



CONSERVATION COMMISSION
Pequitside Farm, Tavern Room
79 Pleasant Street, Canton, MA 02021
Wednesday September 25, 2019 @ 7:00 P.M.
MINUTES

Attendance: Joshua Cohen –Chairman, Kevin Colmey – Vice Chairman,
Paul Degnan – Clerk, Elizabeth Sugameli, Melisa Mayer,
Gerald Carmichael

Absent: Robert MacDonald – Treasurer

Conservation Agent: Regen Milani

Recording Secretary: Heather Cahill

Meetings are available in their entirety with Canton Community Television.

7:00 P.M. Chairman Cohen called hearing to order at 7:00 PM

Minutes:

September 11, 2019

Motion Made by Paul Degnan vote to approve the minutes of September 11, 2019 as written.

Seconded by Gerald Carmichael

Vote: 6-0

Chairman Cohen took hearing out of order

Jody Middleton, Town of Canton Human Resource Director presented to the Commission hiring a new part-time meeting Board Secretary. Board Secretary position would allow the current office Administrator to focus on the everyday activities and work with the Conservation Agent. H.R. Director Middleton recommended Office administrator work 35hours per week which would be in-line with current staff in town hall. Currently Heather works 32 per week and has worked as the Board Secretary essential she's covered both positions. The new Board Secretary work be scheduled 15 hours per week, work the Conservation Commission hearings, prepare minutes, agendas prepare and submit legal advertisement to the local paper, Board Secretary position is not benefit eligible. Wetland Fund account will fund the Board Secretary position until the next fiscal year.

Agent Milani –

Hiring of a Board Secretary would allow the current office administrator to focus on daily activities, work on the escrow account, help the public/contractors and assist the Conservation Agent.

Commission Degnan –

What are we doing about renting the facility and the rental application?

Motion Made by Gerald Carmichael vote approve hiring a Board Secretary for 15-19 hours per week non benefit and increase the Office Administrator position to 35 hours per week to be in-line with other town hall employees.

Seconded by Kevin Colmey

5-0-1

P. Degnan

WETLAND/STORMWATER/LAND DISTURBANCE HEARINGS:

Wetland Notice of Intent Town of Canton. 92 Pleasant Street, Earl Newhouse Waterfront [Parcel ID# 45-80] 124-1241 For site improvements including grading, landscaping, expanded parking, utilities, trail expansion, and stormwater management systems within 100' Buffer Zone of Bordering Vegetated Wetland, 30' No Disturbance Zone, Bordering Land Subject to Flooding, and Bank and Land Under Waterbodies associated with Reservoir Pond.



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List of Details

- *Notice of Intent application with plans titled "Site Development Plans, 92 Pleasant Street, Earl Newhouse Waterfront Improvement Plans, Phase I prepared by Eric Dias, P.E. 46156 of Strongpoint Engineering, plans dated 9/18/2019.*
- *Stormwater Calculation summary report prepared by prepared by Eric Dias, P.E. 46156 of Strongpoint Engineering, dated 9/25/2019.*

Eric Dias of Strongpoint Engineering presented the following:

Town of Canton Earl Newhouse Masterplan funded through ATM, currently there is an existing gravel driveway, picnic tables and small area to Reservoir Pond water front for canoes or kayaks, some trails, and parking. Proposed Phase 1 design will formalize parking, HP bathroom facilities, ADA access, kayak launch, connection to utilities from Pleasant Street, improve existing trails, and beach front area to access Reservoir Pond. Proposing to take advantage of the area by opening area by removing dead vegetation, scrub trees by using a conservative approach design. Proposing stormwater to be 100% low impact development, NO stormwater basin structures, lawn area would receive and naturally infiltrate run-off, (4) rain gardens with an education signage, bio-filtration swale on the eastern side of the driveway and run-off naturally, 2-10 and 100 year storm event slight increase, Reservoir Pond that is controlled by DPW, stormwater peer review under review with PSC, 30 foot variance request, invasive species outside 100 foot Buffer Zone.

Agent Milani –

Recommended continuing hearing to October 23, 2019 waiting for comments from the Barbara Reardon Town Engineer and Tom Houston of PSC.

Motion Made by Paul Degan vote to issue a variance for work in the 30' No Build Zone.

Seconded by Gerald Carmichael

Vote: 6-0

Motion Made by Paul Degan vote to continue to Earl Newhouse Waterfront, DEP File# 124-1241 to October 23, 2019.

Seconded by Gerald Carmichael

Vote: 6-0

Request for Determination of Applicability – Michael Elkort, 249 York St., [Parcel ID# 104-1] RDA-89-19 For the removal and replacement of existing septic system within the 100' Buffer Zone of a Bordering Vegetated Wetland.

List of Details

- *Request for Determination of Applicability application and plans "Plan & Details Subsurface Sewage Disposal System Upgrade, 249 York St. Canton, MA 02021 prepared by George Collins, P.E. of Collins Engineering plans dated 8/23/2019.*



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- George Collins of Collins Engineering presenting, wetlands have been delineated by Brooke Munroe of Pine Brook Inc., perk test was done in the front yard, proposed septic system to be installed 64 feet away from the wetlands existing system will be removed and replaced, erosion control barriers to be installed along the area of disturbance.

Agent Milani –

Recommended issuing a Determination of Applicability.

Motion Made by Paul Degan vote to close the hearing for RDA-89-19, 249 York Street.

Seconded by Gerald Carmichael

Vote: 6-0

Motion Made by Paul Degan vote to issue a Negative 3 Determination of Applicability, RDA-89-19 for 249 York Street.

Seconded by Gerald Carmichael

Vote: 6-0

Amended Wetland Notice of Intent – Jay Bullens/Able Realty, 20 Beatrice Way [Parcel ID# 19&18- 5] 124-1140
For relocation of retaining wall, installation of sewer line, fence, patio deck and stormwater management system within in the 30' No Build Zone of an existing wetland and 100' Buffer Zone of a Bordering Vegetated Wetland associated to an Isolated Wetland.

List of Details

- *Amended Notice of Intent letter with plans titled "Amendment plan for 20 Beatrice Way, Canton, MA 02021", stamped by Gamze Munden P.E. 54125, dated 8/30/2019 for unpermitted work done after the fact within the 30' No Build Zone.*
- *Request for Variance letter for work in the 30' No Build Zone prepared by Gamze Munden of Munden Engineering received Sept. 24, 2019.*

Jay Bullens of Able Realty applicant and Gamze Munden of Munden Engineering submitted an Amended Notice of intent Mr. Bullens did unpermitted work to resolve water issues and violation for work without approval to receive a Certificate of Compliance. Mr. Bullens and homeowner Charisse Brittell Powell having been trying to mitigate water issues, requesting Conservation Commissions approval for an Amended Notice of Intent.

Charisse Britten Powell current homeowner –

Explained to Conservation the contractor Jay Bullens of Able Realty sold her the house without a Certificate of Compliance, water issues in the basement seeping thru the house foundation causing mold, work done with out approval and work done in the 30' No Build Zone. Ms. Powell had to move out of house to remove mold, and requesting Conservation issue an Amended Notice of Intent.



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Agent Milani –

Request for Certificate of Compliance was submitted but not issued by the previous Agent. A Certificate of Compliance wasn't issued due to the violations and a denial should have been issued. Chairman Cohen, Agent Milani and Building Commission Ed Walsh conducted a site visit during November 2018, requiring contractor Jay Bullens file an Amended Notice of Intent to rectify violations for a Certificate of Compliance to be issued.

Motion Made by Paul Degnan vote to approve variance request for work in the 30' No Build Zone, DEP File# 124-1140, 20 Beatrice Way.

Seconded by Gerald Carmichael

Vote: 6-0

Motion Made by Paul Degnan vote to issue an Amended Order of Conditions DEP File# 124-1140 for unpermitted work in the 30' No Build Zone and resolve water issues within the existing single-family home as discussed and written in the Order of Conditions.

Seconded by Gerald Carmichael

Vote: 6-0

REQUEST FOR PARTIAL/FULL CERTIFICATE OF COMPLIANCE

Hesham Hamoda

45 Magnolia Way

124-906

Full

Parcel ID# 082-041

For property formerly located at 2224 Washington Street, Lot 10 for the proposed construction of a single-family home including grading and utilities within the 100' Buffer Zone of a Bordering Vegetated Wetlands

Motion Made by Paul Degnan vote to issue Certificate of Compliance for 45 Magnolia Way DEP File# 124-906.

Seconded by Gerald Carmichael

Vote: 6-0

Town of Canton DPW

Earl Newhouse Waterfront

124-1172

Full

Parcel ID# 45-80

For the expansion of the existing parking area closer to Reservoir Pond including the relocation of two handicapped parking spaces within 100' feet Bordering Vegetated Wetland associated with Reservoir Pond.

Agent Milani –

Recommended issuing a full Certificate of Compliance for an Order of Conditions that was issued for the beginning phase of the Earl Newhouse Front Master plan, DEP File 124-1172.

Motion Made by Paul Degnan vote to approve a full Certificate of Compliance for DEP File# 124-1172, Earl Newhouse Waterfront.

Seconded by Gerald Carmichael

Vote: 6-0

OLD BUSINESS

Alberta Realty Trust. 1095 Randolph Street. (Map 106 Lot 27) DEP # 124-1067

Presentation on results of new test pits dug to confirm extend of fill placed within wetland jurisdiction.



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- SWCA Environmental Consultants provided a PowerPoint Presentation identifying the requested boring test pit locations completed in August 2019, Agent Milani, Commissioner Sugameli, Owen and Mary Hughes property owners witnessed excavation of test pits.
- LSI Evaluation & Methodology memorandum by SWCA Environmental Consultants dated 9/4/2019 explaining results of boring test pits.
- LSI proposal and LSI final site plan prepared by SWCA Environmental Consultants dated 7/22/2019.

Owen and Mary Hughes and SWCA Environmental Consultants provided a follow up meeting and explained to Conservation the boring test results. No hazardous materials found in the boring tests and need direction from Conservation on how to proceed.

Agent Milani –

No hazardous materials found, Conservation will have to issue an Enforcement Order at the next meeting because current Order of Conditions will expire October 2019. Enforcement Order to be issued requiring applicant submit a plan with timeline for removal of existing fill.

NEW BUSINESS

Agent Milani -

- Update to Rules for Conservation Lands –
Add the revision is to allow mountain biking in the Wardwell trails, catch and release fishing only some fish have lead issues precede at your own risk. Post updated rules for Conservation Lands on Conservation and Town of Canton website and Post signage with updated rules.
- Agent's Report

ADJOURNMENT

Motion Made by Paul Degnan vote to adjourn September 25, 2019 hearing at 8:30 P.M.

Seconded by Gerald Carmichael

Vote: 6-0

Respectfully Submitted,

Joshua Cohen, Chairman
Conservation Commission

10/23/19
Date