



## **TOWN OF MONTEREY Conservation Commission**

435 Main Rd. P.O. Box 308  
Monterey, MA 01245

### **MEETING MINUTES**

**Meeting Date:** October 17, 2022

**Meeting Time:** 6:00 PM

**Meeting Place:** 435 Main Rd., Monterey Town Office. Conference Room

MEETING OPENED AT 6 PM

**MEMBERS PRESENT:** Noel Wicke (NW), Roslyn Dolber (RD), Kevin Moody (KM), Kimberly Wetherell, Agent (KW)

**MEMBER(S) ABSENT:** Tim Lovett

### **HEARINGS AND MEETINGS:**

#### **CONTINUED:**

**Public Hearing:** NOI, Map 109, Lot 009, File # 230-332, 8 Dowd Rd, Property Owner: Ryan & Judith Safady filed by Berkshire GeoTech for the proposed installation and associated work of walkway, deck platform, and dock in the resource area of Lake Garfield.

*APPLICANT WAS ABSENT. HEARING WAS MOVED TO LATER IN THE MEETING*

#### **NEW:**

**Pubic Meeting:** RDA, Map 109, Lot 049, 0 Bidwell Rd, Property Owner: John Melzer filed by John Field Tree Service for the proposed removal of 5 trees within the buffer zone of Lake Garfield.

KAREN FROM JOHN FIELDS BRIEFED THE MEMBERS. NW CONDUCTED A SITE VISIT AND AGREED THAT THE TREES PRESENT A HAZARD AND SHOULD COME DOWN. MESA APPROVED. APPROVED AS SUBMITTED WITH N3 INCLUDING A SPECIAL CONDITION. RD/KM MSV.

**Pubic Meeting:** RDA, Map 109, Lot 020, 34 Bidwell Rd, Property Owner: Andrew Lederman filed by John Field Tree Service for the proposed removal of 10 trees within the buffer zone of Lake Garfield.

KAREN FROM JOHN FIELDS AND BRIEFED THE MEMBERS. NW CONDUCTED A SITE VISIT AND AGREED THAT THE TREES PRESENT A HAZARD AND SHOULD COME DOWN. APPROVED AS SUBMITTED N3 WITH A SPECIAL CONDITION RD/KM MSV.

Conservation Commission Meeting Minutes  
October 17, 2022 6 pm  
Continued

**Pubic Meeting: RDA**, Map 111, Lot 025, 26 Seven Arts Rd, Property Owner: James Burns & Elizabeth Marino for the proposed construction of a driveway within the buffer zone of bordering vegetated wetlands and Lake Buel.

NW HAS CONCERNS REGARDING THE APPLICATION INCLUDING WILDLIFE HABITAT AND THE POSSIBLILTY OF A VERNAL POOL. KM BRIEFED THE MEMBERS ON THE SITE VISIT. NW SUGGESTS THAT ENGINEER DRAWINGS ARE MORE SUITABLE FOR THE PROPOSED PROJECT THAN THE ARCHITECT'S DRAWINGS THAT WERE SUBMITTED WITH THE APPLICATION. FOR THE PROPOSED PROJECT, A MOTION WAS MADE FOR THE APPLICANT TO SUBMIT FULL SIZE STAMPED ENGINEER DRAWINGS, A WILDLIFE EVALUATION FOR THE PROPERTY'S HABITAT, AND A WETLAND DELINATION. THE REQUEST WAS ISSUED A DETERMINATION P1 AS SUBMITTED NW/RD MSV

**Pubic Meeting: RDA**, Map 015, Lot 132, 6 Point Rd, Property Owner: Greenwald & Fried for the proposed removal of trees within the buffer zone of Lake Garfield. REQUEST WAS APPROVED WITH N3 INCLUDING THE SPECIAL CONDITIONS: THE APPLICANT REQUESTS A DETERMINATION FROM MESA IF JURISDICTIONAL PRIOR TO REMOVING THE TREES. STUMPS TO REMAIN. EROSION CONTROL MEASURES THAT COULD INCLUDE WORKING WHEN THE GROUND IS FROZEN. NW/RD MSV

**Request to Amend: DEP File # 230-0305** – 448 Main Rd, Property Owner: Monterey General Store, for the proposed removal of non-native invasive vegetation along the bank of the Konkapot River.

THE APPLICANT BRIEFED THE MEMBERS ON THE PROPOSED AMENDMENT. THE APPLICANT HAS RETAINED STOCKMAN ASSOCIATES FOR A REPORT AND TO IDENTIFY THE INVASIVES. ALL SAPLINGS SHOULD BE (2) 6 FEET TALL INSTEAD OF 8 FT. AND 6 NATIVE SHRUBS. REQUIRED ON THE ORIGINAL OOC. INVASIVES WILL BE REMOVED PRIOR TO ANY PLANTING. ANNUAL REPORTS WILL BE SUBMITTED. KM QUESTIONED THE METHOD OF STUMPING THE INVASIVES. APPROVED AS SUBMITTED NW/KM MSV

**Certificate of Compliance:**

**SMA File # 19-02** – Haflich – 11 Limerock  
REQUEST WAS APPROVED NW/RD MSV

**DEP File #230-0326** – Garfield Lake Nominee Realty Trust – 24 Lakeside Terrace  
REQUEST WAS APPROVED NW/RD MSV

**8 DOWD RD PUBLIC HEARING CONTINUED**

MEMBERS DISCUSSED THE STATUS OF THE ENFORCEMENT ORDER AND THE LACK OF REQUIRED INFORMATION FROM THE SUBMITTED NOI. A RESPONSE FROM THE APPLICANT TO DEP'S COMMENTS REGARDING HAS





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ALSO NOT BEEN SUBMITTED. A TIMELINE WAS SUGGESTED TO COMPLY WITH THE ENFORCEMENT ORDER.

MOTION WAS MADE FOR THE NEED OF ADDITIONAL INFORMATION ON THE PROJECT INCLUDING AN ENGINEER DRAWING TO BE SUBMITTED. AGENT WILL DRAFT A TIMELINE FOR AN AMENDMENT TO CONDITIONS OF THE ENFORCEMENT ORDER. AGENT WILL TO NOTIFY OTHER DEPARTMENTS (BUILDING DEPT., ZBA, PLANNING BOARD) OF THE UNPERMITTED STRUCTURE(S) AND ASSOCIATED SITE WORK. THE NOI WAS DENIED AS SUBMITTED. NW/KM MSV

**Emergency Permits - Ratify: N/A**

**Public Input and Comments for Items not on the agenda: N/A**

### **MISC:**

New Members

N/A

Minutes - Approve previous meeting minutes  
APPROVED NW/RD WITH SPELLING EDITS

8 Dowd – EO – Update – Discussion  
MEMBERS DISCUSSED THE EO AND THE NOI. (SEE ABOVE)

471 Main – Project Review Determination  
NW BRIEFED THE MEMBERS ON THE ROOF REPAIR PROJECT REVIEW DETERMINATION.

Annual Town Report FY 2023 – Review, Discussion, Approve  
MEMBERS REVIEWED AND SUGGESTED EDITS. AGENT WILL ADD EDITS AND PRESENT AT NEXT MEETING.

Memorandum from Select Board 9.14.2022 Request for additional funds for Agent. Discuss adding fees to filings with Conservation Commission and increase in Agent hourly compensation.  
MEMBERS DISCUSSED THE RESPONSE FROM THE SELECT BOARD. AGENT IS REQUESTING AN INCREASE IN HOURLY RATE. KM CALCULATED THAT A SIGNIFICANT INCREASE IN FEES WILL BE REQUIRED TO FUND THE AGENT'S COMPENSATION. MEMBERS DECIDED TO TABLE THE DISCUSSION FOR THE NEXT MEETING WHEN ALL MEMBERS CAN BE INCLUDED.

Conservation Commission Meeting Minutes  
October 17, 2022 6 pm  
Continued

Review Correspondence – Misc. Mail, Warrant Details, Expense Account  
ACCOUNT REPORTS WERE DISTRIBUTED TO MEMBERS.

Agent Report – Approve Time Sheet  
MEMBERS REVIEWED AND APPROVED RD/NW MSV

Adjourned – 9 pm

APPROVED DATE:

APPROVED – *Noel Wicke, Chair*

*Noel Wicke 12/19/2022*