

**Middleton Conservation Commission
Regular Meeting
Fuller Meadow School Library
September 1, 2009**

The regularly scheduled meeting of the Middleton Conservation Commission was held on Tuesday, September 1, 2009 at the Fuller Meadow School, Middleton MA. The meeting was called to order at 7:05.

Members present - Fred Zakon, Chairman; Ann Delmarsh, Dennis Milotsky and Michael Sliney, Commission members. Also present were Michelle Grenier, Conservation Agent and Mary Jane Morrin, Recording Secretary.

Review/Approve Minutes of August 4th, 2009 meeting

The minutes of the August meeting were submitted and reviewed. A few typographical errors were noted. Ms Grenier said she would make the corrections. Mr. Milotsky made a motion to accept the minutes of the August 4th meeting with corrections. Ms. Delmarsh seconded the motion and all were in favor.

COC - Shipley Court -Woodbrook Realty

Attorney Jill Mann appeared on behalf of Brent McKennelly of Woodbrook Realty, requesting that a Certificate of Compliance (COC) be issued for this project. She noted that the final coating was complete.. Ms. Grenier said that she had inspected the site and that the as built plan reflects all requirements of the Notice of Intent (NOI).

Ms. Delmarsh made a motion to issue the COC. Mr. Milotsky seconded the motion and all members present were in favor. The paperwork will be sent to Ms. Mann.

NOI- Pipeline Project Map 22 &23 DEP file # NE 222-0639

Mike Lychwala represented N&N Operations for Northeast Pipelines. The project in question is an upgrade to add a copper cable for electrical grounding to portions of the existing gas pipeline because current can build up on the pipe. It involves one crossing of a wetland. This wetland was crossed when the pipe was initially installed. The cable will be installed two feet deep and two feet off the pipeline. Timber mats will be used to protect the wetlands. The project will take about one week to complete and they would like to start as soon as possible. They will clean up the area immediately after the project is complete. Ms. Grenier said that she was very familiar with the timber mat process and it causes very little damage. The wetland is a cattail swamp which will come back quickly.

Mr. Sliney pointed out that there was a lot of vandalism along the route and markers had been removed. He asked if Mr. Lychwala was certain of the location of the pipeline. He replied that they know where the pipe is and confirm the location where the markers are missing. Mr. Zakon asked if any part of the installation were above ground. Mr. Lychwala said there were above ground connector boxes. Mr. Zakon asked about protection from the All Terrain Vehicles (ATV). Mr. Lychwala said they try to keep the gates closed and the ATV can avoid the above ground boxes if they wish.

Ms. Delmarsh made a motion to close the hearing on the NOI. Mr. Milotsky seconded the motion and all members present were in favor. Ms. Grenier noted that there is a 10 day

appeal period before the work can be completed. The paperwork will be sent to George McLaughlin.

Other Business

While waiting for the 7:30 hearing to begin, other items of business were discussed. Ms. Grenier reminded the Commissioners of some upcoming conferences, including a Conference on Water Resources on October 24th and the Fall Massachusetts Association of Conservation Commissioners Conference at Holy Cross.

Ms. Grenier also recounted her conversation with a Department of Environmental Protection official concerning the new Howe Manning. DEP is insisting that the wetland crossing is subject to more scrutiny. Ms. Grenier feels it is not necessary for alternative analysis because the replication area is less than 5000 sq. ft. Jill from DEP will meet Ms. Grenier and any Commissioners who can come on Friday morning for a site walk at 9:00 AM.

Abbreviated Notice of Resource Area of Delineation (ANRAD) - 70R East St., Map 14, DEP file # NE 222 0640

Mary Rimmer represented the applicant Old Boxford Estates, concerning 70R East St. which is a 26.5 acre site bordering the Ipswich River and containing three wetland areas. These areas are delineated on the plan as well as the mean high water line for the Ipswich River and the 200 ft buffer zone. Ms. Grenier said that she had walked the site along with Ms. Delmarsh and Mr. Milotsky. She found that the delineation was accurate. Mr. Zakon asked for a motion. Ms. Delmarsh made a motion to approve the ANRAD and to issue an Order of Resource Delineation (ORAD). Mr. Milotsky seconded the motion and all commissioners present were in favor.

Extension of Order of Conditions (OOC) for 27 East St.

An extension is needed because this lot has not been sold. There was a discussion of whether the extension could be less than three years. Ms. Grenier felt that extensions had to be issued for three years.

Mr. Sliney made a motion to extend the OOC for 27 East St. for three years. Mr. Milotsky seconded the motion and all commissioners present were in favor.

Adjournment - Mr. Sliney made a motion to adjourn the meeting at 7:50. Ms. Delmarsh seconded the motion and all were in favor. The next meeting will be October 6th.

Respectfully submitted,

Mary Jane Morrin
Mary Jane Morrin, Recording Secretary