



THE TOWN of MERRIMAC  
CONSERVATION COMMISSION  
4 School St., Merrimac  
MASSACHUSETTS 01860

## Conservation Commission Meeting Minutes Tuesday, July 23, 2019

Members present: Robert Prokop (chair), Dennis Hogan, Janet Terry and Jon Pearson. Conservation Agent Jay Smith was present.

### **Meeting called to order at 6:49pm.**

B. Prokop recuses self and J Pearson assumes the chair.

### **Public Hearing --- Request for Determination of Applicability ---** Tomas Graham, 11 Bisson Lane --- For a dock at lake Attitash.

Mr. Graham was in attendance and the Commission reviewed the plan and filing. J. Pearson made a motion to approve with a Neg. 3 the seasonal dock as presented. J. Terry seconded the motion with a unanimous vote of approval with B. Prokop abstaining being a family member of the applicant. Mr. Graham also discussed his reasoning for requesting an extension of his current OC on the house. The request was granted, a one year extension of the Order of Conditions.

B. Prokop assumes the chair.

### **Public Hearing --- Notice of Intent --- John Santagate, 12 Red Oak Acres (DEP# 45-294) ---** Drainage trench for a single-family home in the buffer zone to a bordering vegetated wetland.

In attendance was Mr. Santagate and James Scanlon (Engineer). He explained the problem and how it was related to the failure of the septic system. He stated that there would be no substantial impact to adding the amount of water that would be exiting the pipe to the wetlands and no water would be coming from the system itself. A neighbor brought up various duration storm events and how they might affect the flow in the pipe. Mr. Scanlon stated that the effect would be minimal. The work has been approved by the Health Department and reviewed with no comments from DEP. The Agent read a letter from a neighbor in opposition to the

project citing that they did not have sufficient time to review the plan. B. Prokop suggested that if the project were to be approved they could wait a week to issue it allowing the neighbor's time to view the plan and to formally appeal if they wished. J. Pearson made a motion to approve the project with the appropriate Special Conditions and the Standard Conditions and holding off issuance of the OC for a week. D. Hogan seconded the motion with a unanimous vote (4-0) of approval.

**Public Hearing --- Request for Determination of Applicability ---** Kathy Mennella, 10 Pine Bluff Ave. --- Patio and fill in the buffer zone to a inland bank.

Mr. and Ms. Mennella were in attendance and explained that the grading and placement of the stone on the driveway and shed were already in place and vegetation growing. From the site visit the Commission agreed that the work done would have been approved but reminded the applicant to next time file and get approval before beginning work. As shown on an aerial photo supplied by the Commission the placement of the shed was actually a little further from the lake than in its previous location. The patio had received a stone base but no retaining wall was built or paving stones installed. The applicant agreed that when the pavers were installed spaces would remain around the pavers and sand or other permeable material placed between them. The patio shall remain in a permeable state.

**Cont. Discussion:** Robert Grasso, 1 Bancroft Lane --- Possible violation on riverfront.

Mr. Grass was in attendance from a previous no-show at the last meeting complaining about activity and a structure on Mr. Lay's property along the river. At the last meeting, considering the material presented by Mr. Grasso, Mr. Lay was determined to be not in violation. The Commission agreed to revisit the complaint and set a site walk for the next meeting to view the site for themselves. At the next scheduled meeting the Commission will decide if they want to take any additional action.

**Cont. Discussion:** Joseph Richard for 6+ River Rd. (Map 54, Block 1, Lot 43) --- Violation up-date.

The Commission visited the site from a complaint that more activity had taken place on the property in violation of the Wetland Protection Act and the Town's Bylaws. They found that a strip of land near the road had been expanded, the drainage trench had been cleaned out and grass seed spread out. The grass clippings dumped by some unknown person were removed. A letter will be draw-up and sent to Mr. Richards expressing the Commissions concerns.

**Introduction:** Two new prospective members.

Two perspective members attended the meeting, Greg MacLean and Bill Andrulitis. They explained their desire and credentials to join. The Commission agreed to recommend both to the Commission as alternate members. The Agent will convey the request to the Selectmen.

**Discussion:** Minutes

D. Hogan made a motion to approve the minutes that was seconded by J. Pearson. Motion approved (4-0).

Adjourned

The next C.C meeting is August 27, 6:45pm., at the Public Library.