



TOWN OF MONTEREY Conservation Commission

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

APPROVED MINUTES

Meeting Date: January 8, 2020
Meeting Time: 6:00 pm
Meeting Place: Town Hall Meeting Room

Present:

Members: Margo Drohan (MD), Roy Carwile (RC), Peter Close (PC), Jeremy Rawitz (JR), Mark Little (ML)
Guests: Mark Stinson DEP (MS)
Agent: Kimberly Wetherell (KW)

Meeting Opened: 6:03

New Hearings & Meetings: *(Applications are heard in the order they are received at the town hall)*

Request for Determination filed by Barbara Wolinsky of 6 Lake Side Ave. for the proposed removal of a decaying deciduous tree within the buffer zone of Lake Garfield.

KW conducted a site visit prior to the meeting. The tree is located in Priority Habitat of rare vegetation. KW advised the applicant to file with NHESP for approval before removing the tree. The application was approved with a Negative Determination #3 with special conditions. RC/ML MSV.

Notice of Intent filed by Jeremy Rawitz of 165 Steven's Lake Way for the proposed clearing, regrading, and associated site work for the construction of a single-family home. The proposed project is with the buffer zone of Stevens Lake.

Mike Kulig of Berkshire Engineering briefed the commission on the project and submitted a new revised plan dated 12.14.19 with an engineer stamp of 12.19.19 and a supplement narrative to the original NOI. The original NOI consisted of a clearing of 600 sq/ft for water access down at the lake. The 600 sq/ft of the project was pulled from the NOI after comments from DEP and the commission regarding concerns about the existing unpermitted clearing of the 600 sq/ft. The revised NOI includes proposed work in the buffer zone consisting of approx. 4000 sq/ft of vegetation/tree clearing and regrading of the area. Proposed replacement includes 1200 sq/ft of wildflower planting and additional 425 sq/ft planting area of blueberry bushes. The remaining area will be lawn. MD requested clarification on the revised plan including additional clearing. PC requested clarification on the permitted work under the current RDA. MS questioned the current clearing in the buffer zone and vista pruning permitted with the current RDA. MS stated that the approved vista pruning is not allowed under the definition of Vista Pruning in the regulations. RC states that there is much confusion on how much clearing was approved and what was actually cleared. MK states that no other clearing within 50' of the lake is being requested. MD questions why more trees need to be removed. MK states that the requested grading is to lower the house and divert the draining away from the steep slope. ML questions the additional square feet of clearing proposed in the NOI. MK states approx. 1200 sq/ft. MD is concerned with the amount of grading and earth removal contributing to additional erosion directed to the lake. MS states that the plan shows proposed clearing outside the property line which is owned by the Stephens Lake Homeowners Association.



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approval should not include any area on the plan outside of the applicant's property line. Discussion regarding the current silt fence, the purpose, and the limits of work. Discussion regarding the SMA. ML states the regulations: Any application that falls within WPA trumps the SMA. MS advises that the CC conditions that no further work is conducted under the current RDA. Public comments (Smoler, Hartman) received by email were read into the record. There were no other comments. The public hearing was closed ML/MD MSV. An order of conditions was approved PC/RC MSV. A special order of conditions was approved RC/ML MSV.

Notice of Intent filed by Monterey General LLC., for the proposed construction of a new septic system and associated site work. The project lies within the inner riparian zone of the Konkapot River.

Chris Tyron (CT) of Berkshire Engineering briefed the members of the proposed project. A site visit by the members was conducted prior to the hearing. Nicki Jervis, trustee for the library, Charles Slater, property owner of the post office, and Ann Canning, trustee of the library were present. Ms. Jervis questioned the number of trees being removed. The plan shows 9 trees to be planted. CT clarified that 4 trees will be removed and 8 will be replaced. Discussion regarding the leach field and new disposal system including a grease trap. The replacement field is above grade. Discussion regarding staging of material. All material will be placed in trucks or off site. Discussion regarding the removal of trees. PC stressed his concern removing the trees. CT states that removing the trees in a controlled manner outweighs the risks of the trees eventually damaging the structure(s) or harm to the public. The commission addressed DEP's comments. KW clarified prior NOI(s). Ms. Jervis has concerns regarding machinery on the library property and would like to do a site visit. ML asked how the water off the porch roof will be handled. Gutters will be installed and tied into the existing gutters and drainage. PC questioned a tree being removed. The tree is not on the applicant's property. No other public comments. Public hearing was closed MD/RC MSV. An order of conditions was issued RC/MD MSV. The application was approved with special order of conditions. PC/MD MSV.

Scenic Mountain Act Notice of Intent Amendment – 89 Fairview Rd – proposed removal of tree. A site visit was conducted prior to the meeting. The members agreed that the tree, a large double oak, in the rear of the property is a threat to the home and the removal will not negatively impact the scenic quality of the area. The request was approved. RC/ML MSV.

Continued Hearings & Meetings:

Request to withdraw RDA filed by Friends of Garfield Lake
The request to withdraw was approved RC/JR MSV

Enforcement and Emergency Orders:

28 Eaton Rd – Ratify
The EC was ratified.
18 Bidwell – EO Compliance Letter
EO compliance Letter was approved.

Certificates of Compliance:

N/A



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Misc.:

Approve Prior Minutes
Approved RC/PC MSV

Discussion – changing monthly meetings to bi-monthly
Topic was tabled.

Review – 2020 meeting dates and deadlines
Reviewed

Discussion – TriResource Approvals – M. Little Draft
Draft of reply letter reviewed

Discussion – Agent cell phone
Approved RC/PC MSV.

Review Misc. Correspondence
No correspondence

Meeting was adjourned at 9:22 pm.

Submitted:
Kimberly Wetherell, Agent

Ryke
MS
pre