

**Draft Meeting Minutes  
Middleton Conservation Commission  
Regular Meeting  
Fuller Meadow School Library  
October 6th, 2009**

The regularly scheduled meeting of the Middleton Conservation Commission was held on Tuesday, October 6th, 2009 at the Fuller Meadow School, Middleton MA. The meeting was called to order at 7:00.

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

**Review/Approve Minutes of the September 1st, 2009 meeting**

The minutes of the September meeting were submitted and reviewed. Mr. Milotsky made a motion to accept the minutes of the September 1st meeting with corrections. Mr. Sliney seconded the motion and all were in favor.

**Certificate of Compliance (COC) - 2 Warren Dr. DEP # 222--503** - Mr. Daniel Bandar represented himself in this matter. Ms. Grenier explained that this house has been built according to the accepted plan. Mr. Milotsky asked if there were a No Disturb zone on the property. Ms. Grenier said there wasn't. Mr. Bandar said that there was a retaining wall that had been inspected by Mr. Messenger, the previous agent. The property is fenced and there is no access to the area in back. Mr. Milotsky made a motion to approve the issuance of the COC for 2 Warren Dr. DEP # 222--503. Ms. Delmarsh seconded the motion and all were in favor. Mr. Bandar asked that the COC be sent to his address in Marblehead.

**COC - 18 Ross Lane (DEP) # 222-0506** - This property has a retaining wall and a fence separating it from the No Disturb zone. Ms. Grenier inspected the property on September 30<sup>th</sup> and found that the work has been done according to the plan. Mr. Milotsky made a motion to approve the issuance of the COC for 18 Ross Lane. Ms. Delmarsh seconded the motion and all were in favor.

**Notice of Intent for 9 Peabody St.** - Howard Bernhardt appeared representing himself. He explained that he was not aware that he was filling in the buffer area. He had built a garage five years ago and replaced a septic system four years ago and no one had indicated to him that he was close to the buffer zone. He said he had pulled the material out of the wetland and has planted some bushes. Ms. Grenier said that he had done a nice job of building a rock retaining area around the area. She said that Mr. Bernhardt could now remove the silt fence. Mr. Milotsky made a motion to close the hearing on the NOI. Mr. Talbot seconded the motion and all were in favor. Ms. Grenier said the Order of Conditions will be issued tomorrow and it needs to go to the Registry of Deeds. Since there are no abutters, there can be no appeal, so the ten day waiting period is unnecessary.

## **Other**

**Howe Manning Access Rd.** - The Commissioners signed the Order of Conditions for the Howe Manning School access road. A Wetlands Replications Report was sent to the Department of Environmental Protection (DEP). They accepted the report and withdrew their appeal to the Commission's decision. Mr. Zakon asked for a copy of Ms. Grenier's report to DEP and she said she would send it to him.

## **Extension of permit for Middleton Stream Team Order of Condition for work off Maple St.**

This is work at the canoe launch on Maple St. Ms. Grenier reported that this work should be completed soon. It has taken a while to get volunteers lined up. Mr. Milotsky made a motion to issue an extension of the Order of Conditions for Middleton Stream Team's work at the Maple St. Canoe launch. Mr. Sliney seconded the motion and all were in favor.

## **Odds & Ends**

– Mr. Milotsky asked if Ms. Grenier could take a look at the work going on at Currier Pond.

– Ms. Delmarsh asked if Ms Grenier could inspect the work at the corner of Webb St. and Pollock Rd.

– Ms. Delmarsh asked if the site walks could be scheduled for the Monday before the monthly meeting with a back up date of Tuesday, the day of the meeting.

– Ms. Grenier informed the Commissioners that the regular meetings will be held at the Flint Public Library meeting room starting in December.

The Town website is being updated and the Commissioners were asked how they would like to use it. Questions such as posting agendas and minutes were discussed.

**Adjournment** - Ms. Delmarsh made a motion to adjourn the meeting. Mr. Sliney seconded the motion and all were in favor. The meeting was adjourned at 8:05.

Respectfully submitted,

Mary Jane Morrin

Mary Jane Morrin, Recording Secretary.