

**CONSERVATION COMMISSION
AMENDED AGENDA
NOVEMBER 19, 2008**

7:15 Sidewalk Committee – Paulina Knibbe / Bettina Abe / Kate Chung

Certificate of Compliance – Spring Hill Common 85-939 (020)

MINUTES

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|------------|-------------------|--------------------|------------------|
| October 1 | comments rec'd by | TM, FP, JA | <i>SIGNATURE</i> |
| October 15 | “ “ “ | TM, TT, FP, JM, JA | |
| November 5 | forthcoming | | |

7:40 NOI - Continuation - Residence at Quail Ridge
No additional supplemental information submitted.



**CONSERVATION COMMISSION
MINUTES
NOVEMBER 19, 2008**

MEMBERS PRESENT: Terry Maitland, Janet Adachi, Patty Lee, Fran Portante, Julia Miles, Linda Serafini

ASSOCIATE MEMBER: Toni Hershey

RECORDING SECRETARY: Andrea Ristine

VISITORS: Paulina Knibbe, Bettina Abe, Kate Chung, Ben Ewing, Mark Munson

7:19 Sidewalk Committee – Paulina Knibbe / Bettina Abe / Kate Chung

Kate Chung presented an overview of goals and objectives for the Sidewalk Committee (SC). Their main goal is connectivity throughout town. There are currently six high priority areas in town on Main Street, Great Road, High Street, Prospect Street and Central Street.

Paulina Knibbe noted that the Sidewalk Committee would like the Conservation Commission to provide a letter in support of the Main Street sidewalk, from Great Road to Post Office Square, for the April 2009 Annual Town Meeting.

Mr. Maitland reported that the Commission did issue an Order of Conditions permitting the Main Street sidewalk project.

Ms. Knibbe stated that, the SC nonetheless would like a letter from the Commission supporting the project since it still needs Town Meeting approval. The Commission agreed to provide a statement.

7:43 NOI - Continuation - Residence at Quail Ridge

Ben Ewing, from Stamski & McNary, reported that all filings fees have been submitted and revised plans are being designed at this time; the Planning Board has issued their decision. Mr. Ewing presented excerpts of amended plans to the Commission noting that the Applicant is also asking that this hearing be continued pending the submittal of final amended plans. The wetland delineation at Fairway 10 (F10) changed slightly from the original delineation done in 2001. Mr. Ewing submitted an excerpt of an amended plan showing the new delineation and proposed wetland fill at F10. Mr. Ewing reported that Mr. Tidman has reviewed this area but the Commission has not been on site since this amendment. The design aspect has not significantly changed at this proposed wetland crossing.

Upon query by Ms. Lee, Mr. Ewing reported that there are changes proposed at the existing Quail Ridge Country Club (QRCC) entrance at Great Road; the existing sign will be moved, the dividing median at the entrance will be removed and the existing curve at the roadway entrance will be straightened. The proposed five-foot wide sidewalk will be cantilevered out one foot at the existing wetland crossing adjacent to the entrance. These proposed changes will allow for the sidewalk and two traffic lanes required by the Planning Board.

Upon query by Ms. Adachi, Mr. Ewing provided an overview of proposed changes in the Commission's jurisdiction, stating that the proposed amendments address the Planning Board decision; the line of proposed housing units has been realigned, one unit will be 98' from the edge of wetlands with very little resource area changes.

Upon query by Ms. Portante, Mr. Ewing noted that the wetland delineation has changed between Wetland Flags L49-G, L49-H and L54.

Mr. Ewing also reported that the recent Planning Board Decision requires that the proposed entrance to Hazelnut Street be a full 20' wide access road. The Concord Water District access road partially

overlaps this access road and will involve a slight realignment and grading to blend with Quail Ridge Drive.

Upon query by Ms. Lee, Mr. Ewing stated that the Applicant is requesting that the hearing be continued for one month in order to submit complete revised plans reflecting the Planning Board Decision.

8:12 Mr. Maitland continued the hearing until December 17, 2008 at 7:30 PM.

CITIZENS' CONCERNS

Mark Munson from 4 Huckleberry Lane reported to the Commission that he is embroiled in an unusual situation with his neighbor at 6 Huckleberry Lane (6HL). There is an existing 20' wide drainage easement on 6HL that Mr. Munson feels is blocked with debris resulting in flooding of part of his property. He has other concerns/issues with this neighbor, is under daily harassment, and has started to build a fence along the easement which he feels is outside of the 100' buffer zone of Partridge Pond. The owners of 6HL contacted Mr. Tidman as to whether the fence is within the Commission's jurisdiction. Mr. Tidman visited the site and informed Mr. Munson that a formal wetland delineation along the easement is needed because Mr. Tidman feels that wetlands exist along the easement. Mr. Munson disagrees that wetlands exist in this area and is distraught with Mr. Tidman's position and may seek legal action against the Town; he is not sure of the course of action he will take. Mr. Tidman also provided Mr. Munson with the names of three qualified wetland specialists to choose from to delineate the area in question; Mr. Munson has not yet contacted a consultant and would prefer to have a different regional specialist do the work. The regional DEP office in Worcester has been involved and has contacted Mr. Tidman regarding this issue but Mr. Munson is not sure of DEP's position. Mr. Munson is trying to gather information and educate himself on the process within the Wetlands Protection Act (WPA). Mr. Munson also stated that he will not meet with the residents at 6HL even within a public meeting unless a police officer is present. Mr. Munson has ceased further installation of the fence until resolution is met. Mr. Munson stated that he is distrustful of the system and the Town.

Mr. Maitland stated that if Mr. Tidman visited the site and felt that the area in question is a wetland then Mr. Munson should hire one of the three reputable wetland specialists recommended by Mr. Tidman and submit a filing under the WPA. Mr. Maitland noted that the installation of a fence may be allowed through proper procedure; it is in Mr. Munson's best interest to properly follow through the process.

Mr. Maitland recommended that Mr. Munson agree to hire one of the three suggested wetland professionals to evaluate his property and represent him before the Commission.

8:29 Certificate of Compliance – Spring Hill Common 85-939

Ms. Ristine reported that Mr. Tidman has reviewed the site and found the project to be complete and stable.

Ms. Adachi moved that the Commission issue a Certificate of Compliance for DEP File No. 85-939; Ms. Portante 2nd, unanimous.

Site Walk – 442 Massachusetts Avenue, Lalli Terrace – the Commission scheduled a site walk on November 26, 2008 at 8:00 AM.

MINUTES

Ms. Miles moved that the Commission approve the minutes for October 1 and October 15, 2008.

8:55 Meeting adjourned.



Terrence Maitland
Chair

ahr:concom.minutes.2008.111908