

LITTLETON CONSERVATION COMMISSION

Minutes for Meeting

January 25, 2010

Present: James Pickard, Sarah Seaward, Frank Matheson, Peter Tierney and Ian Gunn

Absent: Carl Melberg and Dan Lord

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

**Minutes:** Both Sarah and Ian had some corrections to the minutes. Sarah made a motion to accept the minutes as amended. Peter seconded the motion the vote in favor was 4-1 Ian voted as present.

**Request for Certificate of Compliance 25 King Street. DEP File No. 204-611.** Heather mentioned that she had sent a letter out notifying the owner that the Order of Conditions was about to expire. The site has been completed for some time and Heather went out to the site to look at it this afternoon and noted that everything looked stable. Sarah mentioned that there was a special condition in the order about snow removal and to have Heather go back out on site to verify that everything has been done correctly.

**Request for Certificate of Compliance 219 Tahattawan Road DEP File No. 204-633.** Heather went out on site this afternoon and was unable to see the site due to snow. She will go back out on site at a later time to verify the site is complete.

**Discussion - Mike Jones Natural Heritage and Endangered Species Mass Wildlife.** Mike Jones from Natural Heritage and Tim Dexter from the Department of Transportation were both present at the time of the discussion. Mike mentioned to the Commission that he has been working with Mass Highway on some of the top 200 most dangerous road crossings for turtles and an area of Rt. 119 on Littleton at the crossing of Beaver Brook is one of them. Mike mentioned that the state is running a test to see what will be the most effective and cost effective solutions for all these sites. They are looking to use the Littleton site as a test site that will be monitored on a year to year basis. Sarah asked for some information on how the list of areas was compiled. Mike told her that the site was monitored over a seven year period and counted visual casualties. Mike mentioned that a fence will be put into place to get the turtles to use the culvert instead of crossing the road. Ian asked if there would be any soil disturbance. Tim Dexter mentioned that there may be but they are not sure to what extent since they are not positive on what they are going to use for fencing. Tim went on to mention that they will install fencing in an L-shape and try to tunnel the turtles through the culvert. Mike mentioned that they are looking for what type of filing requirements the Commission would need. Ian mentioned that a Request for Determination would be fine for the site and will trigger a Notice of Intent if needed. Sarah mentioned that they have the support of the Commission for the project. Sarah mentioned that there are some people that live near the area that would most likely help with the monitoring of the area.

**Discussion – 215 Harwood Ave Joseph Pittorino.** Mr. Joseph Pittorino was present at the time of the discussion. Mr. Pittorino had a new plan for the Commission and mentioned that the wetlands have been flagged. Ian told Mr. Pittorino that there still has been no Notice of Intent filed with the Commission and was required by the Enforcement Order to do so. Sarah mentioned that the Notice of Intent was discussed at the last meeting to be filed with the Commission along with a construction sequence. Mr. Pittorino mentioned that his engineering firm JMP was out on site and shot the elevations and did the wetland flagging but the construction sequence did not get on the plans. Heather asked Mr. Pittorino if he had the contact information for JMP. Mr. Pittorino mentioned that he did not have that information with him. Sarah mentioned that in a letter sent to Mr. Pittorino dated January 6<sup>th</sup> that no work was to be done on the property. Sarah asked when the berm was constructed on site. Mr. Pittorino told her that Billy French built the berm a few weeks ago and had to stop due to the weather. Sarah asked if the plan showed existing or purposed. Joe mentioned that he did not know because the berm on the plan is completed and the one on site is not. Sarah asked Mr. Pittorino what his vision is for the site and that it should be listed in the Notice of Intent. Joe mentioned that he is not sure what he is doing on the site in the future he is just trying to get the site corrected for the Commission at this point. Sarah mentioned that when the new silt fence and hay bales were installed on site the machinery used caused a larger amount of water flow and silt to go down the hill and it needs to be fixed but not with out a Notice of Intent in place first. Mr. Pittorino mentioned that he thought the letter he received allowed him to do work on site. Sarah read out loud the letter from January 6<sup>th</sup> stating that an enforcement order is in place on the property and no work should take place on site. Mr. Pittorino took the letter and read it for himself. Sarah went over the requirements from the letter sent on December 4<sup>th</sup> which included all items in the enforcement order. The Commission went over a list of items that Mr. Pittorino needs to submit to the Commission. First and most important a Notice of Intent, as required in the enforcement order, drainage calculations for the site, existing site plan and purposed site plan, and a construction sequence. Sarah showed Mr. Pittorino some of the pictures that she took today on site showing the water flow coming down the slope. Mr. Pittorino mentioned that the pictures did not show Bumblebee Park or the wetlands. Rick Findlay from the Conservation Trust mentioned to Mr. Pittorino that there is a large amount of silt in the wetlands in by Bumblebee Park. Rick also mentioned that in order to remove the silt a wetlands scientist should be involved to see how or if it should be done and if there had been any contamination. Mr. Pittorino stated that he had all the records stating that the fill was clean but if the Commission has found different to let him know. Sarah stated that the Commission will send another letter to Mr. Pittorino with all the items required of him at the next meeting on February 8<sup>th</sup>. The discussion will be continued to February 8<sup>th</sup> at 8:00 p.m.

**Discussion Hiring Consultant for 215 Harwood Ave** – Ian mentioned that he had looked though all the proposals and that they all looked similar to him. James mentioned that additional work may need to be requested of which ever consultant we hire as things proceed with the property. Peter made a motioned to hire Hancock Associates for up to \$2500 for consultant work at 215 Harwood Ave with the intent to be reimbursed by the property owner per Mass Wetlands Protection Act Sect. 44G and Littleton By-Law. Sarah seconded the motion the vote in favor was unanimous.

**Peter Tierney left the meeting at 9:00 p.m.**

**Discussion – Rick Findlay Littleton Conservation Trust.** Both Rick Findlay and Don MacIver were both present at the time of the discussion. Rick and Don are before the Commission to discuss several items. First, the Trust and the Selectmen are looking to have the Commission pay for some appraisals for the purchase of the Cobb property. Rick mentioned that there are four lots total about 16.5 acres. The CPC should get some money for the purchase of the property and use cell tower funds for the rest. Sarah mentioned that she would vote in favor of the purchase of the land and paying for the appraisals but an amount would be needed first. Peter made a motion pay for the appraisals for the Cobb property. Frank seconded the motion the vote in favor was 4 to 1 Sarah voted as present.

Rick next wanted to discuss the Commission joining the CISMA which is a watershed wide group that works with dealing with invasive species and joining may allow for grant money. Sarah mentioned that she saw no down side to joining. Rick mentioned that since the Commission is in favor of joining he will gather the paper work.

Next, Rick mentioned that he has been in contact with a local sheep farmer that is looking for more pasture land in town. Rick mentioned that there is the potential for some land at Bumblebee Park and that electric fence would be used since it is easy to move. Ian mentioned that a written request to the Commission would be needed so the can meet and discuss it more formally.

Rick mentioned that there are some invasive species that he has found near the parking area at the new Yapp property. Also Rick mentioned that he would like to thin out some of the trees in the area. Sarah mentioned that maybe some of the schools in the area may be able to help with the invasive species and that he can cut the trees.

Don MacIver wanted to discuss with the Commission getting MEPA involved in 215 Harwood Ave. Don mentioned that he had looked though some old files and found an old MEPA filing for the driveway at 215 Harwood Ave that never received a Certificate of Compliance. Don suggested that the Commission file with MEPA for a project change notice so they may get involved in the site. Don mentioned that getting MEPA involved will get the state to review the site as well and may get them to take action. Sarah mentioned to Don to get Heather the information to MEPA to file the project change notice.

**Discussion Town Report** – Heather mentioned that town reports are due at the end of February and wanted to know if the Commission wanted to add anything special to the report. James mentioned that an item should be added about the town requiring the Yapp Property.

**Meeting Adjourned at 9:35 p.m.**

Next Meetings: 2/8/2010 and 2/22/2010