



TOWN OF MERRIMAC
CONSERVATION COMMISSION
4 School Street, Merrimac, Mass. 01860
TEL: 978-891-0238

Conservation Commission Meeting Minutes
Tuesday, October 5, 2021
Video Conference via Zoom

Members Present: Robert Prokop, Chair; Gregory MacLean; Jon Pearson; Jerome Mathieu; Arthur Yarranton; Wystan Umland; William Andrulitis; and Michelle Greene, Conservation Agent

The meeting was called to order at approximately 7:00 PM

Public Hearing – Notice of Intent – 117 River Road, Daniel Schultz, DEP# 045-0308

Mr. Prokop indicated that this public hearing was being continued pending a site visit.

A motion to continue was made by Mr. Pearson. Mr. Mathieu seconded the motion. The motion passed unanimously.

Request for a Partial Certificate of Compliance – 9 Quail Ridge Road, Matt Kavanagh, DEP# 045-0201

Mr. Prokop indicated he did not see a reason for the Commission to not issue the Certificate of Compliance and advised that for this project, all house lots were impacted by the Order of Conditions even if there were no wetlands on their lot and that this lot did not have wetlands on it. Mr. Pearson confirmed with Ms. Greene that an as-built plan and a check were received as part of the request.

Mr. Yarranton made a motion to issue a partial Certificate of Compliance. Mr. Umland seconded the motion. The motion passed unanimously.

Request for Certificate of Compliance – Jana Way (f/k/a 106 West Main Street), DEP# 045-0269

Ms. Greene explained that Mr. Prokop and she conducted a site visit on October 4, 2021 and found the area to be stabilized and fully vegetated. Ms. Greene advised that one of the conditions for the roadway was to complete a wetlands replication for the stream crossing and that the replication area was not shown on the as-built plan and that Mr. Prokop has a call in to former Conservation Agent Mr. Jay Smith to see what information he has, if any, on the file. Mr. Pearson advised that he recalled that the replication area was to be located north of the stream crossing. Mr. Prokop recommended that the Commission continue this request.

Mr. Pearson made a motion to continue the request to the next meeting pending a site visit. Mr. Yarranton seconded the motion. The motion passed unanimously.

Discussion – 7 West Hadley Road, DEP# 045-0303

Mr. Prokop explained that the developer for this project has requested a letter from the Commission to the building inspector affirming a previously approved modification to the septic system. Ms. Greene inquired if this letter required signatures from all Commissioners and Mr. Prokop responded that he would sign on the Commission's behalf. Mr. Prokop advised he would check the site and issue the letter afterwards. Mr. Yarranton indicated that the Health Department is normally the authority on septic systems. Ms. Greene explained that this modification and the requested letter were in regards to the Order of Conditions issued by the Commission and advised she will do research to see what exactly was modified and when. Mr. Yarranton and Mr. Mathieu stressed that the letter that gets drafted and sent must be explicitly list what the specific approved modifications are.

Discussion - 118 East Main Street, DEP# 045-0302

Mr. Prokop explained that at this site, clearing has begun and the trees are down and will be chipped and removed, that siltation protection is up, and that the no disturb markers are in place. Mr. Prokop welcomed the Commissioners to check on the site if they were interested in doing so. Mr. Prokop asked the Commissioners if they knew if the area in the front of the site which is currently a parking lot and is commercially zoned will remain as such. Mr. Pearson responded that originally the project would have commercially used space in the front with residential space in the back but that what was approved is entirely residential, including the area that is currently a parking lot. Mr. Pearson added that he believes the project is for a 55+ community. Mr. Prokop concluded that he added this item for awareness but that no action was needed.

Other Business – New Conservation Agent Michelle Greene

Ms. Greene introduced herself and invited the Commissioners to set up a time to meet with her one on one to discuss their goals for her and that they wish to gain from being on the Commission. The Commissioners provided introductions, shared their backgrounds, and shared why they decided to join the Commission.

Other Business – 17 Bisson Lane (Not on Agenda)

Mr. Prokop advised that his neighbor at 15 Bisson Lane will be tearing down his house and that he will keep the Commissioners informed on when that is scheduled to occur.

Other Business - 17 Bear Hill (Not on Agenda)

Ms. Greene explained she was contacted by the homeowner who is seeking to construct a fence off the side of an existing barn to create a dog run. Ms. Greene advised she did a site visit and it seems that the area is in the 100' buffer zone but that it is currently manicured lawn; she continued that she explained to the homeowner that the Commission likes to see fences that don't impede the movement of wildlife however since the fenced in area is for a dog run, it may be better to prevent wildlife from accessing the area. Mr. Prokop agreed that he doesn't think this would need a filing but suggested the Commission could do a site visit if they felt it was needed. Mr. Pearson indicated he is comfortable without any action from the Commission. Mr. Prokop suggested a letter be issued to the homeowner explaining that the Commission discussed the construction of a fence in the buffer zone and they do not need the applicant to file with the Commission. Mr. Prokop said he will write the letter.

Discussion – Minutes

Ms. Greene indicated she would follow up with former agent Mr. Smith regarding any unapproved minutes from prior meetings.

Discussion – Next Meeting

Ms. Greene inquired if the Commission wished to keep the next meeting scheduled for October 26, 2021 and asked if the Commission wished to keep meetings virtual or wanted to move back to in-person meetings. Ms. Greene also advised that if the Commission wanted to move back to in-person meetings they could be held in the library or in the 2nd floor hearing room at Town Hall. Mr. Yarranton advised that he would prefer the library but would like to keep meetings virtual for now. Mr. Prokop agreed and Mr. Pearson suggested the Commission should make a decision month to month.

Mr. Mathieu inquired about site visits before the next meeting including a visit to 117 River Road and Jana Way. The Commission decided to keep October 23, 2021 as their tentative site walk date with a site visit list to be distributed a few days prior.

Adjourn

Mr. Pearson made a motion to adjourn. Mr. MacLean seconded the motion. The motion passed unanimously.
The meeting was adjourned at 8:05 PM