

**CITY OF GARDNER
CONSERVATION COMMISSION**

Gardner City Hall – Manca Annex
115 Pleasant St., Room 202

978-630-4014

Gardner, MA 01440

fax 978-632-1905

MEETING

Tuesday August 9, 2022 at 6:30 p.m.

In-Person and Virtual Option

Under the Governor's current bill regarding open meetings and Covid 19, this meeting will be held via Zoom. Detailed instructions for participating in the meeting via Zoom are posted at the bottom of this agenda, or can be obtained by emailing Katie Guertin, Conservation Agent, at kguertin@gardner-ma.gov. All documents and permit applications can be provided electronically. Please send request to kguertin@gardner-ma.gov. All persons interested in this matter, or who desire to offer testimony, are invited to participate.

Members Present:

Chairman Greg Dumas, Michael Hermanson, Norman Beauregard, David Beauregard, and Duncan Burns. Also present was Conservation Agent Katie Guertin

Members Absent:

David Orwig

Guests & Visitors: Wayne Schoales, Tina Schoales, Sue Rousseau, Alan Rousseau, Mary Marsh, Steve Rockwood, Kelsey Shibilila, David Antaya, Chris Mossman, Matt Wzorek

MEETING – brought to Order Chairman G. Dumas at 6:30 pm

Minutes

Vote to approve the Minutes of the Meeting of July 25, 2022

- Motion to table the Minutes to the next meeting made by D. Orwig, seconded by D. Beauregard, and voted all in favor, with D. Burns abstaining.

Request for Determination for Applicability

The Gardner Conservation Commission will hold a joint Public Meeting under MGL, Ch. 131, § 40, Wetlands Protection Act and the City of Gardner Wetlands Protection Ordinance on the **Request for Determination of Applicability** filed by **Robert LaPierre**. for work to be conducted at 122 & 128 Wampanoag South Road, Gardner, MA 01440 (W42-3-9 & W42-4-10). Proposed work consists of the removal of several potentially hazardous trees within 100 feet of a bordering vegetated wetland.

Continued from 1/24/22, 2/14/22, 2/28/22, 3/14/22, 3/28/22, 7/25/22

- K. Guertin informed the Commission that Mr. LaPierre requested a continuance to the next meeting without deliberation.

- A Motion to continue the hearing to August 8th was made by D. Orwig, seconded by D. Beauregard and all voted in favor with D. Burns abstaining

Notice of Intent

The Gardner Conservation Commission will hold a joint Public Hearing under MGL, Ch. 131, § 40, Wetlands Protection Act and the City of Gardner Wetlands Protection Ordinance on a **Notice of Intent** filed by **Conrad Donell**, for the construction of single-family homes, located at 30 & 36 Topaz Terrace, Gardner (W32-22-1). The proposed work is located within the buffers to Bordering Vegetated Wetland.

Continued from 6/27/22, 7/25/22

- Kelsey Shibilina was present for the hearing, representing the applicant
- K. Shibilina presented the revised plans for 30 & 36 Topaz Terrace showing the erosion control lines
- K. Guertin informed the Commission that she had visited the site earlier in the morning and that it looked sufficient.
- No members of the audience spoke on this matter.
- A Motion was made by D. Burns to close the hearing, seconded by N. Beauregard and all voted in favor
- A motion was made by to issue and Order of Conditions, seconded by and all voted in favor.

Notice of Intent

The Gardner Conservation Commission will hold a joint Public Hearing under MGL, Ch. 131, § 40, Wetlands Protection Act and the City of Gardner Wetlands Protection Ordinance on a **Notice of Intent** filed by **Trevor Beauregard**, for the replacement of a culvert/bridge, located on Keyes Road, Gardner. The proposed work is located within the buffers to Bordering Vegetated Wetland and Riverfront Area.

Continued from 6/27/22, 7/11/22, 7/25/22

- Matt Wzorek of Tighe & Bond was present via Zoom
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- A Motion was made by D. Burns to continue the hearing to August 22nd to allow more time for Mass DOT comments, seconded by D. Beauregard and all voted in favor

Notice of Intent

The Gardner Conservation Commission will hold a joint Public Hearing under MGL, Ch. 131, § 40, Wetlands Protection Act and the City of Gardner Wetlands Protection Ordinance on a **Notice of Intent** filed by **Dane Arnold**, for the expansion of the Sludge Landfill, located at 850 West Street, Gardner(H32-16-4). The proposed work is located within the buffers to Bordering Vegetated Wetland.

- K. Guertin informed the Commission that the applicant requested a continuance to the next meeting without deliberation.
- G. Dumas read from the City's Wetland's Ordinance regarding the Commission's scope/jurisdiction and state that the Commission will take the appropriate action on this matter.
- No public or Commission deliberation was allowed.
- A motion was made by D. Burns to continue the hearing to August 22nd, seconded by N. Beauregard and all voted in favor

Notice of Intent

The Gardner Conservation Commission will hold a joint Public Hearing under MGL, Ch. 131, § 40, Wetlands Protection Act and the City of Gardner Wetlands Protection Ordinance on a **Notice of Intent** filed by **Wayne and Tina Schoales**, for the construction of a new single-family home, located on Ashley Drive, Gardner(W22-12-61). The proposed work is located within the buffers to Bordering Vegetated Wetland.

Request for Certificate of Compliance (partial)

The Gardner Conservation Commission will hold a joint Public Meeting under MGL, Ch. 131, § 40, Wetlands Protection Act and the City of Gardner Wetlands Protection Ordinance on the **Request for Certificate of Compliance** filed by **Henry Cormier** for work that never commenced at **Wilder Brook Estates**, Gardner, MA 01440 under DEP file # 160-0261

Request for Certificate of Compliance

The Gardner Conservation Commission will hold a joint Public Meeting under MGL, Ch. 131, § 40, Wetlands Protection Act and the City of Gardner Wetlands Protection Ordinance on the **Request for Certificate of Compliance** filed by **Shirley Clark** for septic system install at **271 Raymond Street**, Gardner, MA 01440 under DEP file # 160-0184

Request for Certificate of Compliance

The Gardner Conservation Commission will hold a joint Public Meeting under MGL, Ch. 131, § 40, Wetlands Protection Act and the City of Gardner Wetlands Protection Ordinance on the **Request for Certificate of Compliance** filed by **Melissa Ann Atkinson** for septic system install at **57 Sawyer Street**, Gardner, MA 01440 under DEP file # 160-0465

Request for Certificate of Compliance (partial)

The Gardner Conservation Commission will hold a joint Public Meeting under MGL, Ch. 131, § 40, Wetlands Protection Act and the City of Gardner Wetlands Protection Ordinance on the **Request for Certificate of Compliance** filed by **Jason Whalen** the development of a house lot at **56 Fieldstone Drive**, Gardner, MA 01440 under DEP file # 160-070.

New Business

Upcoming Meetings

August 22

8:55 pm

A motion to adjourn was made by D. Burns. The motion was seconded by N. Beauregard, and voted unanimously, all in favor.

NOTICE: These Agenda items consist of items that are reasonably anticipated by the Chair to be discussed at the meeting and are specifically allowed to be discussed at the meeting. Not all items listed may in fact be discussed and other items not listed may also be brought up for discussion to the extent permitted by law.

Katie Guertin is inviting you to a scheduled Zoom meeting.

Topic: My Meeting

Time: Jul 25, 2022 06:30 PM Eastern Time (US and Canada)

Join Zoom Meeting

<https://us06web.zoom.us/j/87109594231?pwd=bHRhNUNkWnM5cFMxVmRmSmJSQWVUUT09>

Meeting ID: 871 0959 4231

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Passcode: 711815

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