

**CITY OF GARDNER
CONSERVATION COMMISSION**

115 Pleasant Street
Gardner City Hall

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Conservation Commission Meeting Minutes

Monday, January 12th, 2026, at 6:30 PM

Hubbard Conference Room, Room 203, City Hall Annex

Present Members: Chairman Gregory Dumas, Duncan Burns, Corinne Smith, Brian Hall, Nicholas Summerhayes (David Orwig was Absent)

Conservation Agent: Justin Enright

Minute Taker: Justin Enright

Guests & Visitors: Steven Rockwood – Citizen, Wesley Flis – McCarty Engineering, Inc.

Meeting brought to order by Chairman Dumas at 6:30PM

Public Comment on Agenda Items: 2:00 minute time limit per individual.

(Participants in hearings will be able to make public comment when recognized by the chair after the opening to the hearing, but prior to the hearing being closed).

None at this time.

Minutes:

- Vote to approve the minutes of 12/8/25.

Motion to approve the minutes of 12/8/25

Motion by Duncan Burns

Motion seconded by Corinne Smith

Motion carries 4-0-1

Emergency Certification:

None at this Time

Request for Certificate of Compliance:

30 Foster Court

Mr. Dumas opened the discussion for the Requests for Certificates of Compliance (RCOCs). Mr. Enright gave a summary of the circumstances surrounding the RCOCs. Mr. Enright had mentioned that there are multiple lots attached to DEP#160-0335. As a result, Mr. Enright Suggested that if compliance was to be given for the property it would be most appropriate to grant partial compliance regarding DEP#160-0335 and complete compliance to DEP#160-0362. Mr. Burns and Mr. Dumas inquired as to why after all this time had the RCOC been brought to the attention of the Commission. Mr. Enright had stated that it may have been forgotten over the

years between applicants, contractors, and owners, and was discovered via a thorough records search while in the process of changing owners. Mr. Enright then went on to say that outstanding Orders of Conditions (OOCs) are somewhat common across the state and. Mr. Dumas inquired about if they could inform the other property owners about the outstanding OOC. Mr. Enright stated that he could look into it.

- DEP#160-0335

The Commission voted to grant partial compliance to 30 Foster Court for the Order of Conditions (OOC) associated with DEP#160-0335.

Motion to grant partial compliance to 30 Foster Court.

Motion by Duncan Burns

Motion Seconded by Brian Hall

Motion carries 5-0-0

- DEP#160-0362

The Commission voted to grant full compliance to 30 Foster Court for DEP#160-0362.

Motion to grant full Compliance to 30 Foster Court.

Motion by Duncan Burns

Motion seconded by Nicholas Summerhayes

Motion carries 5-0-0

Enforcement Order:

- Sludge Landfill (continued until 1/26/26)
- 36 Nicole Terrace (Continued until 5/11/26)
- 282 Brookside Drive (Continued until 5/11/26)

HEARINGS

Request for Determination of Applicability:

31 Travers St.

The Gardner Conservation Commission will hold a joint Public Hearing under MGL, Ch. 131, § 40, Wetlands Protection Act and the City of Gardner Wetlands Protection Ordinance on a Request for Determination of Applicability filed by Robert Rudd for the proposed installation of a new carport to take place at 31 Travers Street, Gardner, MA 01440 (Map: R17-18-7). The work will be set to occur within the Buffer Zone of a Bordering Vegetated Wetland (BVW) as well as Riverfront Area (RA). (Continued to 2/9/26)

Mr. Dumas opened the RDA hearing discussion for 31 Travers Street. Mr. Dumas stated that the applicant asked for continuance. The Commission voted to continue the hearing discussion to the 2/9/26 meeting.

Motion to continue the RDA hearing discussion to the 2/9/26 meeting.

Motion by Duncan Burns

Motion seconded by Brian Hall

Motion carries 5-0-0

Notice of Intent:

827 Green Street:

The Gardner Conservation Commission will hold a joint Public Hearing under MGL, Ch. 131, § 40, Wetlands Protection Act and the City of Gardner Wetlands Protection Ordinance on the Notice of Intent filed by McCarty Engineering, Inc. on behalf of GAAMHA, Inc. for the proposed construction of a building, with associated parking and utilities at 827 Green Street Gardner, MA 01440 (Map: R42-21-1). Portions of the proposed work are set to occur within the wetlands Buffer Zone of several nearby resource areas. (DEP#160-0681) (Continued to 1/12/26)

Mr. Dumas reopened the NOI hearing discussion for 827 Green Street (DEP#160-0681). Mr. Flis introduced himself as representative for the project. Mr. Dumas asked if Mr. Flis could quickly go over the project. Mr. Flis summarized the information regarding the project between 12/8/25 and 1/12/26. Mr. Flis had mentioned correspondence with the city engineers and their satisfaction with the revisions made to the project plans. The Commission voted to close the hearing and issue a Standard Order of Conditions to DEP#160-0681. Mr. Flis did confirm that the only extra condition discussed was in regards to an O&M plan for the site. Mr. Enright mentioned that he would be in contact with Mr. Flis over the coming days to finalize the Order of Conditions (OOC)

Motion to close the hearing for DEP#160-0681

Motion by Duncan Burns

Motion Seconded by Brian Hall

Motion carries 5-0-0

Motion to issue a Standard Order of Conditions to DEP#160-0681

Motion by Duncan Burns

Motion seconded by Corinne Smith

Motion carries 5-0-0

677 Timpany Boulevard

The Gardner Conservation Commission will hold a joint Public Hearing under MGL, Ch. 131, § 40, Wetlands Protection Act and the City of Gardner Wetlands Protection Ordinance on the Notice of Intent filed by Bohler, LLC. on behalf of Walmart Real Estate Business Trust for the proposed redevelopment and construction of a fuel station and convenience store with landscaping, associated utilities and stormwater infrastructure located at 677 Timpany

Boulevard Gardner, MA 01440 (Map: R12-16-1). Portions of the proposed work are set to occur within the Buffer Zone of both bordering (BVW) and isolated vegetated wetlands (IVW). (DEP160-0682)(Continued to 1/12/26)

Mr. Dumas reopened the hearing discussion for 677 Timpany Boulevard DEP#160-0682 (The Commission voted to continue the hearing for DEP#160-0682 to the 1/26/26 meeting.

Motion to continue the hearing discussion for DEP#160-0682 to the 1/26/26 meeting.

Motion by Duncan burns

Motion seconded by Nicholas Summerhayes

Motion carries 5-0-0

Old Business

170 Mill St (Continued Discussion) 160-0658:

The Gardner Conservation Commission will hold a joint Public Hearing under MGL, Ch. 131, § 40, Wetlands Protection Act and the City of Gardner Wetlands Protection Ordinance on a Notice of Intent filed by Mark Harasimowicz, for the construction of a contractor building and associated site improvements, located at 170 Mill Street, Gardner. The project is located within the riverfront area. (Continued from September 25th, 2023) (Continued until 1/26/26)

New Business

- PARC Grant: Ovila Case Playground Upgrades

Mr. Dumas Opened the discussion for the PARC Grant. Mr. Enright mentioned that the city was being awarded approximately \$250,000 in grant funds for repairs and improvements. Mr. Enright went on to state that the scope would not change the blueprint or cause a concern for jurisdiction in the realm of permitting. The Commission voted to accept and sign the presented document for the work at the Oliva Case Playground.

Motion to accept and sign the PARC Grant for Oliva Case Playground.

Motion by Duncan Burns

Motion seconded by Brian Hall

Motion carries 5-0-0

- Massachusetts Electric Company (MECO) Utility Notification

Mr. Dumas opened the discussion about the MECO utility notification. Mr. Enright summarized the scope of work presented by LEC on behalf of MECO. Mr. Enright mentioned that it was a maintenance project and would be exempt from permitting. Mr. Enright stated that he would update the commission on progress.

- Reorganization of the Commission: Annual nomination and election of associated board officer roles.

Mr. Dumas opened the discussion on reorganization of the Commission and summary of the notification for reorganization of local boards. Greg went over the history of positions for the Commission. Greg Dumas was nominated by Brian Hall. The Commission voted to have Greg Dumas as Chair of the Commission.

Motion for Greg Dumas to Continue as Chair of the Commission.

Motion by Brian Hall

Motion seconded by Nicholas Summerhayes

Motion carries 4-0-1

- New England Power Company (NEP) Utility Maintenance Notification

Mr. Dumas opened the discussion for the NEP utility maintenance notification for Perley Brook Culvert. Mr. Enright summarized NEPs' intent for a temporary solution on the site, to then come back later for permanent repairs. Mr. Enright did mention that he was waiting on correspondence with DEP. Mr. Enright went to express concern for the classification of the activity as strictly maintenance within the work area and the Commission proposed correspondence with DEP and NEP.

- Agent Report

Mr. Enright had mentioned that the DPW had completed the work for the Emergency Certification (EC) on the Mahoney Brook beaver dam and had done so with minimal impact to the resource area. Mr. Dumas had inquired about the number of times that this one had been removed. Mr. Enright had stated that the dam was located at a different section than the previous iteration of the EC. Mr. Dumas inquired about when consideration for alternatives would come into play. Mr. Enright stated that it would have to be evaluated for where in the wetland system certain alternatives would be implemented. Mr. Enright also confirmed that trapping would be done through Board of Health. A brief discussion ensued about the area.

Mr. Enright gave an update regarding the progress of Old Duck Pond Dam (DEP#160-0678). Mr. Enright had stated that out of an abundance of caution, that the engineer and contractor work on supplemental erosion controls. Mr. Enright then stated that the next phase of the project (including the plantings) would be done in the spring. Mr. Hall and Mr. Dumas expressed concern for the placement of the stones in the channel regarding the substrate and potential for future washout. The Commission requested that Mr. Enright reach out to the engineer for their thoughts on the matter.

Mr. Enright updated the Commission on the Keyes Road Culvert project and the recent submission by the city for the Community Culvert Grant (CCG). Mr. Enright went over the associated costs and reasoning behind the grant application. Mr. Dumas inquired about who would be in charge of the project. Mr. Enright stated that he was currently in charge of overseeing the submission and project, as well as preparations for MVP in April. A brief discussion ensued about progress on acquiring funding.

Mr. Burns inquired if the Agent had heard anything from DEP!60-0673 regarding their silt fence. Mr. Enright would check with the applicant.

Mr. Dumas inquired if the Agent had heard anything regarding the proposed bridge over Route - 140. Mr. Enright would contact appropriate parties.

Professional Development

Mr. Dumas inquired about the DEP workshops and how the Agent was doing with them. Mr. Enright stated that overall, they were proceeding well. Mr. Enright went on to briefly talk about his progress on the UNH workshops he was attending. Mr. Enright concluded with his specialization training through University of Illinois and University of Maryland Systems via Coursera.

Mr. Enright went on to mention that he had received notification that the MACC Spring Conference would be on 2/28/26. A brief discussion ensued about preparation for the conference.

Upcoming Meetings

- ✓ January 26th, 2026
- ✓ February 9th, 2026

Adjourn

Motion to adjourn the 12/8/25 meeting by rollcall at 7:16PM.

Motion by Nicholas Summerhayes

Motion seconded by Brian Hall

Motion carries 5-0-0

Respectfully submitted,

Justin Enright

Conservation & Planning Agent