



CONSERVATION COMMISSION
Pequitside Farm, Tavern Room
79 Pleasant Street, Canton, MA 02021
Wednesday May 22, 2019 @ 7:00 P.M.
MINUTES

Attendance: Kevin Colmey – Vice-Chairman, Paul Degnan – Clerk, Robert MacDonald - Treasurer
Elizabeth Sugameli, Gerald Carmichael, Melissa Mayer

Absent: Joshua Cohen – Chairman

Conservation Agent: Regen Milani

Recording Secretary: Heather Cahill

Conservation Hearings are recorded and available on Canton Community Cable.

7:00 P.M. Open Meeting

Vice-Chairman Kevin Colmey called hearing to order at 7:00 P.M.

Minutes:

April 24, 2019

Motion Made by Robert MacDonald vote approve minutes of April 24, 2019.

Seconded by Gerald Carmichael

Vote: 6-0

May 8, 2019 –

Motion Made by Paul Degnan vote to approve the minutes of May8, 2019.

Seconded by Gerald Carmichael

Vote: 4-0-2

M. Mayer

R. Macdonald

WETLAND /STORMWATER/LDP HEARINGS :

Enforcement Order – Alex Zhang, 454 York Street (Parcel ID# 109-11) 124-1195

Enforcement Order for violation/non-compliance with Wetland Protection Act and Canton Wetlands Bylaw. Work done prior to pre-construction meeting and erosion/sediment control installation, disturbance of 30 foot Buffer zone, sediment, trash, and construction debris in Bordering Vegetated Wetland.

Charlie Pard of Environmental Contracting –

Erosion Control barriers have been installed, existing boulders placed to define the wetlands, debris and trash has been removed and did a little grading.

Agent Milani –

Issued a Cease and Desist and an Enforcement order work was done in the wetlands, erosion control barriers were buried and work was done without Conservation Commission permission. Enforcement order states, restoration plan with recommended plantings, dead timbers need to be removed in the front of property, plan needs to be submitted and approved by June 15, 2019. Applicant has until September 13, 2019 to restore the 30 foot Buffer Zone of a Bordering Vegetated Wetland.

Motion Made by Robert MacDonald vote to issue Enforcement Order for 454 York Street DEP File #124-1195, Restoration plan must be submitted to Conservation by June 15, 2019 and restoration of bordering vegetated wetland and 30 foot No Disturbance Zone to be completed before Friday, September 13, 2019.

Notice of Intent - James Walsh, 301 York Street (Parcel ID# 103-29) 124 – XXXX, LDP-292-19

Notice of Intent and Land Disturbance Permit for the demolition of an existing dwelling and construction of a new dwelling including re-laying an existing town drain, grading, utilities, installation of an on-site septic system, stormwater management recharge system, and restoration of the 30 foot Buffer Zone within 100 feet of Bordering Vegetated Wetland.



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Paul Brodmerkle of Site Design professionals, LLC presented the following

- Remove existing dwelling
- New dwelling to be constructed, septic in rear – elevation to be raised, 30 No disturbed, retaining wall to be constructed.
- Existing lawn to be re-established, planted plan, Red Maple trees removed that encroached wetlands.
- Stormwater management system to be installed for 1850 square feet of area, 1" off roof 155 cubic feet of water storage, system overdesigned.
- Vice-Chairman conditions in draft
- Agent Milani -
- Tree removal done without permission, Agent wants to review plantings for
- This project needs restoration of the Bordering Vegetated Wetland along with the planting of the 30 foot no disturbance zone. Requested area calculation for size of 30 foot no disturbance zone to be replanted/restored.

Abutters:

Mrs. Boremann

376 York Street

Existing house is significantly historical – I'm not in favor of tearing down.

Vice-Chairman Colmey –

Explained to the audience/abutters, can speak on Conservation issues only. Conservation doesn't have jurisdiction regarding Historical, Zoning Board of Appeals or Planning Board issues.

Brian Whippen

304 York Street

Lives across the street from existing dwelling, house is an eyesore, in favor of removal of existing dwelling.

Linda Hamdan

289 York Street

Prefers historical house to be restored, house will spruce up the neighborhood.

Sue Gibbs

378 York Street

Blue Hills Regional High School has been contacted; existing house might be a project for the 2019-2020 school year. Waiting for the school to make a decision.

Stephanie Raymond

307 York Street

Concerned that the existing cesspool is running off into the wetlands.



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James Walsh, applicant for 301 York Street explained the following to Conservation:

In favor of restoring the existing historical home, if Blue Hills Regional does do the project pictures to be taken, house will be measured and restoration will documented during the demolition.

Historical issued a 60 day demolition delay permit, permit expires in late June early July, at which time house will be demolished.

Commissioner Sugameli-

House on a scenic way and is a safety concern but these concerns are not within Conservation Commission's jurisdiction.

Commissioner Carmichael –

Proposed project is being reviewed by historical and in the preliminary stages but there is a possibility that the first black teacher (Mr. Prowd) taught/lived at 301 York Street. Historical Commission is currently reviewing the history.

Agent Milani –

This project needs restoration of the Bordering Vegetated Wetland along with the planting of the 30 foot no disturbance zone. Requested area calculation for size of 30 foot no disturbance zone to be replanted/restored. Recommended hearing be continued to June 5, 2019.

Motion Made by Robert MacDonald vote to continue the hearing for 301 York Street to June 5, 2019.

Seconded by Gerald Carmichael

Vote: 6-0

Notice of Intent - Stonewood Realty Trust – 35 Stonewood Drive, Lot 4 (Parcel ID# 110-57) 124 – 1232, LDP-293-19

Notice of Intent and Land Disturbance Permit applications for the construction of a single-family dwelling including grading, utilities, and installation of a stormwater management system within the 100 Buffer Zone of Bordering Vegetated Wetland and Isolated Wetland.

Paul Brodmerkle of Site Design Professionals, LLC presented the following

- Lot 4 off Stonewood Drive
- Leaching field in front, stormwater at rear, move run-off from the front to the rear towards the rear.
- Possible change in wetland line (to be determined)
- This lot the wetland delineation is definitely not accurate. However, I am checking to see if the permit for the roadway also determines that this permit's wetland delineation is set. The ORAD expired in 2018.



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Commissioner Sugameli-

Did the alterations affect the vernal pool?

Mr. Brodmerkle - No

Agent Milani –

- Wetland delineation for this existing lot is not accurate, wetland delineation needs to be confirmed.
- Currently reviewing the permit for the roadway and determine the permit's wetland delineation is set. The ORAD expired in 2018.
- Are the vernal pools certified? There (2) Designated vernal pools, shown on roadway plan.

Motion Made by Robert MacDonald vote to continue the hearing for 35 Stonewood Drive to June 5, 2019.

Seconded by Gerald Carmichael

Vote: 6-0

Request for Determination of Applicability - T. G. O'Connor, 1 Del Pond Drive (Parcel ID# 78-2), DOA- 84-19

RDA for the repair of a pre cast block wall set atop an existing box culvert within the 100 foot Buffer Zone of a Bordering Vegetated Wetland and Riverfront Area of Pequid Brook.

John March of Farland Corp. presented the following:

- Proposed work is on the existing access road, support blocks of the bridge and box Culvert of Pequid Brook.
- Existing wooden guard rail will be removed and replaced, existing retaining wall will be replaced and box culvert to be installed.
- Erosion control barriers to be installed, inspected and approved by Agent Milani prior to the start of construction.

Agent Milani –

Recommended issuing a Determination of Applicability for 1 Del Pond Drive.

Motion Made by Robert MacDonald to close the public hearing for 1 Del Pond Drive, RDA 84-19.

Seconded by Gerald Carmichael

Vote: 6-0

Motion Made Robert MacDonald vote to issue a Determination of applicability with a Negative 2 for 1 Del Pond Drive, RDA 84-19.

Seconded by Gerald Carmichael

Vote: 6-0



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Request for Extension – Canton Holdings, 104 Revere Street (Parcel ID #), 124-1169 & LDP-22-16

Request for three year extensions for phase one of a multi-phase site redevelopment, demolition of existing buildings, construction of commercial and residential subdivisions, including installation of a stormwater management system within 100' Buffer Zone of a Bordering Vegetated Wetland, Bordering Land Subject to Flooding, and 200' Riverfront Area of the East Branch of the Neponset River/Canton River.

Motion Made by Robert MacDonald to close the public hearing for 124-1169 and LDP 22-16.

Seconded by Gerald Carmichael

Vote: 6-0

Motion Made by Robert MacDonald to approve the Request for an Extension for 124-1169 and LDP 22-16.

Seconded by Gerald Carmichael

Vote: 6-0

Notice of Intent - Town of Canton, 199 Bolivar Street (Parcel ID# 41-41) 124-1230

Notice of Intent for the removal of an existing in-ground pool and kiddie pool, installation of a new in-ground pool and pool area, redevelopment and improvements to existing bath house, parking area, walkways, ADA accessibility, landscaping, grading, with associated utilities, and installation of a stormwater management system within Bordering Land Subject to Flooding, 100' Buffer Zone of a Bordering Vegetated Wetland, and 200' Riverfront of Steep Hill Brook (Continued from 5/8/19)

Agent Milani -

Applicant requested a continuance in order to prepare revised site plans based on engineering comments and Conservation Agent's responses.

Motion Made by Robert MacDonald vote to continue the public hearing for 199 Bolivar Street DEP File # 124-1230.

Seconded by Gerald Carmichael

Vote: 6-0

Notice of Intent- Town Of Canton/Charles Aspinwall, 2157-2173 Washington Street (Parcel ID 82-39)124-1231

(Metropolis Ice Rink) For the renovation of an existing building, improvements to existing parking, walkways, utilities, grading, and installation of a stormwater management system within the 100' Buffer Zone of a Bordering Vegetated Wetland, 30' No Build Zone of a Wetland, and 200' Riverfront Area of Ponkapoag Brook (Continued from 4/24/19, 5/8/19).

THIS IS STILL WAITING FOR DCR/OWNER SIGNATURE REQUIRED BY THE STATE – WE CAN VOTE TO ISSUE PENDING OWNER SIGNATURE AND WE WILL ISSUE ONCE SIGNED:

Agent Milani-

Permits ready, still waiting for DCR to sign application. (signature required by state), recommend approving Orders of Conditions and permits to released when DCR signs the application



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Motion Made Robert MacDonald to approve the Variance Request to work within the 30' No Disturbance Zone and for File # 124-1231.

Seconded by Gerald Carmichael

Vote: 6-0

Motion Made Robert MacDonald vote to approve the Variance Request to work within the Fowl Meadow and Ponkapoag Bog Area of Critical Environmental Concern for File # 124-1231.

Seconded by Gerald Carmichael

Vote: 6-0

Motion Made by Robert MacDonald vote to close the public hearing for 2157-2173 Washington Street DEP File # 124-1231.

Seconded by Gerald Carmichael

Vote: 6-0

Motion Made Robert MacDonald vote to issue the Order of Conditions for 2157-2173 Washington Street File # 124-1231 and to released pending property owner signature on the application.

Seconded by Gerald Carmichael

Vote: 6-0

REQUEST FOR PARTIAL/FULL CERTIFICATE OF COMPLIANCE

35 Saw Mill Pond Road

Toll Brothers

SMP-139-16

Full

Parcel ID# 90-28

Storm Water Notice of Intent for construction of a single family home, grading, utilities and installation of a stormwater management system.

Agent Milani –

Request for Certificate of Compliance was complete for October 25, 2017 (not signed by Commission).

Motion Made by Robert MacDonald to issue a Full Certificate of Compliance for 35 Saw Mill Pond Road file # SMP 139-16.

Seconded by Gerald Carmichael

Vote: 6-0

20 Balancing Rock Road

Toll Brothers

SMP-144-16

Full

Parcel ID# 102-103

Storm Water Notice of Intent for construction of a single family home, grading, utilities and installation of a stormwater management system.

Agent Milani –

Request for Certificate of Compliance was complete for October 25, 2017 (not signed by Commission)

Motion Made by Robert MacDonald vote to issue a Full Certificate of Compliance for 20 Balancing Rock Road File #144-16.



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Seconded by Gerald Carmichael

Vote: 6-0

**52 Oak Road
Full**

Tammy Dietenhofer

**SMP-127-15, LDP-205-15
Parcel ID# 31-11**

Request for Certificates of Compliance

Storm Water Notice of Intent and Land Disturbance Permit 02021 to raze existing single family dwelling with driveway, and construct a new single family dwelling, grading, utilities and installation of a storm water management system. Permits needed to be closed out before approval of an in-ground pool.

Agent Milani –

Recommended issuing Certificates of Compliance.

Motion Made Robert MacDonald vote to issue Full Certificate of Compliances for 52 Oak Road File #SMP 127-15 and LDP 205-15.

Seconded by Gerald Carmichael

Vote: 6-0

**59 Walpole St.
Duplicate Full**

John Marini, New River Village, LLC

124-0972

Attorney Glynn, requesting a Duplicate Certificate of Compliance.

Agent Milani –

Withdrawn– No vote required , Original Certificate of Compliance issued October 1, 2014 was issued and recorded.

**JMS Realty Trust
Full**

Cedarcrest Roadway Extension

**DEP# 124-945
Parcel ID# 31-26**

Notice of Intent for construction of roadway and infrastructure to service a 10 lot residential sub-division at the end of Cedarcrest Road.

Motion Made Robert MacDonald vote to issue a Full Certificate of Compliances for Cedarcrest Roadway Extension File #124-945.

Seconded by Gerald Carmichael

Vote: 6-0

**Cedarcrest Builders, LLC c/o Thomas Mullen, PC. The Village at Cedarcrest
Full**

**DEP# 124-1099
Parcel ID# 19-18**

Notice of Intent for completion of roadway infrastructure and construction of wetland replication and site grading within the 100' Buffer Zone of a Wetland Resource area.