



**CITY OF GARDNER
CONSERVATION COMMISSION**

Gardner City Hall – Manca Annex
115 Pleasant St., Room 202

978-630-4014

Gardner, MA 01440

fax 978-632-1905

MEETING

Monday, February 22, 2020 at 6:30 p.m.

Due to the ongoing conditions related to the COVID 19 outbreak, the meeting will be held via Zoom Meeting. Detailed instructions for participating in the meeting via Zoom Meeting are posted at the bottom of this agenda, or can be obtained by emailing Lyndsy Butler, Conservation Agent, at lbutler@gardner-ma.gov. All documents and permit applications can be provided electronically. Please send request to lbutler@gardner-ma.gov. All persons interested in this matter, or who desire to offer testimony, are invited to participate.

Members via Zoom:

Chairman Greg Dumas, David Orwig, Michael Hermanson, Norman Beauregard, and Donna Lehtinen. Also on Zoom was Conservation Agent Lyndsy Butler, and Administrative Clerk Kris Singer

Members Absent:

Duncan Burns, David Beauregard

Guests & Visitors:

Maryann Doiron – 39 Kendall Pond East; and Jane Cullen – 148 Saunders St.

MEETING – brought to Order by Chairman G. Dumas at 6:30 pm

Minutes

- Vote to approve the Minutes of the Meeting of February 8, 2021
- Motion to approve Minutes made by D. Lehtinen, seconded by N. Beauregard, and voted all in favor, with the exception of M. Hermanson who abstained.

Notice of Intent

DEP#160-0643

The Gardner Conservation Commission will hold a joint Public Hearing under MGL, Ch. 131, § 40, Wetlands Protection Act and the City of Gardner Wetlands Protection Ordinance on a Notice of Intent filed by Maryann Doiron, for the replacement of a retaining wall located at 39 Kendall Pond East (H17-9-8). Project is located within the resource area.

- L. Butler advised that DEP came back to them with a couple of comments. One of the questions centered on a dock which was installed a couple of years ago. Maryann Doiron, owner of 39 Kendall Pond East, advised that on June 15, 2017, she had asked for a Determination of Applicability and received notice that no action was required at that time. She may require a separate permit from the state.
- L. Butler asked if erosion control was in place, and if so, it should be conveyed to the DEP. M. Doiron asked if 'erosion control' were the hay bales and straw, and L. Butler confirmed yes. M. Doiron advised that her contractor confirmed that there would be no staging and all debris will be hauled away immediately. L. Butler explained that since work will be conducted on the bank, erosion control is still needed.
- G. Dumas confirmed that they will need to determine where to place the erosion control and how to protect it after hours during construction.
- M. Doiron stated that the project will take two days, noting that the contractor will only do the work when the weather is good. The first day will be the excavation, and the debris will be hauled away immediately. G. Dumas reiterated that erosion control will be required prior to work beginning.
- D. Lehtinen asked which contractor will do the work. M. Doiron replied Ryan Smith, but he hasn't been officially offered the project yet.
- L. Butler shared her screen which had an amended sketch of the project. M. Doiron replied that the noted 'staging area' in the driveway will not be needed.
- G. Dumas noted that it was important to protect the water line.
- M. Doiron said that the contractor is hoping to start in early April.
- G. Dumas is concerned about the embankment and inquired as to how deep the water is. M. Doiron replied that it's shallow and it's about a foot deep towards the dock.
- N. Beaugard suggested a barrier of sand for erosion control, but G. Dumas feared it would just wash away.
- A Motion to close the DEP Hearing was made by D. Orwig, seconded by N. Beaugard, and voted all in favor.
- A Motion to approve the NOI with Conditions and finalized responses to DEP was made by N. Beaugard, seconded by D. Orwig, and voted all in favor.

Request for Determination of Applicability

2021-02 148 Saunders St.

The Gardner Conservation Commission will hold a Public Meeting under MGL, Ch. 131, § 40, Wetlands Protection Act and the City of Gardner Wetlands Protection Ordinance (City Code Ch. 650) on the Request for Determination of Applicability filed by Trowbridge Engineering on behalf of Michael & Jane Cullen, for the replacement of a septic system located within the buffer zone to a Bordering Vegetated Wetland. Project is located at 148 Saunders Street (W17/3A/4A).

- Jane Cullen, owner of 148 Saunders St, explained their intention of replacing a 40-year old septic system. She also explained that it is proactive, as the current system is not failing. The current location of the septic system is in the front of the house. They are looking to run the new septic system on the side of the house. Their proposal will not include tree cutting, but silk fence and crushed rock will be installed along the side. The current tank in the front will be crushed and filled. The new proposed tank will pump out to the leech field in the back.
- G. Dumas inquired about the duration of the project, and J. Cullen is not sure, but they are using David Richard. The perk test still needs to be done, but they are not in a rush.
- G. Dumas noted that they are within the 100 foot buffer, but not the 60 foot buffer. He feels that this proposal is maintenance.
- A Motion to approve the Negative 3 Determination was made by N. Beauregard, seconded by D. Lehtinen, and voted all in favor.

2021-01 Bridge St. West St.

The Gardner Conservation Commission will hold a Public Meeting under MGL, Ch. 131, § 40, Wetlands Protection Act and the City of Gardner Wetlands Protection Ordinance (City Code Ch. 650) on the Request for Determination of Applicability filed by Millers River Watershed Council & Alan Rousseau. The request is to determine whether portions of lots H32-164 and C32-19-2 are subject to the City of Gardner Wetland Protection Ordinance.

Item has been continued to March 8

New Business

- None

Motion to Adjourn

7:03 pm A motion to adjourn was made by D. Lehtinen. The motion was seconded by D. Orwig, and voted unanimously, all in favor.

NOTICE: These Agenda items consist of items that are reasonably anticipated by the Chair to be discussed at the meeting and are specifically allowed to be discussed at the meeting. Not all items listed may in fact be discussed and other items not listed may also be brought up for discussion to the extent permitted by law.

Agent of the Conservation Commission

Lyndsy Butler is inviting you to a scheduled Zoom meeting.

Topic: Conservation Commission

Time: Feb 22, 2021 06:30 PM Eastern Time (US and Canada)

Join Zoom Meeting

<https://zoom.us/j/93372757608?pwd=V2NHSzd4VkhNcVF4OWY4NHRwV3oxQT09>

Meeting ID: 933 7275 7608

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