Members Present: Chair Larry L. Cohen, Vice Chair William Boivin, Indra Deb, Ed LoTurco, John Ramsdell

Members Absent: Jennifer O’Riorden and Gail Lima

Also Present: Conservation Administrator John Keeley and Assistant Conservation Administrator Eileen Coleman

1. Call to Order
Mr. Cohen called the meeting to order at 7:00 PM.

2. Citizens’ Time
No one came forward to speak.

3. Approval of Minutes – October 10, 2019
MOTION - Mr. Boivin made a motion to approve the Conservation Commission minutes of October 10, 2019 as submitted. The motion was seconded by Mr. Ramsdell and voted 5-0-0.

4. Request for Certificate of Compliance & Release of Surety

4a. 204 Fox Hill Road – Langone Development – DEP #122-617
Mr. Keeley stated that this was a tear down and rebuild of a single family home. The temporary occupancy was signed a few weeks ago. The lawn is established, the fence is installed, the landscaping is all set and driveway is pitched towards a stone trench. This was installed per plan so he recommends approved.

Mr. Boivin stated that he is an abutter to this project. He was approached by his neighbors and they were very happy with the process.

MOTION - Mr. Ramsdell made a motion to issue a Certificate of Compliance for 204 Fox Hill Road, DEP #122-617. The motion was seconded by Mr. Deb and unanimously voted 5-0-0.

MOTION - Mr. Boivin made a motion to release the $2,500 bond for 204 Fox Hill Road, DEP #122-617. The motion was seconded by Mr. Deb and unanimously voted 5-0-0.

4b. 34 Cambridge Street – CVS Pharmacy – DEP #122-615
Brian Dunbar of T.M. Crowley & Associates appeared for the Certificate of Compliance for DEP #122-615. Mr. Dunbar stated that the Order of Conditions has been issued. The building and site renovations are completed and an as-built plan has been submitted.

Ms. Coleman stated that this project was in the buffer zone of the BVW. The applicant has been very responsive and reports were submitted. The trash enclosure has been installed. There is one lump of asphalt that needs to be removed but other than that the site is complete. Mr. Cohen asked when the trash is going to be picked up. Mr. Keeley stated that they are planning on doing that this week.
MOTION - Mr. LoTurco made a motion to issue a Certificate of Compliance for 34 Cambridge Street, DEP #122-615. The motion was seconded by Mr. Boivin and unanimously voted 5-0-0.

MOTION - Mr. Deb made a motion to release the $5,000 bond for 34 Cambridge Street, DEP #122-615. The motion was seconded by Mr. Boivin and unanimously voted 5-0-0.

5. Request for Determination of Applicability

5a. 5 Alcine Lane – Langone Development Group Inc. – Remove Pool & Clear Trees

Jonathan Langone appeared for the Request for Determination of Applicability for 5 Alcine Lane. Mr. Langone stated that new construction is being proposed for this lot and the house is outside of the wetlands. They are planning to remove an existing pool and pine trees. Both of these are 100’-150’ from the wetland area.

Mr. Keeley discussed the following points:

- This application is within the riverfront. He is not sure if there are wetlands behind the property but certainly the riverfront is affected.
- The house is beyond the 200’ buffer zone but the pool and trees are within it.
- The roof and driveway runoff should be addressed as a condition of the approval.
- The trees on the side of the house were in bad shape and should be removed. They are also proposing removing the existing fence and installing a new fence 10’ in from where the new trees will be planted.

The Conservation Commission discussed/questioned:

- How many new trees will be taken down?
- Can the bird house in the existing tree be moved to a new tree if there is anything in it?
- What type of erosion controls will be used?

The applicant offered the following responses:

- There will be a total of 13 will be taken down and 3 new ones will be planted.
- The bird house can be moved to a new tree.
- There are wattles in place around the site and they will replace any that are damaged.

There were no questions from the audience.

MOTION - Mr. LoTurco made a motion to issue a Negative Conditional Determination for 5 Alcine Lane. The motion was seconded by Mr. Ramsdell and unanimously voted 5-0-0.
5b. **58 Macon Road – Louis A. Magliozzi – Construct Residential Addition**

Louis Magliozzi appeared for the Request for Determination of Applicability for 58 Macon Road. Mr. Magliozzi stated that he is proposing to construct a family room addition with a garage under, construct a new driveway and level the back yard. They will also be taking down an old shed that is falling down.

Ms. Coleman discussed the following points:

- The wetlands are directly off the property and have been flagged. We have not verified the flag locations.
- There is concern with leveling the yard in the back.
- There is also concern with the driveway getting closer to the BVW.

The Conservation Commission discussed/questioned:

- Does the proposed driveway pavement go 20’ passed the proposed addition?
- There should be no grading within the 20’ no disturb zone.
- How does the driveway pitch?
- Will dirt be brought into the site?
- Will any trees be removed?

The applicant offered the following responses:

- The driveway pavement will not go past the addition. The yard will be graded down to match the driveway slope.
- The driveway pitches to the left which is away from the house and he will also be installing a stone trench at the edge of the driveway.
- He will be taking fill out when he grades his yard. The grading will not be within the 20’ no-disturb zone. His yard slopes down into the wetlands.
- There will be no tree removal required.

Mr. Keeley asked when cars pull into the garage what side will they come into. Mr. Magliozzi replied they would come in on the left side.

There were no questions from the audience.

**MOTION** - Mr. Boivin made a motion to issue a Negative Conditional Determination for 58 Macon Road with the additional condition that the driveway will pitch towards a stone trench away from the house. The motion was seconded by Mr. Ramsdell and unanimously voted 5-0-0.
6. **Administration**

6a. **Planning Board Comments**

There were no Planning Board comments.

6b. **Subcommittee & Staff Reports and Updates**

There were no subcommittee or staff reports.

6c. **Upcoming Meetings – November 14, 2019 and December 12, 2019**

6d. **Other Business**

Mr. Keeley stated that there was an emergency certification was issued today for a culvert repair that was needed between 8 and 12 Fred Street. He asked that the Commission ratify the condition.

**MOTION** - Mr. Ramsdell made a motion to ratify the Emergency Certificate to repair the culvert between 8 and 12 Fred Street. The motion was seconded by Mr. Deb and unanimously voted 5-0-0.

Mr. LoTurco attended the Open Meeting Law meeting last night given by Town Counsel and it included the requirements for Remote Access Participation. It is up to the Chairman to decide if a Remote Access Participation is allowed and all votes would be a roll call vote. There were additional items discussed such as:

- Agendas must be followed and must be posted 48 hours in advance.
- Minutes should include a list of all reference materials for the meeting.
- Ask the audience if anyone is recording the meeting
- Cautioned on discussing agenda items through emails.
- Any meeting that has a quorum of the board/commission needs to be posted.
- Chairman can change the agenda for an emergency item.

Mr. Keeley stated that our agenda are published at least one week in advance.

Mr. Boivin stated that 82 Wilmington Road came before us for a Request for Determination of Applicability. All the trees were cut down. Mr. Keeley stated that they are coming back before the Board for a Notice of Intent. Mr. Boivin wants the surveyor and tree company noticed because they gave the homeowner bad advice.

7. **Adjournment**

**MOTION** - Mr. Ramsdell made a motion to adjourn the October 24, 2019 Conservation Commission meeting at 7:45 PM. The motion was seconded by Mr. Boivin and unanimously voted 5-0-0.

Respectfully Submitted by Dawn Cathcart, Recording Clerk