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CONSERVATION COMMISSION

Christopher Hayward, Chair
Peter Williams, Vice Chair
Heather Charles Lis, Member
Diane Francis, Member
Giles Parker, Member
Hung Pham, Member

APPROVED

CONSERVATION COMMISSION MINUTES JANUARY 5, 2023 MEETING (7PM) JOHNSON CHAMBERS

Present: Diane Francis, Christopher Hayward, Hung Pham, Peter Williams and Kelly Phelan, Conservation Planner

Absent: Heather Charles Lis, Giles Parker

PUBLIC HEARINGS

Notice of Intent DEP File #8-714 73 and 85 Kelley Dr., 0 Graziano Dr./Lin*

Ms. Phelan noted that the applicant had requested a continuation of the hearing to the February meeting.

Motion: by Ms. Francis to continue the hearing to February 2, 2023.

Second: by Mr. Williams.

Vote: In favor: 4, Opposed: 0, Abstained: 0.

Notice of Intent DEP File #8-715 250 Granite St./Global Montello Group Corp.

Ms. Phelan noted that the applicant had requested a continuation of the hearing to the February meeting.

Motion: by Ms. Francis to continue the hearing to February 2, 2023.

Second: by Mr. Williams.

Vote: In favor: 4, Opposed: 0, Abstained: 0.

Request for Determination of Applicability 40 Jensen Farm Rd./Zhou

Peter (Min Cun) Zhou was present. He said he would like to remove trees because they are too close to the house. He showed photos of the trees and damage to a railing from a falling branch.

Ms. Phelan said that there are trees on the sides of the house as well as trees behind the house, along the 25-foot buffer zone. Mr. Zhou said he is concerned about coyotes and wants to install a fence. He said that the trees in the back are in the way of the fence. Mr. Hayward said that trees removed in the 25-foot buffer zone would need to be replaced at a 2:1 ratio. He suggested Mr. Zhou evaluate pruning the trees rather than removing them.

Peter Brown from Harness Lane Extension said he would like to see the trees preserved as much as possible. They are the last of the trees in this area.

Mr. Williams suggested Mr. Zhou talk to a fence company to see if the trees behind the house can be left in place. Mr. Zhou agreed to do that. Mr. Williams requested that Mr. Zhou come back with a revised plan.

Motion: by Ms. Francis to continue the hearing to the February 2nd meeting.

Second: by Mr. Williams.

Vote: In favor: 4, Opposed: 0, Abstained: 0.

Request for Determination of Applicability 60 Jensen Farm Rd./Zheng

Ms. Phelan noted that Ms. Zheng was not able to attend the hearing. She had strongly advised Ms. Zheng to attend but she is unable to attend meetings on Thursday evenings. Ms. Phelan said there are three areas of trees. One is in the 25-foot buffer zone near a retaining wall, the second is in the 50 to 100-foot buffer zone and the third is out of the 100-foot buffer zone, thus out of the Commission's jurisdiction. She recommended that the trees in the 25-foot buffer zone not be approved for removal.

Peter Brown from Harness Lane Extension said that some of the trees shade his yard and provide screening as well as wildlife habitat. He said there is a lot of wildlife that use the area including deer and turkeys. He requested that the Commission require an arborist to evaluate the trees. Mr. Williams said that is not in the regulations.

Mr. Hayward agreed with Ms. Phelan that trees in the 25-foot buffer zone should not be removed. He suggested pruning be considered for the 50-100 foot buffer zone but if they are removed they be replaced at a 2:1 ratio.

Motion: by Mr. Williams to issue a Negative Determination of Applicability with conditions to prohibit tree removal in the 25-foot buffer zone, allow tree removal (with 2:1 replacement) in the 50 to 100-foot buffer zone if pruning is not an option and to note that trees out of the 100-foot buffer zone are not in the Commission's jurisdiction.

Second: by Ms. Francis.

Mr. Pham proposed amending the motion to note that replacement trees should be planted in the general area of the removed trees. Second to proposed amendment by Ms. Francis.

Vote: In favor: 4, Opposed: 0, Abstained: 0.

OTHER BUSINESS

Request for Certificate of Compliance 8-660 1535 Washington St.

Ms. Phelan recommended that the Commission issue the Certificate Compliance for 8-660 with surviving conditions and return the as-built guarantee.

Motion: by Ms. Francis to issue the Certificate of Compliance with surviving conditions.

Second: by Mr. Williams.

Vote: In favor: 4, Opposed: 0, Abstained: 0.

Motion: by Mr. Williams to return the as-built guarantee.

Second: by Ms. Francis.

Vote: In favor: 4, Opposed: 0, Abstained: 0.

Staff or Commission Updates – none

Approval of Minutes – December 1, 2022

Motion: by Mr. Williams to approve the December 1, 2022 meeting minutes with amendment as requested by Ms. Charles Lis via email to Ms. Phelan.

Second: by Ms. Francis.

Vote: 3-0-1. Mr. Pham abstained from the vote. The motion does not pass. Approval of the December 1, 2022 minutes will be included on the agenda for the February meeting.

Adjourn

Motion: by Ms. Francis to adjourn the meeting at 8:10 PM.

Second: by Mr. Williams.

Vote: 4-0-0.

*continued from December 1st meeting