

Charlemont Conservation Commission Meeting Minutes
October 3, 2018
Charlemont Town Hall

Conservation Commission Present: Doug Telling, Bill Harker, Tom Shields and Steve Ferguson
Absent: Rob Lingle
Guests: Mark Stinson D.E.P., William Childs, Chelsea Maynard and Justin Maynard

Meeting called to order at 6:00 pm

- ⑩ Con Com members received MACC membership cards
- ⑩ Telling announced upcoming flu clinics
- ⑩ Ferguson received Con Com ID card and provided his contact information
- ⑩ Reviewed mail and signed minutes

6:15- Telling opened hearing for RDA Application for William Childs to replace existing drain pipe at 91 Main Street.

- ⑩ Original request was for 15” pipe. Mass. Highway advised Childs to install 8” pipe. Harker was present for this conversation. Childs amended his plan to show 8” pipe with 6” feeders.
- ⑩ Stinson advised Childs to include “restore to existing condition” on his plan and he did so.
- ⑩ Harker made motion to issue 2 Determination for work in resource area at 91 Main Street. Ferguson seconded. Passed unanimously. Commission issued Form 2 to William R Childs and Donna K Childs.

Hearing closed at 6:30.

6:35- Opened hearing for work performed in resource area without a permit at 200 Avery Brook Road by Justin and Chelsea Maynard.

- ⑩ Work observed during site visit by Harker and Telling included fruit trees planted, drainage ditch dug and improper stream bank stabilization.
- ⑩ Stinson advised Cease and Desist order, followed by Notice of Intent from Maynards after hiring a qualified restoration consultant. Stinson, also, advised Maynards to use a hydrogeomorphologist for stream work plan,
- ⑩ Stinson advised that Con Com issue immediate stabilization for hay bales, etc. for erosion, then stabilization plan for winter.
- ⑩ Stinson outlined scenario for Maynards, i.e. immediate stabilization, restoration and permitted work that Maynards wish to do, such as Notice of Intent with hydrogeomorphologist.
- ⑩ Telling paraphrased scenario for Maynards, confirming that our current issue is stabilization and restoration but that restoration work could be circumvented by permitted work through Notice of Intent by geomorphologist/restoration consultant.

- ⑩ Stinson explained to Maynards that there are two regulatory pathways available for them to follow. One, the enforcement path, requires restoration of site. The other, requiring the Notice of Intent for work to be performed is the permitting/regulatory path.
- ⑩ Telling discussed language for the enforcement order. Stinson will email enforcement language to Telling.
- ⑩ Telling will deliver Enforcement Order to Maynards on 10/4/18. Order will state that stabilization be accomplished by 10/19/18 with hay bales placed immediately. Furthermore, intend to review and approve restoration plan on 4/3/19

Adjourned at 7:35 pm

7:35- Order of Conditions for Kevin Ricci, 111 Rowe Road.

- ⑩ Harker moved compliance for 111 Rowe Road. Shields seconded. Passed unanimously. Form 8B Certificate of Compliance to be issued for 111 Rowe Road.

7:40- Stinson reviewed wetlands for solar installation, including bordering flooding and isolated flooding.

8:11- Ferguson motion to adjourn. Telling seconded. Meeting adjourned at 8:11

Respectfully submitted by Steve Ferguson

Minutes not official until signed.

Documents:

MACC Fall Conference Notice

RDA Application from William Childs

Minutes 12/6/17

Meeting Agenda 10/3/18

Certificate of Compliance from Gisela Walker

DCR Review of Forrest Cutting Practices Act

National Grid Right of Way Map #1589 IVM2018

WPA Form 2 for William Childs

Stream Bank Restoration Project for 200 Avery Brook Road

Forms 8A & 8B for Kevin Ricci 111 Rowe Road