

Charlemont Conservation Committee
June 8th, 2023 6:00 pm
Via conference call and in person, Town Hall
Meeting Minutes

Members Participating: Thorne Palmer, Barbara Beall,

Others Participating: Justin Maynard via conference call, Star Atkeson, secretary.

Thorne called the meeting to order 6:03 P.M.

APPOINTMENT:

1. Public Meeting for Request for Determination of Applicability (RDA) from Justin Maynard, 200 Avery Brook Rd, for placement of shipping container and shed.

Thorne and Barbara discussed Justin's placement of a shed and a shipping container on his property. The entire property is subject to the Wetlands Protection Act due to Avery Brook and therefore requires a positive determination. Thorne offered that Justin contest their decision with the DEP and they would come out and take a look. If they also found it to be a positive determination he could then submit an NOI. Justin is not happy with the decision but would rather submit a Notice of Intent (NOI) than contest the determination with the Department of Environmental Protection. Thorne and Barbara repeatedly offer that option as a good course of action as the DEP are the experts. The ConComm would accept a DEP ruling of a negative determination.

Barbara noted that it was a total of 516 sq feet of vegetation that would be altered because of the two structures.

Barbara and Thorne are not comfortable with Justin's proposed location for the shipping container as it would have been near an area of bank that was previously restored after washing out. Justin didn't think it would be a problem as the bank was restored and he had been issued a Certificate of Compliance for the work.

They clarified what it was that the building inspector wanted. The building inspector wanted the structures to be removed; the ZBA tried to make it work by having new locations for the structures which were closer to the Brook.

Justin is firm that the building inspector said the Town could grant a variance. Barbara thinks the structures should be removed. The Board wants to find out if a variance can be granted for a relocation of the structures or if the variance would be granted to keep them where they are and if not granted then the structures taken off the property. Thorne said he would call the building inspector to get clarification. Justin asked him to ask whether he could propose leaving the shed positioned next to the road, where it is, for his Notice of Intent.

Barbara Beall made a motion to vote on the Maynard RDA , Thorne Palmer seconded.

Thorne Palmer asked if there was anyone in favor of a negative determination. There was no response. Thorne Palmer asked if anyone was in favor of a positive determination. Barbara Beall —Aye, Thorne Palmer — Aye for a positive determination on the Request for Determination of Applicability (RDA) submitted by Justin Maynard.

Thorne asked Justin about his resignation from the Board. He said he resigned in January. They knew he said he wanted to resign but he had never submitted a resignation letter. Justin confirmed that he was officially resigning.

ACTION ITEMS:

1. Review Approve/Minutes from 5/11/2023.

Barbara Beall Motioned to accept the 5/11 Minutes as written. Thorne Palmer seconded it. All in favor.

2. Give Justin his letter of volunteerism.
Justin will be mailed the letter.

3. ***Appoint ConComm member to be on Earth Removal Committee
Barbara Beall volunteered to be on the Earth Removal Committee.

Thorne Palmer made a motion to Appoint Barbara Beall to the Earth Removal Committee. Barbara Beall seconded it. All in favor.

DISCUSSION ITEMS:

1. Establishing a ConComm library (links and hard copies) for the Commission and the community; next steps with Mark Stinson's emailed links
 - Thorne hasn't had a chance to get together with Sarah, but his understanding is that you can log in, use a tool (Something like Blackboard or Moodle) and it should be simple to put the WPA blurb on there and several links. Lynn, Massachusetts had good questions and responses they could borrow.
 - If there was a way to create different tabs they could do a library of all the links and the Q&A.
2. Clarification on RDA procedures going forward.
 - It should be by certified mail or hand delivered. The Board has 21 days from receipt of the RDA to make their decision. A legal ad needs to be placed 5 days prior to the meeting.
 - A Notice of Intent (NOI) is more complicated, the abutters need to be notified as well.
3. **All Board meeting (June 20th) agenda item proposals
 - Thorne and Barabara agree to talk about Educational components about the Wetlands Protection Act for the website and the RDA's that the ConComm has done.

Barbara Beall made a motion to close the meeting at 6:50 PM, Thorne Palmer seconded it. All in favor.

The next meeting will be held on July 13th, 2023.

Minutes respectfully submitted by Star Atkeson 07/12/2023.

Documents reviewed in meeting:

Agenda of 6/08/2023 Meeting

Minutes of 5/11/2023 Meeting

Maynard RDA