



Grafton Conservation Commission

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Minutes of the February 21, 2023 Meeting at 7:00 p.m.

A meeting of the Grafton Conservation Commission was held via Zoom on February 21, 2023. Present were: Chairperson Sandra Brock, Commissioners Jonathan Nickerson, Patrick Huegel and Travis Mast, and Conservation Agent Leah Cameron and Conservation Assistant Jan Elyse Taylor.

Sandra Brock opened the public meeting at 7:01 p.m.

February 7, 2023 Meeting Minutes – Patrick Huegel made a motion to accept the meeting minutes as drafted. Travis Mast seconded the motion and it carried unanimously.

Extension Request - DEP # 164-983 / WP #801 - Stowe Road Culvert - Town of Grafton DPW – The Agent reported that supply chain issues have caused a delay in the project, and the applicant requested a two-year extension. This is the first extension request. Travis Mast made a motion to issue the two-year extension. Jonathan Nickerson seconded the motion and it carried unanimously.

Extension Request - DEP # 164-990 / WP #809 - Route 122A Reconstruction – Town of Grafton DPW - The applicant requested a two-year extension due to a delay in the bidding process for the project. This is the first extension request. Patrick Huegel made a motion to issue the two-year extension. Jonathan Nickerson seconded the motion and it carried unanimously.

Request for a Certificate of Compliance – DEP #164-1018 / WP #835 – 179 Upton Street – The Agent stated that no work has commenced for this project, and the Town will be purchasing this parcel. Travis Mast made a motion to issue the Certificate of Compliance and was seconded by Jonathan Nickerson. The motion carried unanimously.

Request for a Certificate of Compliance – DEP #164-1019 / WP #836 – 183 Upton Street - The Agent stated that no work has commenced for this project, and the Town will be purchasing this parcel. Travis Mast made a motion to issue the Certificate of Compliance and was seconded by Jonathan Nickerson. The motion carried unanimously.

NOI #164-1033/WP #847/SWP #23-1 - 61 Leland Street – Timothy Walsh & Leigh Casaceli – driveway, garage & paddock – The applicant requested a continuance to March 7. Patrick Huegel made a motion to continue the hearing. Jonathan Nickerson seconded the motion and it carried unanimously.

NOI#164-1031/WP#846/SWP#22-1 -58 Follette St – Celco Partnership/Verizon Wireless – cell tower/driveway - The applicant requested a continuance to March 7. Travis Mast made a

motion to continue the hearing and was seconded by Jonathan Nickerson. The motion carried unanimously.

RDA – 145 Millbury Street – Mark & Kelly Benoit – house addition – Robert Murphy presented the project to the Commission. The applicant is proposing a house addition outside of the 100ft buffer zone and any resource areas but with the limit of work is within the buffer zone. He confirmed that the stone wall and shed are pre-existing on the site. The Agent agreed with the delineation, but it has not been confirmed through peer review. Mr. Murphy agreed that a determination does not need to be issued and it would be adequate to have a finding that the Commission has no issues with the delineation but it shall not be considered an official confirmation. Jonathan Nickerson made a motion to issue a negative determination for the work being further subject to Wetlands Protection Act provided that the limit of work, erosion control and measures detailed in the narrative are adhered to with the above mentioned finding. Patrick Huegel seconded the motion and it carried unanimously.

Nancie Picconi of 3 High Point Drive alerted the Commission to an agenda posting error for this meeting. Conservation staff investigated this during the meeting, and it was discovered that Conservation staff had emailed the Town Clerk the 2/21/23 agenda for posting 48 hours in advance, had received confirmation that it was received and posted, but the Town Clerk uploaded the incorrect agenda (from 2/7/23 instead) for that meeting link online. Earlier in the day on 2/21/23, Conservation staff had posted an amended agenda to reflect a few continuance requests that had been received, which was posted correctly. The hearings held that evening had also been correctly advertised in the local paper. The Chair decided to continue the meeting and staff will investigate this issue further.

NOI - #164-1034 / WP #849 – 37 Magnolia Lane – Christopher Campos – garage bay addition – Scott Jordan presented the project to the Commission. The applicant is proposing an addition to the garage bay within buffer zone and the 25' no-disturb area. The wetlands in the rear of the property have encroached towards the existing lawn since the last delineation was performed in 2008. The Agent noted the comments from DEP that the Commission should consider protective measures for resource areas, and that a previous Order of Conditions required signage around 25' no-disturb area, a deed restriction prohibiting further resource area alteration and no fertilizer, herbicide, or pesticide use within the buffer zone. The applicant requested a waiver to work within the no-disturb area. Travis made a motion to grant the waiver and was seconded by Jonathan Nickerson, which passed unanimously. Patrick Huegel made a motion to issue the Order of Conditions with the special condition that signs marking the no-disturb buffer zone shall be placed at intervals of no more than twenty feet apart along the tree line and at WF-A19. Jonathan Nickerson seconded the motion and it carried unanimously.

Request for partial Certificate of Compliance – DEP #164-591 / WP #438 – Highfields Subdivision – Byron Andrews summarized the wetlands report that stated the wetland replication area behind 14 Magill proposed at 3,124 sq ft of replication which was completed but it is bowl shaped and it is uncertain if it is connected to adjacent wetlands. The second replication area north of area 1 was proposed at 1,132 sq ft is also bowl shaped, is not connected to adjacent wetlands and it is uncertain if it meets wetland plant percentage requirement. The third replication area near hole 12 was proposed at 1,230 sq ft was never constructed and remains

as woods. The fourth replication area near hole 16 was proposed at 7,680 sq ft was never constructed and is now lawn, sidewalk, and upland trees. The remaining two replication areas near the western end of Manor Hill Drive, which are outside of Phase 1, do not appear to have been constructed. Mr. Andrews proposed submitting a plan showing the existing replication areas and proposed additional replication areas to meet the required amount. This item was rescheduled to the 3/7/23 meeting.

Highfields Subdivision Conservation Restriction – This item was rescheduled to the March 7, 2023 meeting.

Jonathan Nickerson made a motion, seconded by Travis Mast, to adjourn the meeting at 8:18 p.m. The motion carried unanimously.

Documents discussed & located in the Conservation Commission office:

RDA Package for 145 Millbury Street
NOI Package for 37 Magnolia Lane
NOI Package for 58 Follette Street
NOI Package for 61 Leland Street
Extension Request for the Stowe Road culvert
Extension Request for the Route 122A Reconstruction
Request for a Certificate of Compliance for 179 Upton Street
Request for a Certificate of Compliance for 183 Upton Street
Request for a partial Certificate of Compliance for Highfields Subdivision
Highfields Subdivision Conservation Restriction
February 7, 2023 Meeting Minutes
Report to Commissioners dated February 21, 2023

Minutes drafted by Jan Elyse Taylor
Approved on 3/21/2023