



**CITY OF GARDNER
CONSERVATION COMMISSION
Minutes of the Meeting of
July 9, 2018
Hubbard Conference Room
Gardner City Hall Annex Room 203**

Members Present:

Chairman Greg Dumas, Norman Beauregard, Duncan Burns, Michael Hermanson, and David Orwig. Also present was Conservation Agent Jeffrey Legros.

Members Absent:

David Beauregard, and Donna Lehtinen

Guests & Visitors:

Bob LaPierre, 122 Wampanoag Road South; Carol Patria, Visitor; Director Dane Arnold, Gardner DPW; Martin Bowers, Resident, Pearl Street; Juan C. Rivera, Resident, 47 Eastwood Circle; William Murray, Places Associates, Inc. for Zone Three, Inc., Hassan Jaber (owner) & Sanctuary Medicinals, Re: 16 Pearson Blvd.; Roemel Samuel 35 Eastwood Circle; Amy "Lily" Hope, Resident, 260 Baker Street.

Public Hearings

The Gardner Conservation Commission opened the joint Public Hearing under MGL, Ch. 131, § 40, Wetlands Protection Act and the City of Gardner Wetlands Protection Ordinance on the Notice of Intent filed by Sanctuary Medicinal, Inc., represented by Places Associates, Inc. for work within the buffer zone of a Wetland Resource Area at 16 Pearson Blvd. (R17-4-13), owned by Hassan Jaber, Winchendon, MA. The work will consist of new pavement, landscaping, dumpster enclosure, and stormwater infrastructure and is being filed as re-development of the existing parking area and site conditions.

The meeting will be held at
6:30 p.m., Hubbard Conference Room 203,
2nd Floor, City Hall Annex, on July 9, 2018

Greg Dumas, Chairman
Gardner Conservation Commission

6:30 William Murray, Places Associates, Inc. presented the plan on behalf of the property owner, Hassan Jaber and the proposed business, Sanctuary Medicinals.

He described the buffer zone impacts, location of the proposed water quality basin and level spreader, and a site walk with Agent Legros to review the resource areas. He described the work to be mostly redevelopment of existing conditions to include re-paving, striping, signage, landscaping, and minor changes to pedestrian access walks.

Chairman Dumas asked who will maintain the site over the long-term, the owner (Zone Three, Inc.), or, Sanctuary Medicinals, Inc.?

Chairman Dumas asked Mr. Murray to review the Stormwater O&M found on page-10 of the NOI Narrative. Chairman Dumas asked when the Stormwater Management System owner and Party Responsible for Maintenance would be identified. Mr. Murray stated that contracts would be set up upon the commencement of business and that they would be identified prior to requesting a Certificate of Compliance.

Conservation Agent Legros asked about the management of invasive plants and removal of debris and litter located at the rear of the site within the Wetland Resource Area Buffer Zone.

Mr. Murray indicated that they would be removed as part of the development process. He added that the property boundary was a limiting factor and that many non-native, invasive plants and much litter and debris is located off of the property. He indicated that it was the intent and interest of Sanctuary Medicinal to clean and maintain the area over the long-term and that they would clean up the portion of their property as part of the redevelopment and ensure that their normal business operations to not further contribute to degradation in the future.

6:53 Chairman Dumas opened the floor to public comment or questions.

Ms. Amy “Lilly” Hope, Resident, Baker Street, asked what type of grass would be planted and how it would be maintained.

Mr. Murray stated that a normal seed mix appropriate to the area would be used as specified by the landscape contractor. He stated that the grass (and landscaped areas) would be maintained by a landscape contractor selected and contracted by the business owner in a manner that is consistent with sound business operation and local regulations.

6:57 Mr. Roemel Samuel, Abutter, 35 Eastwood Circle, asked if the lighting would impact adjacent and neighboring properties.

Mr. Murray indicated that the lighting plan would not impact adjacent or neighboring properties as it would be pointing down and into the property and would be compliant with local regulations.

6:59 Chairman Dumas commented that the Illicit Discharge Compliance Statement of the Stormwater Report was not signed and asked that it be signed and returned to the Commission prior to the commencement of work.

7:01 A motion to close the hearing and issue an Order of Conditions with Special Conditions was made by D. Burns. The motion was seconded by N. Beauregard and voted unanimously, all in favor.

Meeting Chairman Dumas called the meeting of July 9, 2018 to order.

Minutes

7:01 The minutes of the meetings of June 11th and June 25th were tabled until the next meeting.

Orders of Conditions

7:01 DEP File #160-0620: Issued with Special Conditions on a motion by D. Burns seconded by N. Beauregard and voted unanimously, all in favor.

Request for Extension of Order of Conditions

None

Request for Determination of Applicability

None

Request for Certificate of Compliance

None

Request for Emergency Certification

None

Enforcement Order

35 Eastwood Circle, Roemel Samuel – A Wetland Remediation Planting Plan to remediate for several trees cut within a wetland resource area and its buffer zone was presented to the Commission and Mr. Samuel by Conservation Agent Legros. Discussion ensued by the applicant and the Commission as to the plan and the number of plants. Some members of the Commission and Mr. Samuel thought the plan may be excessive given the number of trees that were cut. It was noted that this plan was consistent with a similar remediation conducted at 421 Leo Drive for trees cut in the Buffer Zone of a Resource Area at that location. The number of trees removed in that case far exceeded those removed in the case

before the Commission here. It was noted that of the trees that were cut several were dead or dying or otherwise exhibited damage or signs of distress such as dead branches and canopy dieback. It was also noted that approximately three trees were cut on a neighboring property and that these trees should be replaced as part of the remediation plan with the approval of the abutting property owner.

The Commission recommended that Mr. Samuel seek plant material availability and quotes for the recommended plan and plant list and return to the Commission for further consideration at their next scheduled meeting on August 13, 2018.

Presentations

Dane Arnold, Director, DPW – Director Arnold updated the Commission on the DPW’s upcoming paving plans to include Myles Circle, Pearly Lane Old Colony Road. He also informed the Commission of work to include sidewalk reconstruction on Parker, Oak, Vernon, neighborhood off of the downtown area. He also discussed a project to improve sidewalks along Baker Street. The state will be improving portions of Route 140 in the near future. A drainage culvert near 477 Clark Street will be replaced, and paving and waterline replacement along Clark Street from Ryan Road to about the Gardner Fish and Gun Club will be completed this summer. The Gardner High School will also be improved with parking and sidewalks improvements which will include and overall reduction in impervious surfaces and functional operation, safety, and aesthetic improvements.

New Business

- **Wetland Resource Area cleanup and buffer zone restoration Pearson Blvd and Eastwood Circle**

At the recommendation of the Agent it was proposed that the adjacent and abutting property owners to the Wetland Resource Area and Flood Zone located between Pearson Blvd., Kiley’s Way, and Pearson Blvd. work together to improve that area through removal of litter and debris and removal and management of invasive plants at their will and discretion.

- **PARC Grant Application Letter of Support**

Agent Legros informed the Commission that he will be submitting a PARC grant application for the newly acquired Bailey Brook Park off of Leo Drive. He asked for the Commission’s support.

Old Business

- **Bailey Brook Land Conservation Acquisition**

Agent Legros informed the Commission that that the Omealia and RHO properties located off of Leo Drive were successfully acquired by the City as a Park, under the care and custody of the DPW Recreation Division, and a Conservation Areas, under the care and custody of the Conservation Commission, through the PARC and LAND Grant Programs, respectively.

Motion to Adjourn

8:12 A motion to adjourn was made by D. Burns. The motion was seconded by M. Hermanson 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