

APPROVED



Mayor Joseph C. Sullivan

Department of Planning and Community Development
90 Pond Street
Braintree, MA 02184
781 794-8230

Christine Stickney, Director
Melissa M. Santucci, Principal Planner
Kelly Phelan, Conservation Planner

**CONSERVATION COMMISSION
MEETING MINUTES
THURSDAY, JULY 16, 2009 7PM**

FLETCHER HALL – TOWN HALL

Members Present: Patrick Flynn, Chair
Gail Feldman
Matthew Hobin
Daniel McMorro
Gus Murphy
Alan Weinberg

Staff: Kelly Phelan

Wetland Ordinance

In a memo dated July 13, 2009 staff provided a summary of the changes the Commission has discussed over the course of several meetings:

- include notification to neighboring towns for projects within 300 feet of the town line rather than 100 feet
- only the Homeowner's Association need be notified, rather than every unit owner, for projects which abut a condominium
- substitute "follow procurement law" when obtaining outside consultants rather than the fee schedule
- incorporate MACC definition of vernal pool
- add language regarding "scenic vistas"
- increase the distance of the no-disturb buffer from 25' to 50'
- increase length of permit from one year to three years to avoid excessive paperwork

Ms. Feldman asked about the change in noticing requirements to neighboring towns. Currently an applicant who proposes a project within 100 feet of the town line notifies the Conservation Commission of that town. Mr. Weinberg had proposed increasing this to 300 feet.

Ms. Feldman asked about the language regarding procurement process when obtaining peer review services. Staff said that the bylaw currently has a fee table for situations in which the Commission requests the applicant provide peer review services. The table is based on project cost. Staff noted that past practice was to obtain quotes from qualified reviewers and go with the lowest quote. Staff recommended stating "follow procurement process" rather than using the fee schedule.

Mr. Flynn and Mr. Weinberg clarified language on the 50 foot no-disturb buffer on page 9 of the ordinance document to read "*The Commission therefore shall require an applicant to maintain, at a minimum, a continuous undisturbed vegetative strip abutting a wetland a minimum of 50 feet and may set other conditions as it deems necessary, unless the applicant provides evidence deemed sufficient by the Commission that the buffer zone may be disturbed without harm to the values protected by the Ordinance.*"

Motion by Mr. Murphy, second by Ms. Feldman, to accept the proposed changes to the wetland bylaw. Vote: 6-0.

8-531 Release of Surety

Staff recommended the Commission vote to release the surety for the wetland replication work associated with this project, as it has been completed, monitored and successfully established.

Motion by Mr. Weinberg, second by Ms. Feldman, to release the surety for 8-531. Vote: 6-0.

MACC Membership

Staff received the membership renewal request from the Massachusetts Association of Conservation Commissions (MACC). MACC provides technical support to Commissions throughout the state in the form of a semi monthly newsletter, conferences, workshops and a call line. Annual membership is \$406 dollars. Staff noted that there was \$500 in the annual operating budget for dues and memberships.

Motion by Mr. McMorrow, second by Ms. Feldman, to renew membership in MACC.

Mr. Weinberg stated that staff should renew membership in the Massachusetts Society of Municipal Conservation Professionals when that comes up. It is only \$25 and offers educational programs and peer interaction for staff.

Approval of Minutes

Motion by Mr. Weinberg, second by Mr. Murphy, to accept the minutes of June 25. Vote: 6-0.

Motion to Adjourn

Motion by Mr. Weinberg at 7:20 PM, second by Mr. Murphy, to adjourn the meeting. Vote: 6-0.