

# Conservation Commission Minutes 12/12/18

## CONSERVATION COMMISSION

Town of Monterey, Massachusetts

### MEETING DATE: DECEMBER 12, 2018

Present: Jeremy Rawitz (JR), Kimberly Wetherell (KW), Marion Simon (MS)

Absent: Mark Little (ML)

The meeting convened at 6:00 pm

### Continued Hearings:

#### 12 Laurel Bank Rd – Rosenbaum – Request to minor change in plan – DEP File # 230-0293

Mark Reynolds, project manager of Kelly, Granger, Parsons & Assoc., Inc. was in present to represent the property owners. Mr. Reynolds briefly reviewed the current project, the permitted OOC, and the proposed minor changes to the approved plan that they are seeking approval. Mr. Reynolds explained that the majority of the changes lie outside of the 100' buffer zone with the biggest change being that the proposed studio and deck will now be attached to the proposed cottage. The propane tank will be changed to above ground located outside the buffer zone, a change in the walkway will result in 37 sq.ft being within the buffer zone, and the proposed terrace will be reduced in size by a little more than 100 sq. ft moving 5' further away from the lake. These changes will reduce the previously proposed alterations within the buffer zone. Motion was made to accept the minor changes as described on the plan under condition #14. (KW/JR) MSV.

#### 98 Stevens Lake – Simkowitz-request to minor change in plan DEP File # 230.0292

Dana Bixby of Bixby Architecture was present to represent the property owners. Ms. Bixby explained that they have been advised by the landscape architect, Jon Pieasecki to remove an additional Hemlock trees growing on a rock ledge a few feet from the project. The trees pose a threat to the proposed structures including the current infestation of Hemlock Wooly Adelgid Pests, wind exposure, and a poor root system. Mr. Pieasecki suggested a replanting of 3 trees of native species to replace the hemlocks. The architect would also like to install a footing drain around the perimeter of the proposed structure that will drain to daylight beyond the existing tree line. Motion was made accept the minor changes as described on the plan under condition #14 with the special condition that replanting be done in the spring after the Hemlocks are taken down. (KW/JR) MSV

#### Stevens Lake – Monterey- request to extend Order of Conditions File# 230-0250

The applicant could not attend the meeting. This hearing is to be continued.

### New Hearings:

#### 8 Tin Can Point, Lake Buel – Anderson – RDA – request to remove hazardous and decaying trees within a bordering vegetated wetland. (BVW)

Nancy Anderson, the property owner, was in attendance to brief the commission on the proposed project. Ms. Anderson provided photographs and a hand drawn map showing the location and damage or health of the four trees she is seeking to remove. Ms. Anderson stated that there would be no heavy equipment involved in the removal of the trees. All down limbs, trunks and chips will be moved off site. Ms. Anderson agreed to a site visit by the commission at the completion of the project. Motion was made to approval the tree removal with a negative determination #3 with special conditions. (KW/MS) MSV.

### Enforcement & Emergency Orders:

Enforcement Order – 18 Bidwell Rd, Map 101, Lot 30 – Frace- for unpermitted work impacting BVW, and resource area.

The property owner of record, Ms. Shelia Frace could not physically attend the meeting. The commission agreed to a conference call. Members introduced themselves. KW explained the Enforcement Order (EO) in detail to Ms. Frace and the requirements stated therein. Ms. Frace questioned how the square footage of the impacted area was calculated. KW explained that the approximate measurements & calculations were made from MASS GIS Mapping. Ms. Frace explained that she is located out of state, has just recently taken over managing the property in August of 2018, was not aware of any prior unpermitted work that was performed, and that any mentioned work was erroneously conducted without a permit trying to stabilize the structure from the flooding of the stream. Ms. Frace assured the commission that all work has ceased. Ms. Frace is able and willing to cooperate with the commission in complying with the EO but under the unforeseen circumstances is seeking an extension on the requirements of EO, in particular, the deadline of placing the mandatory erosion and sediment control until she can retain a contractor. The commission asked Ms. Frace if it would be helpful to mail a list of local contractors and consultants to help her in choosing a contractor/consultant to perform the requirements of the EO. Ms. Frace agreed. KW will email a list. KW asked Ms. Frace if December 19<sup>th</sup> would give her enough time to comply with the deadline requirement of the EO. Ms. Frace agreed. Motion was made to ratify the enforcement order with the change of extending the deadline for erosion control to no later than December 19<sup>th</sup>. (JR/KW) MSV

**Misc:**

Members reviewed misc. correspondence.

Members approved October 2018 Minutes.

Nomination of Chair was tabled to the next meeting or until there is a full board in attendance.

Meeting was adjourned at 7:30 pm.

Submitted by: Kimberly Wetherell, Conservation Commission

Cc: Conservation Commission Board Members.