

LITTLETON CONSERVATION COMMISSION

Minutes for Meeting

July 27, 2009

Location: Room #307, Shattuck Street Bldg

Present: James Pickard, Ian Gunn, Dan Lord, Frank Matheson and Peter Tierney

Absent: Carl Melberg and Sarah Seaward. Ian Gunn acted as recording secretary in the sick-leave absence of Conservation Commission Administrator Heather Hampson.

The meeting came to order at 7:30 p.m.

Procedural Note. Carl Melberg's three year appointment as Conservation Commissioner expired on 06/30/2009 and the selectmen will vote on his re-appointment at their meeting in Room #103 concurrent with this meeting. Therefore for this meeting the active total membership of the Commission is reduced to six members of whom five were present constituting a quorum.

Minutes of Conservation Commission meeting on July 13th, 2009

After a minor correction to the attendance list, Frank Matheson proposed and Peter Tierney seconded a motion to accept the minutes as revised. The vote was unanimous in favor.

Request for Certificate of Compliance, DEP File No. 204-553, 225 Great Road.

continued hearing for Toyota Dealership.

John Nidzgorski, project manager for Bob Moran Developer, LLC. presented Waterman Associates' response to the discrepancies between the plans submitted with the Notice of Intent, the "As-built" plans submitted with the Request for Certificate of Compliance and what was actually found on the ground during the Commission's first site inspection.

The extra drain found during the site visit will be connected to Area Drain #2 to feed the infiltration trench above the wetland area. In addition a swale will be graded above the vehicle storage area leading to the area drain slightly up-gradient from the location proposed in the NOI plans. This relocation is to avoid the light poles already installed but the swale should provide the same function as that proposed in the NOI plan. Commissioners discussed snow storage areas which were shown on the original NOI plans.

Commissioners approved the proposals and requested that a revised plan be submitted showing the drain connections and swale. The Commission will inspect the work when done and, if everything is satisfactory, issue a Certificate of Compliance. Ian Gunn proposed and Dan Lord seconded a motion to this effect. The vote was unanimous in favor.

Request for Certificate of Compliance, DEP File No. 204-411, Concord Lumber Corporation, 55 White Street.

Rick Ursch, VP of Concord Lumber, was present to request a Certificate of Compliance for work completed some time ago to extend their material storage area. Ian Gunn had made a site visit earlier in the afternoon and found that the work had been completed satisfactorily according to the submitted plans. Ian Gunn proposed and Peter Tierney seconded a motion to issue a Certificate of Compliance. The vote was unanimous in favor.

Acceptance as Conservation Land of Parcels 'A' and 'B' Lexington Place and Worcester

Road..

Ian Gunn read the present wording to the Release Deed for Parcels A and B at Lexington Place and Worcester Road. The wording “nor shall said parcels be used to provide access to any other parcels which abut the granted premises” was unacceptable to the Commission. The Commission envision a potential use of at least one of the parcels as a trail head for a future hiking trail if the Commission or the Littleton Conservation Trust reaches agreement with the owners of (or acquires) abutting property. Dan Lord proposed and Peter Tierney seconded a motion to request a change of wording to allow non-vehicular access for passive recreational purposes

Executive Session

Dan Lord proposed and Peter Tierney seconded a motion to adjourn the public meeting. The vote was unanimous in favor.

Ian Gunn proposed and Ian Gunn seconded a motion to enter Executive Session and not to return to an Open Meeting under **Massachusetts General Laws, Chapter 39, Section 23B, Paragraph (3)**. To discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the bargaining or litigating position of the governmental body, to conduct strategy sessions in preparation for negotiations with nonunion personnel, to conduct collective bargaining sessions or contract negotiations with nonunion personnel.

The meeting adjourned at 8:45 p.m.

Next Meetings: 8/10 and 8/31