

TOWN OF AVON
2022 APR 28 P 7:08
TOWN CLERK

Conservation Commission
65 East Main Street, Avon, MA 02322

Kevin Mooney, Chairperson
Christopher Canducci, Member

Edward J Mekjian, Vice Chairperson
John J Costa, Member

December 9, 2021

Members Present: Kevin Mooney, Edward Mekjian, Christopher Canducci, John Costa

Others Present: Shawn Hardy, Ken Thompson, Marjorie Walsh-Baschieri, Leah Graf, Domenic Quintiliani, Krista Winter, Matthew Tavares, Marie Lightbody

Mr. Mooney opened the meeting at 7:00 pm

Mr. Mooney announced that the meeting is being recorded by Zoom. Roll call was taken with those present.

Chairman Mooney announced that pursuant to government Baker's order March 12, 2020 suspending certain provisions of the Opening Meeting Law GL 38 S 18 in the Governor's March 15, 2020 order imposing a strict limitations of the number of people that may gather in one place this meeting of the Conservation Commission is being conducted via remote participation, No in person attendance of members of the public was permitted but every effort was made to ensure that the public COVID adequately access the proceeding as provided in order Chairman Mooney reminded the viewing audience that persons who would like to view this meeting while in progress may do so by joining the Zoom link for the videoconference.

Approval of Minutes

Mr. Mekjian made a motion, seconded by Mr. Costa to approve the following minutes: November 18, 2021. Roll call: Mr. Mooney voted aye; Mr. Mekjian voted aye; Mr. Costa voted aye. Motion carries.

Old Business

20 Ledin Dr. Order of Conditions was undeliverable and returned to the town hall.

New Business

Mr. Costa made a motion, seconded by Mr. Mekjian to approve the meeting schedule for calendar year 2022. Roll call: Mr. Mooney voted aye; Mr. Mekjian voted aye; Mr. Costa voted aye. Motion carries.

Chair Mr. Mooney reminded the Commissioners to acknowledge the Open Meeting Law and Conflict of Interest and sign off on the form at the Town Hall, or they can sign it at the January meeting, which will be held hybrid.

Chair Mr. Mooney came to an agreement with Beta Group. There will be one inspection a month with a written report. Joanna Hills Estates will be sending in a check to the commission to cover this expense.

APEX sent email they have gone over the letter regarding 30 Memorial Dr. being a no salt zone. They will confirm with the management and contractors. The commission received the quarterly report and there were no signs of salt content.

Two notices from Zoning Board of Appeals- December 7th 532 East Main St., no wetland issues on the hearing. Mr. Mooney will look up the address for the January 4th hearing on 382 Page. St.

Public Record Request for 100 Ladge Dr. 2004-2005 project. Received the Certificate of Compliance in 2014. No records could be found.

Proposed new Rules and Regulations are on the town website. Looking to hold public hearing at the meeting in January 2022. Commissioners are asked to identify the points that need to be changed or reviewed.

Notice of Intent – 0 Langley Rd. ABG Trust- Present is Shawn Hardy, Hardy and Man Design Group and Ken Thompson, Wetland Consultant on project. (William Leonard, Applicant) Mr. Hardy presented the project, construction of a sound barrier within land subject to flooding and buffer zone. Mr. Mooney read two emails received from residents. Mr. Mooney will be recusing himself from this case, just assisting with zoom and reading emails. First one from Domenic Quintiliani and Krista Winter from 32 Langley Rd., second from Marjorie Walsh-Baschieri, 25 Langley Rd. both emails addressing many concerns on the project. Ms. Walsh-Baschieri was also present, wanted clarification on the project, is it the current barrier, there will not be a new one constructed. This will include new plantings. Leah Graf, 47 Langley Rd. has concern about waste, and dumping hazardous waste into the wetland, Mary Lee Brook runs in her backyard. Domenic Quintiliani made clarification on activity at property. Water runs toward Randolph. Property is sloped away from residents. Mr. Costa suggested that the Commission do another site visit and notify other boards and committees of residents' concerns, the rest of the commissioners didn't feel the need to revisit. Project was presented to the Building Inspector and has received a building permit. Will change trees from Oaks to Pine and include brush (close to ground level).

Mr. Costa made a motion, seconded by Mr. Canducci to approve the following order of conditions:

- ASC1- Vegetated areas within the buffer zone shall have all invasive plants removed and treated, a treatment plan and schedule shall be submitted to the Commission at least 45

days prior to the start of treatment. A 48 hour notice to the Commission, just prior to the start of the work.

- ASC2 – Proposed plantings plan with trees and brush that will provide cover of the sound barrier and assist in sound reduction; shall be submitted to the Commission at least 60 calendar days before planned planting for approval. A 45 day notice shall be submitted to the Commission prior to the plantings with a 48 hour notice just before.
- ASC3 – All work shall be performed minimizing disturbance of the buffer zone and work area.
- ASC4 - Anything that falls onto the street is to be clean up immediately.
- ASC5 - Photographs of the project area shall be taken A) Prior to work, B) During the main construction and C) After the work is completed. The applicant shall supply a copy of the photographs with their request for Certificate of Compliance.
- ASC6 – The Certificate of Compliance shall be requested as soon as practical after the work is complete and the undisturbed area have stabilized. After the Certificate is issued, the DEP sign with the project number is to be removed.
- ASC7: - The commission approves the building of a Concrete Sound Barrier Fence erected within the buffer zone of the resource area.
- ASC8 – The Commission approves the disturbance within the buffer zone of up to 1,483, mitigation for the disturbance is the plantings and invasive species control listed above.
- ASC9 - Due to the limitations to access due to the Corona Virus Pandemic, the hearings are held remotely and the Commission authorizes the Chairman to sign for the Commission members.

for 0 Langley Rd. Roll call: Mr. Mooney abstained; Mr. Mekjian voted aye; Mr. Costa voted aye. Mr. Canducci voted aye. Motion carries.

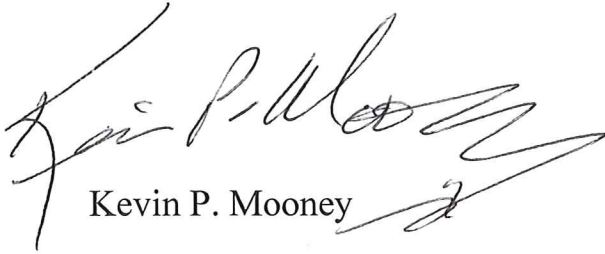
Mr. Mekjian made a motion, seconded by Mr. Costa to close the hearing of DEP# 099-018, 0 Langley Rd. Mr. Mooney abstained: Mr. Mekjian voted aye; Mr. Costa voted aye. Mr. Canducci voted aye. Motion carries.

Notice of Intent – 68 E. Main St. – Construction for a new 3- family home with septic system. Matthew Tavares, JK Holmgren Engineering. Mr. Mekjian asked if the applicant has gone before the Zoning Board of Appeals. The abutters letter didn't contain information on this hearing, should be same language as used in the advertisement. Chair Mr. Mooney read the public hearing advertisement. It was suggested that the applicant review plans with Building Inspector. Hearing was not opened and was tabled to the February 10th meeting. Marie Lightbody, 72 East Main St. concern about flooding.

Adjournment

A motion was made by Mr. Costa, seconded by Mr. Mekjian to adjourn the meeting. Next meeting is January 13, 2022.

Meeting Adjourned at 8:38 PM.

A handwritten signature in black ink, appearing to read 'Kevin P. Mooney', with a stylized flourish at the end.

Kevin P. Mooney

Chairperson

List of documents:

2022 Meeting Schedule

November 18, 2021, Minutes

Email from Krista Winter

Email from Marjorie Walsh-Baschieri