

Conservation Commission Meeting
Virtual Meeting
March 2, 2023

Roll call was taken of members and staff present included: Chair, Peg Arguimbau, Vice Chair, Keevin Geller, Stephen Cremer, and Jon Wasserman. Vice Chair, Meredith Avery and Alan Westman was not present. Staff present included Josh Philibert, Conservation Administrator, and Jana Katz, Conservation Secretary.

Arguimbau opened the meeting by reading Governor Baker's Executive Order of March 12, 2020. As of June 15, 2022 the measure was extended in An Act Extending Certain COVID-19 Measures Adopted during the State of Emergency, allowing by Governor Baker to continue to permitting virtual public meetings until March 31, 2023. Per guidance from the State, Arguimbau noted that all votes would be taken by roll call. She then reviewed the ground rules for the meeting.

The remote meeting was called to order at 7:30 pm.

7:32 PM	Public Hearing	RCOC DEP# SE280-0360 22 Castle Drive Michael McCarthy, Esq.
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Michael McCarthy, Esq. was present on behalf of the property owner Dr. Michael Tranoff of 22 Castle Drive. Philibert inspected the site previously and noted the stable conditions. Members voted to issue a Certificate of Compliance for DEP# SE280-0360.

Motion: To close the hearing and issue a Certificate of Compliance for DEP# SE280-0360.
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Geller moved

Wasserman seconded

Geller – Aye, Wasserman – Aye, Cremer – Aye, Arguimbau – Aye

4-0-0 Motion Passed

7:35 PM	Discussion Item	EXT DEP# SE280-0425 Lake Massapoag Laura Russell and Debbie Tatro, LMAC
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Laura Russell and Debbie Tatro were present on behalf of the LMAC to ask for an extension of DEP# SE280-0425 an aquatic management plan first issued in 2002 that is set to expire on May 6, 2023. The LMAC has plans to amend the order this spring and will return with a proposal encompassing additional management options such as method barriers, diver assisted suction harvesting, and potentially alum treatment. Members voted to extend the OOC for another three years.

Motion: To close the hearing and issue an extension for DEP# SE280-0425.

Wasserman moved

Cremer seconded

Geller – Aye, Wasserman – Aye, Cremer – Aye, Arguimbau – Aye

4-0-0 Motion Passed

7:45 PM	Discussion Item	24 Paul Revere Road – Grading not to plan
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Simon Brook and Jeff Zilberman were present before the commission to continue discussing the work that has been done at 24 Paul Revere Road that is not per plan. Brook addressed the commission by clarifying that they are asking for guidance as they have come to the opinion that the plan they initially submitted and that the commission approved has become impossible to bring to fruition. He asked if there was a way to resubmit a plan so the work that has been completed can remain in place.

Philibert shared photos of the site on his screen describing in detail what work was completed that was not included in the approved plans. Notably he stated that rocks were placed 20 feet beyond where they were supposed to be and the backyard was never supposed to be flat. Philibert stated the approved plans called for a six foot change in elevation.

Brook informed members the project became complicated during work on the cesspool and that is when it was decided to alter the project for a flatter backyard. Arguimbau suggested work be done to get the site into compliance with the proposed and approved plan. Brook asked for permission to include a 25 x 25 foot stone patio. Zilberman asked if it would be possible to leave the work that has been completed as is?

Arguimbau reminded Brook and Zilberman their project needed to comply with what was initially approved. She also reminded them that Brook had previously mentioned bringing back ideas for how to remedy the situation as what has been filled, and flattened was not in the approved plans.

Philibert asked if it would be possible to move boulders back to what the approved limit of work was? He explained that allowing work 20 ft further into the wetland than what was agreed upon would set a precedent.

Brook asked for the opportunity to come back to the meeting on 16th and present a new plan.

8:00 PM	Discussion Item	Support for Geese Addling
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Members agreed to vote in favor of having the Conservation Administrator draft a letter conveying support for the town's application to the Division of Fisheries and Wildlife for a permit to Addle Canada Goose Eggs in Massachusetts – Valid March 1 to June 30.

Motion: To send a letter of support MassWildlife in support of the town's Application to Addle Canada Goose Eggs in Massachusetts – Valid March 1 to June 30.

Cremer moved

Wasserman seconded

Geller – Aye, Wasserman – Aye, Cremer – Aye, Arguimbau – Aye

4-0-0 Motion Passed

8:04 PM	Discussion Item	Support for CPC Funding Request
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Laura Russell addressed the commission on behalf of the LMAC asking for a formal vote to be taken to support their CPC grant application requesting \$80,000 for weed management and preparations for alum treatment in addition to obtaining supplies. Geller noted that the CPC is in support of the request.

Motion: To support the LMAC in asking for \$80,000 in CPC money

Wasserman moved

Geller seconded

Geller – Aye, Wasserman – Aye, Cremer – Aye, Arguimbau – Aye

4-0-0 Motion Passed

**8:08 PM Discussion Item 7 Wadsworth Way, Sundararajan “Vijay”
Vijayakumar**

Mr. Vijayakumar was not present. Philibert shared his screen showing the parcel of land at 7 Wadsworth Way. The commission and Philibert discussed sending a letter to property owners in the subdivision alerting them to a deed restriction allowing for no more than 8,000 square feet of lawn area. Cremer noted there was an additional area in the photo next to the lot at 7 Wadsworth Way that looked like it had been cleared. Philibert made a note to bring that up for discussion when the matter is taken up again when the property owner is present.

8:12 PM Discussion Item Lake Update

As of March 1st, the level should be between 10.0 and 10.2, it is currently just above 9.7.

8:14 PM Discussion Item Conservation Administrator Update

Natural Heritage confirmed the presence of an additional rare plant in the lake: resupinate bladderwort (*utricularia resupinata*). Philibert also reported to members that he was accepted into a volunteer program with the Plant Conservation Trust and NHESP to help monitor and check for rare plants in water bodies throughout New England.

Philibert has also been in touch with Peter O’Cain and Kevin Davis representing the commission in its stormwater authority capacity. There was a pipe letting out filthy water in Massapoag Brook. The DPW is investigating the cause of the situation.

8:17 PM Other Business Approve February 16, 2023 Meeting Minutes

Arguimbau sent correction requests to Katz. Cremer noted Zilberman had been incorrectly spelled Silberman. Members voted to accept minutes as amended.

Motion: To accept meeting minutes from February 16, 2023 as amended.

Cremer moved
Geller seconded
Geller – Aye, Jon – Abstain, Cremer – Aye, Arguimbau – Aye
3-0-1 Motion Passed

9:58 PM Adjourn

Motion: To adjourn

Cremer moved
Geller seconded
Geller – Aye, Wasserman – Aye, Cremer – Aye, Arguimbau – Aye
4-0-0 Motion Passed