



**Conservation Commission
Minutes of the Meeting of
January 11, 2010
2nd Floor Meeting Room, City Hall Annex**

Members present: Acting Chairperson Michael Roy, Donna Lehtinen, Jane Cullen, Duncan Burns, David Beauregard, and Conservation Agent Diane Torres. Members absent: Norman Beauregard and Edward Goss.

Public Hearings:

Notice of Intent

6:30 p.m., 181 East Broadway, C.K. Smith Company of Worcester applicant, represented by John Harvey of Corporate Environmental Advisors, Inc. Proposal is to excavate petroleum-impacted soil from within a 200-foot Riverfront Area on Mahoney Brook and the Buffer Zone of adjacent wetlands and to recycle the soil off site. Motion to close hearing by D. Beauregard, seconded by D. Burns, voted unanimously.

Regular Meeting:

Minutes

Motion by D. Burns to accept the minutes of the meeting of December 14, 2009, seconded by D. Beauregard, voted unanimously.

Certificate of Compliance

Motion by D. Beauregard to issue a Certificate of Compliance for the replacement of a failed cesspool at 100 Whitney Street, seconded by D. Lehtinen, voted unanimously.

Guests & Visitors

Kathleen Cullen and Edward Gravel, Ward 3 Councilor

Determinations

None

Orders of Conditions

181 East Broadway, motion by D. Beauregard to issue a Standard Order of Conditions with special conditions requiring that the work be performed during the dry season and that extracted soil be removed immediately with no storage on site, seconded by D. Burns, voted unanimously.

Enforcement Orders

Motion by D. Burns, seconded by D. Beauregard, voted unanimously to issue Enforcement Orders for:

- 1) L-1 Donna Avenue at Lovewell Street to stop construction until permit issued
- 2) 795 West Broadway to require filing after dumping has occurred near wetlands

Old Business

None

New Business

National Grid will be selectively applying herbicides along power line rights-of-way that pass through Gardner as detailed in its Five Year Vegetation Management Plan between January 25 and December 17, 2010.

A meeting will be held by North Quabbin Regional Land Partnership (NQRLP) on March 1, 6:30 p.m., 2nd floor Meeting Room #203, City Hall Annex. The purpose will be to educate Gardner landowners on land protection resources.

Motion by J. Cullen to support the acceptance by the City of two properties in lieu of taxes owed:

- 1) 7.11 acres owned by Wedgewood Heights Realty Trust
- 2) 20.25 acres owned by Gardner LLC.

Seconded by D. Beauregard, voted unanimously.

Jane Cullen will be staying on the Commission until her replacement is available.

Adjournment

7:22 p.m., motion to adjourn by D. Beauregard, seconded by J. Cullen and voted unanimously.

Respectfully submitted,

Diane Torres
Conservation Agent