

**City of Gardner
Conservation Commission**



**Minutes of the Meeting of
January 9, 2017, 6:00 p.m.
Second Floor Meeting Room, City Hall Annex**

Members present:

Chairman Greg Dumas, David Beauregard, Duncan Burns, Jane Cullen, Donna Lehtinen and David Orwig. Also present was Conservation Agent Jeff Legros.

Members absent:

Norman Beauregard

Guests & Visitors

None

Meeting

6:00 Chairman Dumas opened the regular meeting of Monday, January 9, 2017.

Public Hearings

None

Orders of Conditions

None

Minutes

6:03 A motion was made by D. Burns to approve the **Minutes of the Meeting of November 14, 2016**. The motion was seconded by D. Lehtinen and voted unanimously, all in favor.

Request for Determination of Applicability

None

Request for Certificate of Compliance

None

Request for Extension

None

Enforcement Order

Sunshine Realty Trust, Conrad Donell Trustee, Sapphire Park at Pearl Street and Shawn Avenue (*Continued from Meeting of November 28, 2016*):

This item remain open until all conditions of the enforcement order and the restoration guided by DEP File # 160-0596 have been met. Further discussion will be tabled until May or June 2017 at which time a final peer review site visit may be conducted by Tighe

& Bond to assess the establishment and condition of plantings associated with the required remediation.

Presentations

Mr. Tom Simulus, Simulus Plumbing: Olde English Village Stormwater Replacement Project – status update and informal preliminary review. Mr. Simulus was not in attendance at the meeting and has recommended that the Commission schedule a site visit prior to his presentation so that they are familiar with the locations of Resource Areas and stormwater features. Agent Legros is in agreement with Mr. Simulus and will facilitate a site visit before the next meeting.

New Business

- **A Notice of Intention to sell land for other use per M.G.L. c. 61B, 9; Land Outlots A&B behind 74 and 80 Chapel Street**
Agent Legros notified the Commission of the receipt of a Notice of Intention to sell land currently within Chapter 61B as required by Mass General Law.
- **Notice of successful completion of Fundamentals for Massachusetts Conservation Commissioners Certificate Training Course – Chairman Dumas**
Chairman Dumas was recognized by the MACC and congratulated by Mayor Mark Hawke with a letter of appreciation for his time and efforts in completing Fundamentals for Massachusetts Conservation Commissioners Certificate Training Course. Chairman Dumas noted that the Mayor’s letter recognized the work and dedication of the Commission and praised and thanked the Commission for their effort.
- **Letter to ZBA regarding Minott and Banner Road Parcel W07-4-4**
Agent Legros described the property and the limited access due to Wetland Resource Areas along three sides of the property. The only feasible access to the property is from Banner Road which will require a variance from the Zoning Board of Appeals. Agent Legros has submitted a letter to the ZBA indicating that the Banner Road access drive will have the least impact and is the preferred alternative from a Conservation perspective. The Commission is supportive of that letter and alternative.
- **Gardner News Invoice for Public Notice; Notice of fee increase for 2017**
Chairman Dumas signed off on the payment of the invoice. Discussion ensued regarding the cost of using The Gardner News. Some consideration and discussion given to using other publications. Given that The Gardner News is the official local paper the Commission felt it best to continue as is for now unless costs become prohibitive.
- **Potential upcoming filings:**
 - **Olde English Village Stormwater Replacement Project:**
The Commission will conduct a site visit on Saturday January 14, 2017 at 9AM to review the status of the work conducted without a permit and review the site relative to the existing stormwater system and Wetland Resource Areas.
 - **City of Gardner DPW New and Renovated Buildings Project**
A Notice of Intent Filing for work within the Riverfront Area is expected within the next two weeks.
 - **Mount Wachusett Community College Parking Area Expansion and Improvement Project**

Agent informed the Commission of an upcoming filing by MWCC related to a proposed parking area improvement and expansion project. The Commission asked that Agent Legros follow up with the College or their representatives to review the proposed project to ensure that the Massachusetts Stormwater Policy and related Wetlands Protection Regulations are considered in the plan and addressed within the anticipated Notice of Intent Filing.

Old Business

- **Sludge Landfill Proposal Update**

The proposed expansion project was approved by the Council on the Mayors recommendation at their meeting of December 19, 2016.

- **Landscape Partnership Grant Update**

There is currently a Loan Order presented to City Council for the allocation of necessary funds to purchase the Alisauskas property. The Finance Committee is expected to review the Order on January 11th in advance of the Council Meeting of January 17, 2017. An additional Order assigning the property to the Conservation Commission under Article 97 is being drafted by the Law Department.

- **Recreational Trails Grant Update**

The Contract has been signed by Mayor Hawke and executed by State Officials. The Commission discussed a standard color for Conservation and Open Space signs and trail signs and agreed that forest green with white lettering was preferred over brown with white lettering. Agent Legros will continue to work on the project and meet Mr. Doug Munroe of the DPW Signs & Lines staff to order the necessary sign materials. The project is a two year project that will include new signs, bridges, maps, and parking area improvements.

- **Forest Stewardship Implementation Grant Update**

Traci Pouliot, Chair City Community Arts Center continues to work on the carved tree and shrub identification markers. The 100 native shrubs planted in October are flagged with yellow-green flagging tape appear to be overwintering well. Agent Legros is planning for Spring planting volunteer days.

- **300 Clark Street**

Discussion resumed about the cutting and clearing of land at 300 Clark Street. A certified letter sent to the property was returned as undeliverable. Agent Legros stated that he would inquire why it was returned and attempt to resend the letter to notify the land owner(s) that they may be in violation of local and state Wetlands Protection laws which are enforceable by fines.

A motion was made by D. Burns to allocate funds up to \$100 from the Wetlands Protection Act fees account to cover the cost of serving the notification letter through the Worcester County Sherriff's Office if necessary. The motion was seconded by D. Beauregard and voted unanimously, all in favor.

Adjournment

7:11 A motion to adjourn was made by J. Cullen. The motion was seconded by D. Beauregard and voted unanimously, all in favor.

Respectfully submitted,

Jeffrey D. Legros, Conservation Agent

All materials used at the meeting are available for viewing at the office of the Conservation Agent, Room 202 of the City Hall Annex.

Minutes are available as follows:

- Minutes are available on the City of Gardner website (www.gardner-ma.gov) under Conservation Commission.
- By appointment or request in Conservation Agent's office, Room 202 of the City Hall Annex
- Community Development & Planning office, Room 201 of the City Hall Annex