



**CITY OF GARDNER  
CONSERVATION COMMISSION**

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

978-630-4014

Gardner, MA 01440

fax 978-632-1905

**MEETING**

**Monday, August 24, 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](mailto:lbutler@gardner-ma.gov). All documents and permit applications can be provided electronically. Please send request to [lbutler@gardner-ma.gov](mailto: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:**

Karen Sugalski – Owner: 104 Kendall Pond West, Brian MacEwen – GRAZ Engineering, and Scott Royal – chainsaw volunteer

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

**Minutes**

- Vote to approve the Minutes of the Meeting of August 10, 2020
- Motion to approve Minutes made by N. Beauregard, seconded by D. Lehtinen, and voted all in favor, with the exception of D. Orwig who abstained.

## **Request for Determination of Applicability**

### **2020-12**

The Gardner Conservation Commission will hold a joint 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 Karen Sugalski, for work located at 104 Kendall Pond West, (Map H18-11-11). Proposed work is for the extension of an existing deck located within the buffer of a wetland.

- Karen Sugalski, owner of 104 Kendall Pond West, explained that 13 years ago there was a building permit to build a house with a deck, but the deck was not built at that time. A new building permit for the deck is now pulled and she is beginning the construction. The new ground level deck is mirroring the footprint of the existing upstairs deck, but coming out 4 more feet. The foundation of the house is approximately 60 feet from the water. At the time of the original building permit, the proposed build was in an “allowed area.”
- L. Butler conducted a site visit and confirms that it’s approximately 55 to 60 feet from the water and will require four- six hand-dug 12” sono tubes.
- There were no additional questions or comments from the Commission.
- A Motion to grant a Negative 3 Determination was made by N. Beauregard, seconded by D. Beauregard, and voted all in favor.

## **Notice of Intent**

### **DEP#160-**

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 GRAZ Engineering, LLC on behalf of June Osowski of 211 Dyer Street, Gardner, for the removal of a septic system and installation of a sewer line located at 211 Dyer Street (M 12-5-6). Projected is located within the Riverfront Area.

Continued from 8/10/2020

- Brian MacEwan from GRAZ Engineering notes the assignment of DEP# CE160-0638. The DEP commented on the river front disturbance.
- B. MacEwan confirmed the disturbance within the 100 to 200 feet river front zone. He further explained that between 0 to 100 feet there is disturbance of 89

- square feet mainly due to the crossing pavement of roadway, which will be restored.
- No questions or comments from the Commission.
  - G. Dumas inquired as to a start date, but B. MacEwan doesn't know and it will be based on the contractor, Dave Richards', schedule.
  - L. Butler sees no issue with the proposal.
  - A Motion to issue a Standard Order of Conditions was made by D. Beaugard, seconded by D. Lehtinen, and voted all in favor.

### **New Business**

#### ANRAD appeal for Sludge Landfill

- L. Butler advised that the DEP is looking for more information from the DPW which is required by September 10<sup>th</sup> or 13<sup>th</sup>. There are no further updates.

#### Scott Royal to discuss volunteer trail work

- Scott Royal introduced himself to the Commission, noting he has 500 hours of volunteer work. He wants to do more with local trails and trees and work with people like the Conservation Commission. He wants to establish working relationships in order to be the "go-to guy" for trail work and assessment, especially after storms and the like.
- G. Dumas asked what size tree he works with. S. Royal advised typically he works with trees under 30 feet.
- S. Royal's specialty is working with trees on trails, noting he has 200 hours with work on trails as a saw operator. He also has extensive knowledge in chainsaw volunteering. He wants to educate the public and other saw operators to promote professionalism and safety.
- G. Dumas likes his ideas, but the Commission needs to do more research about liability and how to potentially utilize him.
- D. Orwig acknowledged that he could be used for assessment of new trails, but needs to assess the liability issue.
- M. Hermanson asked if and how other towns have researched liability for his work. S. Royal responded that he would need to research that answer on his end, but he is also under the impression that Wachusett Greenleaf (as an example) has liability for their volunteers.
- S. Royal said that he is local and lives in South Gardner.
- G. Dumas said that the Commission will do research as to where they could potentially apply his talents.

D. Lehtinen inquired if the Commission had given permission on Saunders St for the installation of a long driveway, and G. Dumas replied that the Commission had done so a few months back.

G. Dumas inquired as to the status of the construction at the site of the 99 Restaurant. L. Butler said that she had been out to the site and noted erosion controls were in place, and overall everything looked good.

D. Beauregard is working with a Boy Scout who wants to do butterfly work on trails or on the bike path. To whom should he contact? N. Beauregard suggested Dane Arnold, and G. Dumas suggested involving Jeff Legros, too.

There is no new school update.

D. Orwig inquired as to the start of fall mowing on the Alisauskas property, as he noted it is “quite woody.” L. Butler will call him and see about his plans

### **Motion to Adjourn**

**6:59 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.

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Agent of the Conservation Commission

Lyndsy Butler is inviting you to a scheduled Zoom meeting.

Topic: Conservation Commission

Time: Aug 24, 2020 06:30 PM Eastern Time (US and Canada)

Join Zoom Meeting

<https://zoom.us/j/97790778575?pwd=Z3FHM1JjTFRLeVAraklHl21jalhZQT09>

Meeting ID: 977 9077 8575

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