



**CONSERVATION COMMISSION**

**Pequitside Farm, Tavern Room  
79 Pleasant Street, Canton, MA 02021  
Wednesday February 26, 2020 @ 7:00 P.M.  
MINUTES OF MEETING**

**Attendance:** Joshua Cohen – Chairman  
Paul Degan - Clerk  
Elizabeth Sugameli  
Melissa Mayer  
Gerald Carmichael  
Kevin Colmey – Vice Chairman

**Absent:** Robert MacDonald - Treasurer

**Conservation Agent:** Regen Milani

**Recording Secretary:** Robin O’Connell McCarthy

**All Conservation Commission Meetings are recorded and available with Canton Cable 8**

Chairman Cohen called the hearing to order at 7:02 p.m.

**Minutes to be approved:**

January 22, 2020  
February 12, 2020

Motion by Paul Degan to vote to approve the meeting minutes for the Canton Conservation Commission for January 22, 2020	
Seconded by Gerry Carmichael	Vote: 5-0-0

Motion by Paul Degan to vote to approve the meeting minutes for the Canton Conservation Commission for February 12, 2020	
Seconded by Gerry Carmichael	Vote: 5-0-0

**A. WETLAND/STORMWATER/LAND DISTURBANCE HEARINGS.**

**Stormwater Notice of Intent and Land Disturbance Permit , Cobb Corner, LLC, 1 Washington Street, [Parcel ID# 23-5] SMP-194-20/LDP-317-20 For construction of a commercial building with drive-thru, parking, landscaping , grading, utilities and installation of a stormwater management system.**

List of Documents:

- *Stormwater Management Application and Land Disturbance Permit application dated 1/28/20*
- *Plans Titled "Site Redevelopment Plans, 1 Washington Street, Canton, MA 02021, stamped by Eric Dias, P.E. , 48158, plans dated 1/28/2020 .*
- *Stormwater Management Operation and Maintenance plan, dated 1/28/2020*
- *Agent Milani comment letter to Strongpoint dated February 21, 2020.*
- *Response to Comments from Strongpoint Engineering to Planning Board dated 1/28/2020.*
- *Site Plan rev 2 dated 2-21-2020, prepared by Eric Dias of Strongpoint Engineering.*
- *PSC Second Evaluation Submission Response to comments , dated February 4,2020*

*Abutter(s) in Attendance: None*

Richard Staiti, Attorney for Petitioner introduced himself and Eric Dias, Engineer with Strongpoint Engineer Solutions. He briefly discussed the project with respect to the Starbucks relocation to this site. He stated that they had been before the Planning Board, received their recommendation and also the Zoning Board. The Stormwater report and O&M report have been submitted. They will be returning to the Zoning Board on February 27, 2020 for closure on this matter. Improvements were made at the request of Canton's peer review Engineering Firm Professional Services Corporation ("PSC").

Eric Dias, presented the site plan and discussed that this was a site redevelopment project and that the project would greatly improve the quality of the stormwater runoff.

Betsy inquired about the actual location of the Starbucks and Eric replied that the location would be to the left of Ace Hardware.

Tom Houston, Town Engineer Peer Reviewer presented a Peer Review Memorandum to the Conservation Committee for their review. He stated that a detailed peer review of the comments was made related to stormwater runoff and provides a great improvement to same.

Question was raised as to the current plans for the building that Starbucks now occupied. Richard and Eric both stated that they could not comment.

*Agent Milani's Comments:*

It is a parking lot. I have not yet finished drafting the conditions but this task should be completed for the March 11, 2020 hearing.

Richard Staiti respectfully requested that the permit be issued to the Applicant by March 11th, as they would like to meet a March 12, 2020 deadline. The Commission agreed that this should not be a problem.

<p>Motion by Paul Degnan to vote to close the public hearing for Stormwater Notice of Intent and Land Disturbance Permit , Cobb Corner, LLC, 1 Washington Street, [Parcel ID# 23-5] SMP-194-20</p>
----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

Seconded by Gerry Carmichael	Vote: 5-0-0
------------------------------	-------------

Motion by Paul Degnan to vote to close the public hearing for Stormwater Notice of Intent and Land Disturbance Permit, Cobb Corner, LLC, 1 Washington Street, [Parcel ID# 23-5] LDP 317-20	
Seconded by Gerry Carmichael	Vote: 5-0-0

**Wetland Notice of Intent, ECA Solar, 28 Draper Lane [Parcel ID# 45-4], DEP File# 124-1249/LDP-317-20**  
 For the installation of roof-top, car port, and ground mounted solar panels, including grading and utilities within the 30' No Disturb Zone and within 100' of Bordering Vegetated Wetland (continued from 2/12/2020).

List of Documents:

- *Notice of Intent and Land Disturbance permit application including wetland delineation data field report.*
- *Site Plan for Solar Canopy, 28 Draper Lane in Canton, Massachusetts, prepared and stamped by Paul Brodmerkle, P.E. 31789, plans dated 1-16-2020 along with a stormwater report dated 1-16-2020.*

*Abutter(s) in Attendance: None*

Applicant requested continuance.

Motion by Paul Degnan to vote to continue the public hearing for Wetland Notice of Intent, ECA Solar, 28 Draper Lane [Parcel ID# 45-4], DEP File# 124-1249 to March 11, 2020	
Seconded by Gerry Carmichael	Vote: 5-0-0

Motion by Paul Degnan to vote to continue the public hearing for Wetland Notice of Intent, ECA Solar, 28 Draper Lane [Parcel ID# 45-4], LDP 317-20 to March 11, 2020	
Seconded by Gerry Carmichael	Vote: 5-0-0

**Amendment to Wetland Notice of Intent, Canton Holdings, LLC., Copperworks 1-18 Minuteman Way "Lot 4" & 25 Minuteman Way "Lot 5" [Parcel ID# 26-232,233] DEP# 124-1169 (formerly Plymouth Rubber Redevelopment Project at 104 Revere Street)** For construction of townhomes, garden-style apartments, a clubhouse, pool area, access roadways, driveways, parking areas, utilities, landscape improvements, and a 4,000- 8,000 s.f. commercial building (continued from 1/8/2020, 1/22/2020, 2/12/2020).

*Abutter(s) in Attendance: None*

Tom Houston, Engineer with PSC presented the Conservation Committee with a peer review response memorandum regarding outstanding stormwater issues. All issues have been resolved to PSC's satisfaction. He received revised site plans with updated stormwater isolator row and PSC approved. Houston stated that the revised Stormwater Report and site plans comply with standard engineering practices.

Agent Milani's Comments:

*Confirmed to close hearing but still needs to put details of special conditions in the OOC.*

Motion by Paul Degnan to vote to close the public hearing on Amendment to Wetland Notice of Intent, Canton Holdings, LLC., Copperworks 1-18 Minuteman Way "Lot 4" & 25 Minuteman Way "Lot 5" [Parcel ID# 26-232,233] DEP# 124-1169 (formerly Plymouth Rubber Redevelopment Project at 104 Revere Street) to March 11, 2020	
Seconded by Gerry Carmichael	Vote: 5-0-0

**Amendment to Land Disturbance Permit, Able Realty/Jay Bullens, Bullens Way Lot 4 [Parcel ID# 31-178] LDP-194-15.** For an Amendment to a Land Disturbance Permit for 10,000 square feet of additional tree clearing on Lot 4 (continued from 1/22/2020, 2/12/2020)

List of Documents:

- *Response to Violation Letter from Munden Engineering, letter dated 12/18/2019, prepared by Gamze Munden.*
- *Violation Soil and Erosion Plan LDP-194-15, prepared and stamped by Gamze Munden of Munden Engineering.*

*Abutter(s) in Attendance: None*

Applicant requested continuance.

Agent Milani's Comments:

*No new information. One affidavit received from Attorney stating no problem with landscaping on Lot 4. Still need confirmation from Applicant that it was ok to clear on their property.*

Motion by Paul Degan to vote to continue the public hearing for a request for an Amendment to Land Disturbance Permit, Able Realty/Jay Bullens, Bullens Way Lot 4 [Parcel ID# 31-178] LDP-194-15 to March 11, 2020	
Secinded by Gerry Carmichael	Vote: 5-0-0

**B. PERMIT FILING FEE STRUCTURE.** Public hearing to solicit public comment on proposed changes to the Canton Wetlands Protection Bylaw (Article XV) Regulations, the Canton Stormwater Management Bylaw (XXI) Regulations, and the Canton Soil and Erosion Control Bylaw (XX) fee schedule. Changes proposed are to 1) eliminate the need for a separate Land Disturbance application process streamlining the permitting process and 2) revisions to each bylaw's fee structure (continued from 12/18/19, 1/8/2020, 1/22/2020 and 2/12/20)

Motion by Paul Degan to vote to continue the public hearing for Permit Filing Fee Structure to March 11, 2020	
Secinded by Gerry Carmichael	Vote: 5-0-0

**C. SIGN AND ISSUE ORDER OF CONDITIONS/STORMWATER PERMITS/LAND DISTURBANCE PERMITS.**

**REQUEST FOR PARTIAL/FULL CERTIFICATE OF COMPLIANCE**

Cardinal's Corner/Jessica Restivo	1159-1183 Washington St., Lot 3	SMP-093-14/LDP-171-14
Full	a/k/a 30 Larkin Ct.	Parcel ID# 44-18 & 83

Construction of a single-family dwelling, including grading, utilities and installation of a stormwater management system.

Agent Milani's Comments:

*Was at site this week. Grass is in and the project looks good.*

Motion by Paul Degan to vote to issue full certificate of compliance for 1159-1183 Washington St., Lot 3 a/k/a 30 Larkin Ct, SMP-093-14/LDP-171-14 [Parcel ID# 44-18 & 83].	
Secinded by Gerry Carmichael	Vote: 5-0-0

Patrick Considine	54 Oak Rd.	DEP File# 124-793C
Full		Parcel ID# 61-104

Construction of an addition to an existing single-family dwelling within the 100' Buffer Zone to Reservoir Pond.

Agent Milani's Comments:

*Everything looks good and the project is ready for issuance of full certificate of compliance.*

Motion by Paul Degan to vote to issue full certificate of compliance for DEP File #124-793C for [Parcel 61-104] 54 Oak Road.	
Seconded by Gerry Carmichael	Vote: 5-0-0

**D. OLD BUSINESS**

**Enforcement Order - Alberta Realty Trust, 1095 Randolph Street [Parcel ID# 106-27]**

Enforcement Order for violation of Wetland Protection Act and Canton Wetlands Bylaw. Illegal fill of approximately 31,000 s.f. of Bordering Vegetated Wetlands with 11,000 cubic yards of construction debris. Alteration of Town of Canton 30 foot No Disturbance Zone around BVW without a permit or variance. Fill of 100 Foot Buffer Zone of BVW without a permit.

Abutters in Attendance: None

Applicant requested continuance

Agent Milani's Comments:

Concerns of number of plantings that have been proposed. Only one-half is being provided of what is required under DEP guidelines. Trees should be included in addition to shrubs to restore the same type of wetland that was filled. Applicant wants to reuse top soil. Further research is needed with respect to this. There are also numerous questions of language regarding restoration of uplands in their plans.

There was further discussion among the Conservation Committee regarding the types of material used for restoration.

Motion by Paul Degan to continue the Enforcement Order - Alberta Realty Trust, 1095 Randolph Street [Parcel ID# 106-27] to March 11, 2020	
Seconded by Gerry Carmichael	Vote: 5-0-0

E. NEW BUSINESS

- Agent Milani's Report:

F. MISCELLANEOUS

Joseph Marotta of 19 Cherokee Road, attended the meeting, an abutter to a project that was not yet on the agenda.

Agent Milani's Comments:

Discussion with Joseph Marotto explaining that two items were taken off of the agenda because the flagging of the wetlands was not on the site plans. The applicant's representative was notified of this prior to the meeting.

**TOPICS NOT REASONABLY ANTICIPATED BY THE CHAIRMAN 48 HOURS IN ADVANCE OF MEETING**

NONE

**ADJOURNMENT**

Motion made by Paul Degnan to adjourn the meeting	Time: 7:28 p.m.
Seconded by Gerry Carmichael	Vote: 5-0-0

**NEXT SCHEDULED MEETING IS MARCH 11, 2020.**

RESPECTFULLY SUBMITTED:

BY:   
Joshua Cohen, Chairman

DATE: 3/11/2020