

Worthington Conservation Commission
Minutes of Meeting
July 21, 2016

1 Call to Order

The meeting was called to order at 07/21/2016 07:06:26 PM.

2 Attendance

2.1 Members

Andrew Madden, Diana Noble, Virginia Sowers, Mary Gerken, Jim Molyneux, Peggy O'Neal, Ed Lewis

2.2 Guest

Fred Sears: Hill Engineers, Inc.

3 Public Hearing - 67 South Worthington Road

A public hearing opened at 07/21/2016 07:08:20 PM to review a request for determination of applicability (RDA) submitted by Hill Engineering (Hill) in behalf of Garrett Collins, Jr. Nominee Trust concerning planned work at 67 South Worthington Road. Hill submitted the RDA on June 17, 2016.

The major pieces of work before the commission are constructing an underground sewage disposal (septic) system and a drinking water well for an existing house. The Town Board of Health issued a construction permit for the septic system on June 25, 2016.

The commission conducted a site review immediately before tonight's meeting. Mr. Sears and the commission reviewed the proposed work and its environs at that time.

The entire scope of work is within the 200-ft riverfront area of the Little River at distances exceeding 50 feet from banks, land under water and bordering vegetated wetland.

The drinking water well will be installed less than 100 ft from the river at a location north of the existing house structure. This is the only flat area where there could be access by a well drilling rig. It was the opinion of all attending the site visit that locating the well as shown on the project plans would cause less disturbance than locating the well more than 100 feet from the river due to the site's topography. The existing house, existing water well and septic system as well as proposed septic system and well are located in the bottom of a fairly large bowl shaped depression. The depression appears to be the result of mining or excavation many years ago.

Mr. Sears is aware of no proposed changes to the access road to the house.

Ms. Noble expressed a concern about the impact of heavy equipment traffic in the area.

No start date has been proposed for the work.

Ms. Noble suggested that the commission make surprise visits while work is going on.

Mr. Madden raised a question as to whether or not the proponents submitted a copy of the RDA to the State Division of Fisheries and Wildlife, Natural Heritage and Endangered Species Program (NHESP). Hill had not submitted, citing an exemption found in Code of Massachusetts Regulations Title 321 (321 CMR). There was considerable discussion on the merits of advising the NHESP of the scope of work as the proposed work lies entirely within areas designated as priority habitat for rare and endangered species.

It was consensus that there is little or no merit in requiring that the proponents file a Notice of Intent.

Mr. Lewis offered a motion that Mr. Molyneux seconded that the commission suspend the public hearing until the proponents have received a project evaluation from the NHESP or 30 days have elapsed between the time of submission and the lack of a response from NHESP.¹ The commission approved the motion unanimously.

Mr. Sears agreed to correspond with NHESP promptly, sending a copy of any response to Ms. O'Neal who will distribute the response to the commission members.

The public hearing session ended at 07/21/2016 07:24:01 PM

¹The NHESP has 30 days to respond to this type of enquiry, otherwise the project may proceed under presumptive Massachusetts Endangered Species Act (MESA) approval.

4 Old Business

4.1 Minutes of May 19 Meeting

Ms. O'Neal offered a motion that Ms. Sowers seconded that the minutes of the May 19 meeting be approved as presented. The commission approved the motion unanimously.

4.2 Minutes of June 1 Public Hearing

Mr. Molyneux offered a motion that Ms. O'Neal seconded that the minutes of the June 1 public hearing session be approved as presented. The commission approved the motion unanimously.

4.3 Minutes of June 16

The commission met on June 16, minutes recorded, however the minutes have not been made available to the commission for review.

Secretary's note: Evidently, there was important business conducted, timely promulgation of draft minutes would be appreciated.

4.4 Wolf Property

Ms. O'Neal provided Mr. Wolf with a copy of the Massachusetts Forestry Management Handbook. Mr. Molyneux has had more than one conversation with Mr. Wolf concerning the application of the wetlands protection act to forestry activities. It was the consensus of the commission that it would take no more action relative to this matter.

5 New Business

5.1 MACC Dues

Ms Gerken signed off renewing the Massachusetts Association of Conservation Commissions (MACC) membership. Ms. O'Neal is submitting a warrant to the town Accountant for payment.

5.2 Forest Cutting Plan

The commission is in receipt of a forest cutting plan involving property located on SH-143 which is owned by Cynthia McGrath and Sara Jonsburg.

A Jeff Jourdain, Forester prepared the plan which Mdms. McGrath and Jonsburg signed on July 7, 2016.

The State Department of Conservation and Recreation (DCR) has not signed the plan as “completed” at this time.

6 Adjourn

The meeting adjourned at 07/21/2016 07:41:44 PM