line of #5 Tolman Rd. will be included in a Town-wide review of a trail system that connects Hanover's trails to other towns through the State's Rails to Trails program. Also that a previously gated access way on #1 Tolman Rd. that leads to River Rd. properties should be maintained to meet all requirements on recorded agreements.

Mr. Patrick Uhlar, 92 Elm St., stated concern for flooding on his property due to the number of mature trees that have already been removed during the subdivision roadway work. He stated that the culvert under the roadway has not been maintained, that water overflows onto his property. In regard to a walking path on his lot, which is overgrown and needs maintenance, the Agent noted it as a separate issue from the current projects, but offered to meet on site to determine what he, as the property owner can do to remove invasive plants, do vista pruning, etc. A brief discussion ensued regarding stormwater management relating to house construction, resulting in the requirement of at least two(2) infiltration-type dry wells to capture roof run-off for each house to be constructed. Commissioner Woodward voiced concerns for construction of the cul-de-sac in regard to the nearby wetland. Ms. Keller stated that there were no plans to construct the cul-de-sac portion of Tolman Rd.

VOTE: Based upon the discussion above and upon a motion and second made by Commissioners Woodward and Brierley, respectively, it was voted 4-0-0 to close the hearing and issue standard Orders of Conditions to both projects with the following conditions:

- although shown on the approved plan and on other documents, construction of the cul-de-sac portion of Tolman Rd. is not approved under this Order and that a portion of the driveway for this lot is approved within its layout;
- trees to be removed for initial site work shall be clearly marked for identification and inspected by the Conservation Agent prior to removal to insure cutting is kept to a minimum.
- a minimum of two (2) infiltration type dry wells shall be installed for stormwater recharge of roof run-off for both houses;
- a notation on the Order for #5 Tolman Rd. regarding review of the rail bed easement as an enhancement to the Town's Rails to Trails program.

9. BL13-29, SE 31-1072, #5 Tolman Rd.- NOI- for construction of sfd and assoc. work in BZ to BVW

PRESENT: see #8 above

DISCUSSION: see #8 above

VOTE: see #8 above

10. BL 12-13, SE 31-1043, #637 Washington St.- Starland- Request for Amended OOC

PRESENT: Peter Palmieri, PE, Merrill Associates, Inc., Applicant's Representative

DISCUSSION: Mr. Palmieri explained that currently, work at the site was being conducted under an Order of Conditions (listed above) but that an Amended Order is being sought for additional work to add features that will further enhance the use and enjoyment of this amusement facility. He noted that the additional features included a Zip Line, Ropes Course, relocation of a fence, relocation of a dumpster and related concrete pad, installation of a fence and new gates, construction of an electrical building, and a tent structure to be located over existing pavement on the go-cart course. The Agent noted several areas where the proposed work/structures were within the 35 ft. no-structure setback to the wetlands, including the landing pad for the Zip Line. Mr. Palmieri noted that only a corner of the pad is within the setback and that with the elimination of the mechanical building and change to electric from fuel based go-carts, the decrease to impervious area and removal of petroleum based chemicals from the site should be of consideration. In response to the Agent's questions regarding changes to stormwater calculations and related structures, Mr. Palmieri explained that there were no changes to stormwater calcs and therefore the Operation and Maintenance Plan did not change. In response to Commissioner Brierley's concerns for parking spaces located within the 35 ft. no-structure setback, Mr. Palmieri explained that the plan approved under SE 31-1043 included the spaces.

VOTE: Based upon the discussion above and upon a motion and second made by Commissioners Woodward and Brierley respectively, it was voted 4-0-0 to close the hearing. Upon a motion made by Commissioners Woodward and Brierley respectively, it was voted 4-0-0 that a new Notice of Intent hearing was not required for the proposed revisions to the plan of record. Upon a motion made by Commissioners Woodward and Brierley respectively, it was voted 4-0-0 to issue an Amended Order of Conditions, description and special conditions to include the items listed with the Applicant's request and as so discussed and approved above.

11. BL 10-35, #25 Chestnut St.- NOI- *continued from 1/05/11 - "cont'd indefinite date" - NOI withdrawn by new prop. owner. (hearing #11 will be opened to hear withdrawal request only, then closed)*

PRESENT: New Property Owner Patricia Downing

DISCUSSION: Ms. MacFarlane explained that the initial hearing for this project occurred in 2010 but due to unforeseen circumstances, the original owners, Domenic and Ameliana Esposito, requested several continuances in a row. Further, that documents and fees required by the Commission were not submitted in a timely manner. Due to this, the Commission granted an indefinite continuance in 2011 to allow for the Applicants to provide additional information and revised plans. It was noted that no documents or revised plans were submitted and various fees remain unpaid. Documents found during the transition to a new Conservation Agent indicated that a site inspection had been conducted resulting in installation of conservation posts, however, no indication of the site inspection or vote of the Commission for the posts was found in the file or in minutes reviewed from 2010 forward.

New Property Owner Pat Downing was present to notify the Commission that the NOI is being withdrawn, and to request that the conservation posts be removed, as they are in a location beyond her house (putting the rear yard, deck, patio and portion of the house in a no-touch area. Photos were reviewed as well as file documents and minutes pertaining to this property. Ms. Downing also requested consideration of an inground swimming pool within the 25 ft. no-disturb zone, noting that it was the only location on the site that met Building regulations, and installation of a fence for their dog. The Commission reviewed a copy of the Assessor's field card for this lot showing that the house was built prior to the WPA and local bylaws. Ms. Downing also noted that she learned from neighbors that mowing to the edge of BVW has taken place since the house was built, as are other properties on the street. (This was confirmed by notes taken by the previous Agent).

VOTE: Based upon the discussion above and upon a motion and second made by Commissioners Woodward and Brierley respectively, it was voted 4-0-0 to accept withdrawal of the NOI and to allow removal of the conservation posts due to existing site/building configuration and historic mowing, to allow the fence installation using manual methods, but that a swimming pool shall not be allowed on this lot within the 25 ft. no-disturbance setback.

IV. ADMINISTRATIVE:

2. **Minutes-** 4/17/13- No action taken.

(5/01/13- hearing was not held- No minutes to review).

3. **Correspondence-** reviewed with no comments.

4. **Reports and Minor Permits:**

a. Conservation Staff- General and Enforcement issues

(i) **#409 Columbia Rd.- Building 19-** *violation issue update* (see discussion above)

(ii) **#SE 31-932, #8 Brook Cr.-** *review of buffer zone to BVW and proposed deck expansion project-* No Report given.

(iii) **#SE 31-1052, #838 Circuit St.-** *update on wetland restoration project*

The Agent reported that as a result of a request from the property owner, Chris Pongratz, to review the site for mitigation for violations that occurred on the site over the last few years, a plan of action to resolve the issues was established. She explained that the violations include paving a driveway to the barn that was to remain gravel surface, restoration of a wooden bridge, alteration of BVW and associated buffer zone, and removal of mature trees and other buffer vegetation, all without a permit and without notification to the Commission. In addition, the property is going to be listed for sale. She noted that Mr. Pongratz is willing to do whatever is necessary to resolve these issues. The Commission reviewed and ratified an Enforcement Order with Restoration Order that included submission of a Notice of Intent application for the work already done and for the restoration of the disturbed areas.

VOTE: Upon a motion and second made by Commissioners Brierley and Woodward, it was voted 4-0-0 to ratify the Enforcement Order.

(iv) **#369 Washington St.-** Kennedy Bldg @ Cardinal. Cushing- *preliminary info re: parking lot expansion/remodel*

The Agent reported that the NOI application for this project is still pending.

(v) **BL 12-53, #957 Webster St.-** *update on buffer restoration*

The Agent reported that progress was being made on this property in regard to the enforcement issues and that the plan for restoration is acceptable.

b. Open Space Committee Liaison Report and Community Preservation Committee Report: none

c. Minor Permits/Event Cards Issued: Ms. MacFarlane reported that four (4) Minor Activities permits were issued for damage to trees since the last meeting. She added that due to recent storms and several inquiries received in the Conservation Office this week, more are expected. Also that events at Luddam's Ford Park are beginning to increase for the Spring and Summer months.

(i) **BL 13-19, Luddams Ford Park-** *Scout Overnight Event*

(iii) **BL 13-26, #808 Circuit St.-** *for storm damage clean-up*

(iv) **BL 13-20, #80 Hackett's Pond-** *removal of storm damaged trees/branches*

(v) **BL 13-25, Spring Meadows PRDS-** *removal of storm damaged trees/branches and invasives*

(vi) **BL 13-27, #168 Dillingham Way-** *for storm damage clean-up*

9:55 PM Upon a motion and second made by Commissioners Satterwhite and Woodward, respectively, the Commission voted 4-0-0 to adjourn the meeting.

Minutes Respectfully Submitted by
Sandra D. MacFarlane, DMI Administrative Asst.
Conservation Commission Office