

TOWN OF LANCASTER
CONSERVATION COMMISSION

Meeting Minutes

November 22nd, 2022

Members Present: Chair Tom Christopher, Vice-Chair Tom Seidenberg, James Lavallee, Bruce McGregor, Donald Chaisson.

Also Present: Charlotte Steeves (Conservation Agent)

List of documents presented:

1. Notice of Intent- off Deershorn Road (Jones Crossing) (Assessor's Map 40, Lots 12, 12D-12Z, 11B-11N, and 11P) – O'Hagan (Patrick Burke – PLACES Associates Inc.)
2. Request for Amended Order of Conditions – 396 Hill Top Road (Assessor's Map 32, Lot 15) – C&H Realty, LLC (Brian Milisci – Haley Ward)

Old Business

1. **(Continued public hearing from 10/27/22)** Notice of Intent – 1257 North Main Street (Assessor's Map 30, Parcel 39) – Gonzalez (Chris McKenzie – Dillis & Roy)
2. **(Continued public hearing from 10/18/22)** Area Restoration – 201 Hilltop Road (Assessor's Map 32, Parcel 1J) – Loring (Dave Crossman – B&C Associates Inc.)

Discussion

Items for Approval and/or Signature

1. Request for Certificate of Compliance – 8 Farnsworth Way (Assessor's Map 42, Lot 130.I) – Steele and Oneil

Not Present: Mr. Greg Jackson

Chairman Tom Christopher called the meeting to order at 7:06 PM.

Mr. Christopher called the roll. Mr. Seidenberg here, Mr. McGregor, here, Mr. Chaisson, here, Mr. Christopher, here.

Notice of Intent- off Deershorn Road (Jones Crossing):

Present: Jasmin Farinacci, representing applicant

1. Mr. Christopher read the public hearing notice aloud. He said that this project was a 40B that has been permitted by the zoning board of appeals, and as such, any of the discussions will not include the Lancaster bylaw (stated in section 11 in the permit provided by the zoning board of appeals). He said that the commission will be reviewing the project strictly on the elements of the wetland protection act. He asked if anyone was there to represent the applicant.

2. Ms. Farinacci said that she was representing the applicant (Mr. O'Hagan). She said that there were concerns from abutters and that Mr. O'Hagan has agreed to re-post the notice to include 300 feet abutters. She said that David Koonce (former agent) agreed that this would be the best course of action for the hearing. She said that the hearing would be re-posted, and abutters re-notified for the first hearing in December.
3. Mr. Christopher said this would be the meeting of December 13th, 2022. He said that he agrees that everyone should have a say in the project and that everyone is on board. He asked the commission members to grant a continuance to December 13th.
4. Mr. McGregor made the motion to grant Mr. O'Hagan a continuance to December 13th, 2022, and this was seconded by Mr. Seidenberg. There was no further discussion.
5. Mr. Christopher called a roll vote to issue a continuance:

Roll Call Vote: Thomas Seidenberg yes, Donald Chaisson yes, James Lavallee yes, Bruce McGregor yes, Thomas Christopher yes. The motion was passed.

Request for Amended Order of Conditions – 396 Hill Top Road

Present: Brian Milisci of Healy and Ward LLC. representing applicant. Also present: Curt Plante of C & H Realty.

1. Mr. Christopher read the public hearing notice aloud.
2. Mr. Milisci said he was representing C & H Realty. He said that they are requesting an amended order of conditions and in conformance with the existing order of conditions and Mass DEP guidelines, they filed a letter asking for an amended order. They already re-notified the abutters and sent certified green cards of mailing to staff. He said that the applicant was asking for a certificate of compliance in a previous meeting, however, the as-built plan showed that the applicant had deviated from the original plan. He said that they followed up with a letter outlining revisions from the original plan and was submitted on September 27th, 2022. He said they requested the amended order of conditions, in writing, which would allow the project to be closed out rather than submitting a new notice of intent requiring a new file number from the DEP. He said there are 2 conditions outlined in the letter.
3. Mr. Christopher said the commission should look at the revised plan and have the changes to the plan recorded as part of the record. He asked if Ms. Steeves could please make the screen available to Mr. Milisci.
4. Mr. Milisci shared the site plan with the changes extending beyond what was outlined in the original plan. He said the original plan included a two-story addition, a garage addition, and a patio addition to the left of the existing house. The original plan called for a driveway in front of the garage and a curved retaining wall. The roof area did not change from the original plan. The changes that were made during construction were additional pavement to the left of the garage. The retaining wall was extended around 30 feet over than what was called for in the original plan. The applicant added a larger stormwater system and installed a drywell outside of the 100ft buffer zone to incorporate some of the runoff from the existing roof area. The drywell was not on the original plans. He also included a crushed stone drainage channel on the inside perimeter of the retaining wall and any runoff that comes off the paved area is captured by the recharge area. He said that at one of the subsequent hearings, Mr. Plante had mentioned his

intention to add a shed roof to the rear of the garage. It was alluded to in the letter from October 27th, 2022 but is not shown on the plans. He said that the shed roof would stay over the existing impervious area (implying that no impervious area would be added). He said the limit of work did not change.

5. Mr. Chaisson asked for the date of the letter that Mr. Milisci referred to.
6. Mr. Milisci said the letter was dated October 27th, 2022. He also said this was the letter when they asked for the amended order. He said the October 6th letter went along with the as-built plan which first mentioned the shed roof. He clarified that he made a mistake and that the date where the shed roof was first mentioned is dated October 6th, 2022.
7. Mr. Chaisson said that when that letter was presented to the commission, they had asked for more details concerning the work that was done that was not approved by the original order of conditions. He said there was a significant in pavement and in the linear feet of the retaining wall, and on October 6th, this was presented to the commission. He said that since that time, a building has been constructed in jurisdictional lands, and the excuse for the shed roof was that it is covering an impervious area. However, the paved area was increased from the original as-built plan. He said that he does not understand why they proceeded with building the shed, and that all the changes (including the shed) need to be included, and not just referenced in the letter from October 6th.
8. Mr. Christopher said that the commission has not provided an order of conditions yet, so the order of conditions will not be amended, rather it will be a straight order of conditions for an amended plan. He said that originally, there was a negative determination of applicability, but that the commission thought that the project was jurisdictional. The applicants came back before the commission with a notice of intent and construction proceeded. Mr. Plante expanded the area of construction (including the shed roof) beyond what was originally filed in the notice of intent. Mr. Milisci then sent the October 6th letter detailing the change in -physical area and amount of runoff. However, the shed roof was not mentioned in the October 6th letter. He also said that the commission has been made aware of the shed roof over the previous 2 meetings.
9. Mr. Chaisson said that he remembers that it was stated that the shed roof would be constructed at a future date, and this would not affect calculations regarding impervious surface since it would be constructed over an already paved area. He said there was an original notice of intent and he asked for clarification on if there was a negative determination of applicability with conditions, or if the commission issued an order of conditions.
10. Mr. Christopher said that the commission noted changes from the original plan, and they asked the applicants to file an amended notice of intent. He said there were 3 other projects within the year that had significant changes from original plans. He said he always wants to make sure that the commission has a clear record of things that have occurred.
11. Mr. Seidenberg clarified that the commission approved the notice of intent with an order of conditions. He said the applicants then filed a request to amend the order of conditions.
12. Mr. Milisci confirmed that they did file a notice of intent and the commission granted an order of conditions. He said that they requested a certificate of compliance for the as-built plan. He said at the first meeting, they were asked to better document the changes from the original plan. He said at the next meeting they were involved in, the commission mandated that the applicants file an amended order of conditions, which was noted in the most recent letter. He

said there was a notice of intent and an order of conditions for the construction of the addition, the retaining wall, and the pavement, and that they are now discussing the changes to this.

13. Mr. Chaisson said that what is submitted tonight should include the details of the shed roof construction. He said that the shed roof was obviously constructed when the applicants were already fully aware of the limitations set forth in the order of conditions. He said the additional areas that were altered, and all additional work be disclosed and documented.
14. Mr. Christopher suggested that the commission write an amended order of conditions with a special condition for an as-built plan showing the shed roof.
15. Mr. Chaisson said all construction associated with the shed roof should be disclosed. Mr. Milisci agreed to this.
16. Mr. Christopher asked if there were any comments.
17. Ms. Steeves said there was a comment in the chat from the audience regarding shed permits. She said that Ms. Farinacci was no longer in the meeting.
18. Mr. Christopher said that the shed is a detached structure and would require a building permit and this would be a building inspector question. Mr. Christopher asked the commission if any members would like to make a motion to issue a subsequent order of conditions including a special condition to include an as-built plan showing the construction of the shed and any sub-surface construction associated with the shed. Mr. Seidenberg made the motion, and it was seconded by Mr. McGregor. There was no further discussion. Mr. Christopher called a roll vote:

Roll Call Vote: Thomas Seidenberg yes, Donald Chaisson yes, James Lavallee yes, Bruce McGregor yes, Thomas Christopher yes. The motion was passed.

(Continued public hearing from 10/27/22) Notice of Intent – 1257 North Main Street (Assessor's Map 30, Parcel 39) – Gonzalez (Chris McKenzie – Dillis & Roy)

Present: Mr. McKenzie, Dillis and Roy, representing applicant. Mr. McKenzie had connection issues and had to leave the meeting before the commission made any decisions on the project.

1. Mr. Christopher gave the commission an update on the project. He said there was concern about there not being a right-of-way on the original submitted plans. He said that commission members were concerned about the proximity of the tank to resources areas. He said that he attended a meeting with the board of health on October 22nd, 2022, concerning this plan. He said that the plans presented during the meeting were updated to show the right-of-way. The second concern was the shared septic system between the property of the applicant and the property at 1263 N. Main St. The board of health ordered the property owner at 1263 to upgrade the system by January 5th, 2024, subsequently allowing the dual use of the septic system until that deadline. The plot plan for the new system will have to be installed at the front of the house to move it away from the resource areas on the property.
2. Mr. Prentiss (property owner of 1263 N. Main St) asked if the commission spoke with Bill Brookings (of the board of health), to which Mr. Christopher confirmed. He said that he was concerned about space in the front of the property, and he wants to make sure the right-of-way is open just in case he needs access to his backyard. He wants to make sure that he is all set for the future when he installs the new system.
3. Mr. Christopher said that the commission does not want to get in the middle of the legal discussion, and he directed the discussion back to 1257 N. Main St.

4. Mr. McGregor said that the plans were great, and he is OK voting for the order of conditions to be issued on this project.
5. Mr. Chaisson said he would like to see a condition for the preservation of the existing easements and right-of-way.
6. Mr. Christopher said that this is not something the commission can be involved in.
7. Mr. Chaisson asked if everyone was comfortable with the adjacent home to also have an upgraded septic system.
8. Mr. Christopher said that Mr. Prentiss is under board of health order to replace his existing system within a little over one year.
9. Mr. Chaisson asked if the new system will serve both residences in the interim while the new independent system on the Prentiss property is being installed.
10. Mr. Christopher said that this was true because the board of health has approved it.
11. Mr. Seidenberg said that the revised plan shows the right-of-way and that he is happy to proceed with approving this plan.
12. Mr. Mackenzie entered the meeting again and said that the new plan shows the 12-foot-wide right-of-way. He said the septic tank and pump chamber locations were adjusted. He said the existing system leech area was found to be located behind the house at 1263 Min Street and no work would be done in this area since it is not their property.
13. Mr. Prentiss said I never got a letter from the board of health. He said a copy of the letter was sent to his house.
14. Mr. Christopher said that Mr. Prentiss would need to take that up with the board of health.
15. Mr. Chaisson said that it was stated that the new system would serve both residences in the interim period, and he was wondering if this is the case.
16. Mr. Christopher said he believes they would have to crush and fill the old system before they can connect to the new system.
17. Mr. Prentiss said this is not true.
18. Mr. Chaisson said the leeching field would not be disturbed.
19. Mr. McGregor said he believed Mr. Mackenzie said they would be disconnecting from that system.
20. Mr. Seidenberg said the plan shows disconnecting 1257 from the tank to construct the new tank and the new leech field, and that Mr. Prentiss's access should not be affected.
19. Mr. Christopher asked if the commission would like to make the motion to approve a standard order of condition on the project. Mr. McGregor made the motion to issue a standard order of conditions to Mr. Gonzalez at 1257 N. Main Street and the motion was seconded by Mr. Chaisson.
20. Before the roll vote, Mr. Seidenberg noted that the two previous hearings were not closed. The motion to close the hearing was made by Mr. Chaisson and seconded by Mr. McGregor.
21. There was no further discussion. Mr. Christopher called a roll vote: **All commission members were in favor of closing the hearing.**
22. Mr. McGregor made a motion to approve the standard order of condition for the project and seconded by Mr. Chaisson. Mr. Christopher called a roll vote.

Roll Call Vote: Thomas Seidenberg yes, Donald Chaisson yes, James Lavallee yes, Bruce McGregor yes, Thomas Christopher yes. The motion was passed.

10 Fire Road 54- Quill

1. Mr. Christopher asked Ms. Steeves if there was any information for 10 Fire Road 54.
2. Ms. Steeves said that this hearing was continued to the December 13th meeting.
3. Mr. Christopher said that the commission needed to vote to grant a continuance to December 13th.
4. Mr. Seidenberg made the motion to continue the hearing to December 13th and seconded by Mr. Chaisson.
5. Ms. Steeves said that the commission wanted to have a peer review for the wetland delineations on the property. Mr. Christopher called a roll vote.

Roll Call Vote: Thomas Seidenberg yes, Donald Chaisson yes, James Lavallee yes, Bruce McGregor yes, Thomas Christopher yes. The motion was passed.

(Continued public hearing from 10/18/22) Area Restoration – 201 Hilltop Road (Assessor's Map 32, Parcel 1J) – Loring (Dave Crossman – B&C Associates Inc.)

Present: Dave Crossman, B&C Associates, representing applicant. Also present: Richard Harrington of Harrington Associates Engineering

1. Mr. Christopher said that Mr. Crossman shared plans very late in the day and he wasn't sure if the commission had enough time to review them. He asked if Mr. Crossman could share his screen to walk the commission through the steps on the plans he submitted.
2. Mr. Crossman showed the plan that he shared last time with the plantings in lot 9. He said that the commission wanted to see a plan with the plantings in it. He said the new plan was submitted today (November 22nd, 2022). He said the new plan has the septic system outlined with new plantings inside the outline. The second request was behind the garden in the area added during the peer review, there was a request for additional plantings in the 25 foot no disturb zone. He said he added around a dozen shrubs to the plan in that area. The restoration schedule was changed to mark out the electrical and water easement and to fix any disturbed pipes. He said that he would be planting large trees.
3. Mr. Christopher said that this is satisfactory and exactly what he was looking for. He said the plan characterizes the sizes between the different trees used in the plan.
4. Mr. Crossman said that there was a request to see the grades around the proposed septic system. He said the drainage plan has the original house and septic locations with the proposed grades. He showed the locations of the primary trench, proposed dwelling, and proposed retention basin, but he clarified that they will not be putting in the retention basin. They are within the area that was disturbed, and the stumps are shown on the plan. The line on the plan for the septic area follows the erosion controls and then cuts down towards the street. This area was left blank on the original plan.
5. Mr. Christopher asked if the septic system would be strictly a trench system or a field.
6. Mr. Crossman said it would be trenches.
7. Mr. Christopher asked if there is any advantage to using gallies to cut the area down a little.
8. Mr. Crossman said this is the maximum it is going to be.
9. Mr. Christopher asked if the intention is to leave the area unrestored until the system is in and then restore over the system.

10. Mr. Crossman said they would leave the area open until the system is installed, and the plantings could not be restored over the system due to potential interference from roots. The plantings would instead be in the area listed as proposed dwelling on the plan. He said the house is not being proposed at this time. He said that they would need to come back with a filing for the proposed septic system. He said he does not want to have to remove all the plantings if the septic system gets approved, to which Mr. Christopher agreed.
11. Mr. Seidenberg said he understands the rationale for not wanting to do the plantings in that zone. He said that the drainage plan from 2021 is not actively being proposed, but Mr. Crossman is using that plan to justify the plan that is currently before the commission. He said he is inclined to have a condition for the applicant to come before the commission with either a plan, or that they must put the plantings in. A certificate of compliance would not be issued without one of those two things.
12. Mr. Crossman said this is fine. He believes the septic system is currently before the board of health for approval and if approved, they would then need to also file for approval from the commission. He said they can begin planting the wetland and riverfront restoration areas.
13. Mr. Seidenberg asked if the red colored drain lines on the plan are different from the blue ones.
14. Mr. Harrington said they wanted to find out where the pipes are and what they are doing when they created the plan. He said the area was designed by a landscape architect and there was a company hired to install the pipes and the system. He said blue is where they know there is something there, and red is a guess. Black lines are proposed, blue lines mean they have a general idea within 20 feet, and red they are guessing. He said he read Dave's report and the key for the restoration schedule is to check how the plants are doing after 2 growing seasons. They said they have now gone through 3 growing seasons and mother nature has taken care of most of the proposed work. He said in his opinion, a lot of this area is over 75% reestablished and so putting in plantings could possibly be reduced. He said they would be proceeding with their updated plan for the peer review in front of the planning board.
15. Mr. Christopher said he is not quite comfortable with the plan, but he is heading in that direction.
16. Mr. Chaisson said he would like to reinforce Tom's comment that he does not want this to be about approving the location of a septic system, but rather about restoration in jurisdictional lands.
17. Mr. McGregor asked if the plantings that are going to be last on the schedule over the septic system area if there will be an exact date of when the plantings would occur if they were to occur.
18. Mr. Christopher said that he can add that as a special condition to the order of conditions. He said that the project is complicated, and the order of conditions is likely to be lengthy. He said that he is unsure that the commission will be ready to issue the order of conditions tonight, and that he would like more time to analyze the plans and lay out a schedule that makes sense for both parties.
19. Mr. Seidenberg said that he is comfortable with future consideration of the septic system in area 1. He said he is skeptical of area 2 due to the proposed plantings only covering the no disturb zone. He also said the proposed plantings are all shrubs and this could cause the wetland to disappear in the future.

20. Mr. Crossman said he understood there was concern about the 25 foot no disturb zone and no mention of the 50-foot zone in the previous meeting. That is why all the plantings are in the 25-foot zone. He said he could adjust the plan but this was his understanding of the last meeting.
21. Mr. Seidenberg said that this was a fair summary of the last meeting but that his thinking evolved after seeing the new plan. He asked if the plantings would be sufficient to maintain that small wetland.
22. Mr. McGregor said he thinks Mr. Crossman did a good job with the plan. He said that the initial disturbance was horrendous and that the proposed restoration plan is nice considering the situation is unfortunate and hard to work with.
23. Mr. Chaisson asked for clarification on the types of species that are growing in the disturbed areas if they are native or invasive revegetation.
24. Mr. Harrington said that the 75% groundcover according to the regulation requirements has been reestablished. He said the restoration has been completed in this area. He said the area with the utility lines has been disturbed previously and it has been a moving line of vegetation. He said the young growth is continuing to fill in in that area. He said that plantings should be put in but putting trees along a power line that go to public water supply may not be the best idea. He said that the groundcover should be acceptable. He said we are not protecting the utilities for the people that use them.
25. Mr. Chaisson said the existing usage of the utility areas must be managed because there are utility lines that will be affected. He said he is more concerned with the area in the southwest of the property. He said the type of vegetation that grows back is not necessarily restored if invasive species are growing back in. He asked again for clarification on the type of vegetation that is growing back in.
26. Mr. Harrington said they can look at the area in the springtime to assess whether the groundcover that has grown in after 2 growing season is native and satisfactory, which would therefore negate the necessity of the plantings. If the vegetation is not native, they can go forth with invasive species removal and the plantings proposed by Mr. Crossman.
27. Ms. Steeves said she was interested in seeing the site.
28. Mr. Christopher said they would get Ms. Steeves out for a site visit shortly. He asked if Mr. Harrington and Mr. Crossman would like to request a continuance to the meeting on December 13th, 2022, which would give him the opportunity to go over the plans with Mr. Crossman.
29. Mr. Harrington said he would like to close the hearing with the condition that the area be monitored in the springtime.
30. Mr. Christopher said no because Mr. Crossman has put together a workable plan and he is not ready to close the hearing. He said there was no chance to review the plan because it was submitted just a few hours prior to the meeting. He asked if they would like to request a continuance again.
31. Mr. Crossman said he believes Mr. Chaisson was looking for a locus map. He said he does not have a set of plans that shows both areas on the same plan.
32. Mr. Harrington said that the stormwater plan shows the general area of the wetland.
33. Mr. Crossman said the other item that was requested was the engineered level spreader. He said he does not have this.
34. Mr. Harrington said they do not even know if that pipe is within 30 feet of that area. He said there is a general detail they will follow from the DEP as part of the stormwater design.

35. Mr. Christopher asked if there is a way to add this to the plan with a notation 'as proposed, maybe moved'.
36. Mr. Harrington said it was approved per the stormwater bylaw.
37. Mr. Chaisson asked if that structure only handles flows that are concentrated by manmade piping, to which Mr. Harrington replied yes. Mr. Chaisson asked if this would be a matter of terminating the existing subsurface drainage pipes to comply with stormwater requirements.
38. Mr. Harrington said this is correct and there is a drop in the driveway and to get the water to be forced uphill, he cannot definitively say if they can do this yet.
39. Mr. Chaisson said he finds this as a beneficial thing if it is required. He said this would depend on the final design and there are lots of pre-existing conditions that are creating the direction of the waterflow and drainage.
40. Mr. Christopher said he is anticipating several necessary field changes that will arise once work is started. He said the work will have to be overseen by someone who does restoration work. He asked if the applicants would like to submit a list of perspective people to provide oversight on the restoration.
41. Mr. Harrington asked if this would be to supervise the field work and Mr. Christopher said yes, the field work and the planting. Mr. Harrington asked if they would wait until the work occurs to do this.
42. Mr. Christopher said there will be commission oversight observing as the project begins. He said the plantings and grading will be overseen by a qualified botanist, as part of the plan submitted by Mr. Crossman. He said they can provide a list of people they might want to hire, and the commission will review this to make sure the individual is qualified and credible. He wants to have clear oversight on how the plan is conducted.
43. Mr. Harrington said absolutely. He said mother nature took care of the area. He said he wants to see what is there and learn about the old design of the drainage to make improvements. He said his intent was to get past this comfort level with the commission so he can commence his work.
44. Mr. Christopher asked if Mr. Crossman would like to request a continuance to which Mr. Crossman replied yes.
45. Mr. McGregor made the motion to continue the hearing to December 13th, the motion was seconded by Mr. Seidenberg.
46. Ms. Steeves said there was a question in the chat from Clayton which read 'what law was broken and the section and chapter'.
47. Mr. Christopher said that the commission does not respond to questions in the chat. He said Mr. Arvidson can raise his hand to speak.
48. Mr. Arvidson interrupted the roll vote to ask what law, chapter, and section says that you can not cut a tree down.
49. Mr. Seidenberg said that the regulations are very clear on this matter and that Mr. Arvidson is welcome to read the wetland protection act. He said there was a very clear violation in a jurisdictional area and that you are not allowed to destroy vegetation in a wetland.
50. Mr. Arvidson said he finds it hard to believe a personal tree can not be cut down.
51. Mr. Seidenberg said that this is the law in the state of Massachusetts and the town of Lancaster.
52. Mr. Arvidson said the law does not say you can't cut a tree down. He asked to hear the law on trees.
53. Mr. Seidenberg asked Ms. Steeves to please mute Mr. Arvidson.

54. Mr. Christopher asked if Ms. Steeves could please mute Mr. Arvidson.
55. Mr. Arvidson said that that was illegal, and this is an open town meeting. He said he would take Mr. Christopher to court.
56. Mr. Seidenberg said as chair of the conservation commission, Mr. Christopher has the right to say who may speak, to which Mr. Arvidson said no he does not.
57. Mr. Arvidson said he asked a valid question to give him the law. He said someone can raise the level of a dam and the commission has done nothing about it. He says cutting down a tree does nothing to affect wetlands. He said the level of the dam was raised and his property was flooded. He said there is not law saying that a tree can not be cut down and he asked for the law to be read to him.
58. Mr. Seidenberg said that he has told the law to Mr. Arvidson already.
59. Ms. Steeves asked for control back as the host of the meeting (which was previously given to Mr. Crossman so he could share his screen).
60. Mr. Harrington said that they are aware of the regulation and of the violation. He said it is well written and documented and that he is not objecting why they are here. They are just trying to mitigate things and come up with a plan. He said the regulation was broken and that they are trying to follow the rules.
61. Mr. McGregor said that someone sent a link in the chat to the regulation.
62. Ms. Steeves said that she is still not the host and explained how Mr. Crossman could make her the host again.
63. Mr. Christopher called a roll vote

Roll Call Vote: Thomas Seidenberg yes, Donald Chaisson yes, James Lavallee yes, Bruce McGregor yes, Thomas Christopher yes. The motion was passed.

Request for Certificate of Compliance – 8 Farnsworth Way (Accessor's Map 42, Lot 130.I) – Steele and Oneil

1. Mr. Christopher gave a background on the project. He said that the applicant (Mr. Steere) was trying to extend his backyard and they discussed that would be planted in the 50- and 25-foot zones. He said he and Ms. Steeves went out for a site visit and took photos. He said the restoration looks healthy and the vegetation is doing well. Mr. Steere also submitted an as-built plan. He asked if there were any questions. Mr. Seidenberg made a motion to grant a certificate of compliance for 8 Farnsworth Way and this was seconded by Mr. McGregor.
2. Mr. Christopher called a roll vote

Roll Call Vote: Thomas Seidenberg yes, Donald Chaisson yes, James Lavallee yes, Bruce McGregor yes, Thomas Christopher yes. The motion was passed.

Review and Approve Meeting Minutes

1. Mr. Christopher asked the commission if everyone has had a chance to review a set of minutes prepared by Ms. Steeves.
2. Ms. Steeves asked if the minutes are reviewed during the meeting or beforehand.
3. Mr. Christopher said there is a minutes format where each line has a number in front of it and with each line it is easier to make corrections. He asked if everyone has had an opportunity to look at them.

4. Mr. Seidenberg said he has not had the chance to review the minutes.
5. Ms. Steeves asked if this should be postponed, and Mr. Christopher agreed. She said there will be additional minutes for review.
6. Mr. Christopher reminded the commission that the next meeting is December 13th but there is another meeting on December 27th. He said the commission is unlikely to want to meet during that time.
7. Mr. McGregor agreed and said it would be unfair to applicants if they can not have a quorum.
8. Mr. Chaisson said he is completely in agreement with skipping that meeting date and pushing all subjects into January.
9. Mr. Seidenberg agreed but said this would be more than 3 weeks between meetings. He said they might need to hold an early meeting in January (depending on if anything is filed) to meet stator deadlines.
10. Mr. Christopher said the first meeting date in January 2023 would be on the 10th.
11. Mr. McGregor said that the office should be aware that the meeting will either be at the end of December or January 10th 2023.
12. Mr. Seidenberg made the motion to adjourn and seconded by Mr. Chaisson.
13. Mr. Christopher called a roll vote to adjourn.

Roll Call Vote: Thomas Seidenberg yes, Donald Chaisson yes, James Lavallee yes, Bruce McGregor yes, Thomas Christopher yes. The motion was passed.

14. Mr. Arvidson said there is no input from the public for the dam situation. He said there has been work done on the dam and that Mr. Christopher knows it. He said trees were cut down and the dam was raised. He said the water level is raised almost a foot at his property. He said if any work is to be done on the dam that a notice of intent needed to be filed. He asked if the other commissioners are ready to let the chairman do that.
15. Mr. Christopher said that the motion was made by Mr. Seidenberg and seconded by Mr. McGregor to close the meeting

The meeting was closed at 8:52 PM