



**CITY OF GARDNER
CONSERVATION COMMISSION**

Gardner City Hall – Manca Annex
115 Pleasant St., Room 202

978-630-4014

Gardner, MA 01440

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MEETING

Monday, January 25, 2020 at 6:30 p.m.

Due to the ongoing conditions related to the COVID 19 outbreak, the meeting will be held via Zoom Meeting. Detailed instructions for participating in the meeting via Zoom Meeting are posted at the bottom of this agenda, or can be obtained by emailing Lyndsy Butler, Conservation Agent, at lbutler@gardner-ma.gov. All documents and permit applications can be provided electronically. Please send request to lbutler@gardner-ma.gov. All persons interested in this matter, or who desire to offer testimony, are invited to participate.

Members via Zoom:

Chairman Greg Dumas, David Orwig, Michael Hermanson, David Beauregard, Norman Beauregard, and Donna Lehtinen. Also on Zoom was Conservation Agent Lyndsy Butler, and Administrative Clerk Kris Singer

Members Absent:

Duncan Burns

Guests & Visitors:

Matt Marro, Alan Rousseau, Ivan Ussach – Bridge / West St.; Tyler Meunier – Eagle Scout Troop #9; Maryann Doiron – owner of 39 Kendall Pond East; and Steve Rockwood – Gardner resident

MEETING – brought to Order by Chairman G. Dumas at 6:30 pm

Minutes

Vote to approve the Minutes of the Meeting of December 28th, 2020

- Motion to approve Minutes made by M. Hermanson, seconded by N. Beauregard, and voted all in favor, with the exception of D. Orwig who abstained.

Request for Determination of Applicability

2021-01 Bridge St. West St.

The Gardner Conservation Commission will hold a Public Meeting under MGL, Ch. 131, § 40, Wetlands Protection Act and the City of Gardner Wetlands Protection Ordinance (City Code Ch. 650) on the Request for Determination of Applicability filed by Millers River Watershed Council & Alan Rousseau. The request is to determine whether portions of lots H32-164 and C32-19-2 are subject to the City of Gardner Wetland Protection Ordinance.

- Matt Marro, representative for Alan Rousseau, explained that there are three vernal pools at this site that are all certified by the state of Massachusetts. They are looking for a positive determination that the vernal pools are resources under the Wetlands Protection Act.
- There was no representative from the City on the zoom meeting, but L. Butler confirmed that Dane Arnold, Director of the DPW, is looking to have someone go out and see the site. Oxbow will be completing the work and are waiting for the spring to see the pools.
- M. Marro stated that the pools are not on the original delineation, but they are already certified as vernal pools.
- Looking at the map, L. Butler asked if the one vernal pool in question is flagged as the “z-series”? The certification paperwork isn’t in the City files. She asked, “What is the z-series?” She also noted that it is located in a different location on another map.
- M. Marro reiterated that there are three certified vernal pools on the site.
- A. Rousseau noted that M. Marro is referencing his maps which were created from the GIS maps which show the three pools. In terms of location, he noted that vernal pool #3 is clearly to left of the sludge landfill and vernal pools #1 & 2 are just south of that.
- M. Marro also claims that the City was notified after the certification of the pools. L. Butler reiterated that those letters were not in the files and the DPW did not have that documentation either.
- A. Rousseau stated that after a July 28th site visit the City requested a report from Natural Heritage so “these vernal pools shouldn’t be mystery” and they just want the pools to be recognized.
- M. Marro proposed that since the question is whether the pools fall under the Wetlands Protection Act, can the locations be confirmed at a later date? Both L. Butler and G. Dumas feel that the exact location of the pools is important to clarify upfront. L. Butler also included that the Commission is not disputing if the pools exist or fall under the Act, they just want confirmation on the locations.

- M. Marro proposes to continue the matter to an upcoming meeting.
- D. Orwig also stated that since the z-series was not considered at the site visit, the Commission would like to confirm the location.
- Ivan Ussach asked if the Commission could at least move forward with the positive determination for vernal pools #1 and 2, since their location isn't in contention? L. Butler said that it makes more sense to include all vernal pools in the Decision.
- G. Dumas would like to continue the matter so everyone can agree. He reiterated that the Commission is in favor of vernal pools.
- I. Ussach and A. Rousseau are not understanding why they need to wait for the DPW, since the pools are already certified with the state. G. Dumas would like to wait for a response from the DEP. M. Marro also agrees to continue the matter to an upcoming meeting.
- A Motion to continue the case to the March 8th meeting was made by N. Beauregard, seconded by M. Hermanson, and voted all in favor.

Appointments

- Tyler Meunier to discuss Eagle Scout project
 - Tyler Meunier from Eagle Scout Troop #9 explained his proposed project of planting three butterfly gardens on the bike trail behind the hospital. The areas picked are found to be most affected by rainfall. Over the summer, he and D. Beauregard staked the proposed areas. T. Meunier believes that he can complete the project in three weekends, beginning during April vacation. His plan includes clearing the area, adding top soil, planting the perennials, and adding mulch (cedar) to the area. Primary funding will come from his family.
 - G. Dumas asked how will the plantings be maintained, and T. Meunier stated that if they become overgrown, he will attend to it.
 - D. Beauregard noted that finding fertile sites on the trail maybe challenging. N. Beauregard suggested the site near the pump station on the trail.
 - D. Orwig likes the idea, noted Tyler to be wary if little to no rain falls, as the plantings will need to be watered. N. Beauregard suggested contacting the Water Department for help.
 - G. Dumas asked about potential signage, and T. Meunier stated that the City couldn't supply more signs for the bike path due to costs. G. Dumas suggested that possibly the Commission could assist with signs.
 - T. Meunier presented his project idea to his Troop last week, and now he will present it to the City Council. D. Beauregard will sign his proposal prior to his Council presentation.
- Maryann Doiron- 39 Kendall Pond East
 - Maryann Doiron, owner of the property, wants to put in a Notice of Intent to replace a retaining wall at the waterline which is currently made of railroad ties. She wants to replace it with concrete blocks ('re-con

blocks’). The retaining wall is 40 feet wide and 30” high. One-third of the wall is in the water.

- L. Butler asked how deep down are the ties? M. Doiron answered that they are 3” deep in the sand. L. Butler also asked how much gravel will be put down, will there be a lot of digging? G. Dumas also agreed that the Commission needs more details.
- M. Doiron wants to “level off” the beach, and sand existing on the property can be used. L. Butler noted to definitely put these details into the application.
- G. Dumas asked where the equipment be located, and what is the timeline? M. Doiron stated that the project should be completed in 2 – 3 days, per one of her contractors who are bidding for the job. L. Butler advised that this type of work is best to do when the pond is at it’s lowest. Since the pond is never drained, winter is the best time to do the work.
- D. Beauregard asked if mesh is to be used, and M. Doiron acknowledged that one contractor did mention it. 2,000 lb blocks are planned, and it was noted that these may be too large for the property.

New Business

- Cummings Conservation Area Tree issues
 - G. Dumas spoke for the representative who was having technical difficulties on the zoom meeting. He mentioned that there are a lot of ‘widow makers’ and the representative wants to help the city, due to the costs involved in caring for these trees.
 - L. Butler suggested that a ‘Volunteer Day’ could be scheduled with another organization to mitigate any potential liability for the City.
- Community Development will be applying for a Mass Trails Grant to design a pathway connection from Park Street to the North Central pathway trailhead on Route 140.
 - L. Butler is writing a grant to fund the extension of the North Central Pathway from the Park St. substation to the 140 bike trail. The grant application is due on February 1st.
 - The Commission likes the idea. Only a small portion will require permitting.
 - 2023 is the proposed date for the bridge to be built over Route 140.
 - Steve Rockwood, citizen of Gardner, noted that there are railroad ties in the location of this proposed extension.
- “99” Construction Site
 - L. Butler confirmed that tie-ins were completed and the gutters had been cleaned. L. Butler sent pictures of the cleaned gutters to the Commission members. .

- M. Hermanson noted that the 99 restaurant needs to clean their gutters annually, and G. Dumas stated that it should be in the Maintenance Plan for them to do so. L. Butler will confirm that fact.
- M. Hermanson also noted that the storm drains seemed low near where the Starbucks building will go. He expressed concern over the wetness of the area.
- New School – Pearl St.
 - L. Butler confirms the erosion control put into place, and states that the site ‘looks good.’ She hopes to get back out there this week.

Motion to Adjourn

7:37 pm A motion to adjourn was made by N. Beauregard. The motion was seconded by D. Lehtinen, and voted unanimously, all in favor.

NOTICE: These Agenda items consist of items that are reasonably anticipated by the Chair to be discussed at the meeting and are specifically allowed to be discussed at the meeting. Not all items listed may in fact be discussed and other items not listed may also be brought up for discussion to the extent permitted by law.

Agent of the Conservation Commission

Lyndsy Butler is inviting you to a scheduled Zoom meeting.

Topic: Conservation Commission

Time: Jan 25, 2021 06:30 PM Eastern Time (US and Canada)

Join Zoom Meeting

<https://zoom.us/j/93814600674?pwd=dXIUS3E4SWZuamRmaGV1dC9LWklTZz09>

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