



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

## Conservation Commission Meeting Minutes Tuesday, August 9, 2018

Members present: Bob Prokop (chair), Janet Terry, Dennis Hogan and Greg Hochmuth Conservation Agent Jay Smith was present.

### **Public Hearing --- Notice of Intent --- John Theriault, 1 Alnette Rd. ---**

The applicant would like to construct a garage within the buffer zone of Lake Attitash.

John Paulson( Engineer) and the applicant John Theriault were present. Paulson discussed the work to be done. The Commission asked if the applicant had a dock permit and the answer was no. G. Hochmuth made a motion to issue an Order of Conditions with the Standard and Special Conditions. J. Terry seconded the motion with a unanimous vote of approval (4-0). The Commission also requested that a Ch. 91 permit application needed to be submitted to the state. The dock was added to the NOI plan.

### **Public Hearing --- Notice of Resource Area Delineation --- Bob Sinibaldi, Town of Merrimac for 19W. Main St. ---** For the delineation of an isolated wetland.

Dan Herzlinger (engineer) was in attendance. No changes to the wetland line were suggested. The area of the isolated wetland was estimated at 5,832 ft. sq. thus making it a jurisdictional resource area under the Wetland Bylaw. There was not enough information concerning the status of the resource area to make it a bordering vegetated wetland. There was a culvert noted by Joyce Perelli (abutter) that might take the water and make the area state jurisdictional but was not flowing at the time and could not be determined. Isolated land subject to flooding was a possibility but not reviewed. Cammett Engineering called the area BVW in 1986. B. Prokop made a motion to issue a RAD with only the wetland line confirmed and the designation jurisdictional under the Bylaws. J. Terry seconded the motion with a (3-0) vote of approval with G. Hochmuth abstaining.

**Cont. Discussion:** Ginamarie Talford, 74 River Rd. and Amy Weinberg --- Cutting request.

Ginamarie and Amy were present and asked if cutting could continue on land of others across the street from their property. The request was denied due to the fact that the area requested to be mowed was not owned by Talford or Weinberg and permission would have to be requested by the owner and a filing done. The land is labeled by the Town as unknown. The Commission suggested that the applicant get in touch with the Selectmen to discuss ownership.

**Cont. Discussion:** Linda Sawyer, 5 Westminster --- Updates on violation.

The Commission did not formally approve the wetland line done by Seekamp Environmental but did accept the report concluding that the work done to satisfy the Enforcement Order was sufficient.

**Cont. Discussion:** Kathy Mennella, 10 Pine Bluff --- Dock

The Commission has not as yet received confirmation that a dock permit has been submitted. The agent will check on the status.

**Discussion:** Jon and Debra Stolarski, 4 Dunvegan Dr. --- Violation

After reviewing the conditions of a path created by Mr. Stolarski and efforts made to keep the impact to a minimum the Commission decided not to take any action at this time.

**Discussion:** Steve Gadd, 25 Hadley Rd. --- Violation.

After reviewing the site visit concerning disturbance caused by clearing a strip of land along the property line the Commission asked the agent to move trees taken down and place them in the area disturbed to prevent it from becoming a useable path. Also to allow any disturbed areas to grow back naturally and to stay out of that area unless a filing was done and approval was given by the Commission.

**Discussion:** Edward Curran for 17 Broad St. COC Request.

The request for a COC was approved by the Commission as work was never commenced for the project and the OC had expired.

**Discussion:** MACC pay

Paying the dues for 2019 was approved.

**Discussion:** Minutes

Minutes for June 26, 2019 were approved unanimously as written. A request

was made to change the hour of the meeting to 6:30 was approved.