

Dudley Conservation Commission  
Meeting Minutes  
August 28, 2019

The regularly scheduled meeting of the Dudley Conservation Commission was called to order on Wednesday, August 28, 2019 at 6:23 PM in Room 321A of the Dudley Municipal Complex by Vice Chairman George Slingo. Commissioners present were: Francis Mikolajczak, Samantha S. Costello and James Koebke.

1. Opacum Land Trust, Ed Hood, Request for a Conservation Restriction to be held for Opacum donated land in Dudley.
  - a. Mr. Hood explained the land that was donated to the Opacum Land Trust is in Southbridge and Dudley and was part of Blackmer Farm.
  - b. Ms. Costello **moved to approve the Conservation Restriction, subject to the Board of Selectmen's acceptance and approval.** Seconded by Mr. Mikolajczak. Unanimous.
2. Lyons Road, Notice of Intent for a subdivision, Public Hearing continued
  - a. The applicant requested the Public Hearing be continued to September 18, 2019, as they are awaiting DEP comments and file number issuance.
  - b. Ms. Costello **moved to continue the Public Hearing to September 19, 2019 at the request of the applicant.** Seconded by Mr. Koebke. Unanimous.
3. Noble Street, Lot 1R2, Notice of Intent for a single family dwelling, Public Hearing continued.
  - a. The applicant requested a continuance to October 9, 2019.
  - b. Ms. Costello **moved to continue the Public Hearing to October 9, 2019.** Seconded by Mr. Mikolajczak. Unanimous.
4. Noble Street, Lot 1R3, Notice of Intent for a single family dwelling, Public Hearing continued.
  - a. The applicant requested a continuance to October 9, 2019.
  - b. Ms. Costello **moved to continue the Public Hearing to October 9, 2019.** Seconded by Mr. Mikolajczak. Unanimous.
5. 50 Hayden Pond Road, Notice of Intent for an addition, porch and deck rebuild, concrete pier footings for patio.
  - a. The Public Hearing was opened at 6:30 PM No abutters were present.
  - b. Peter Engle from Trifone Engineering presented the proposed project.
  - c. Matthew Marro performed a site inspection and recommended a standard Order of Conditions.
  - d. The Public Hearing was closed at 6:33 PM.
  - e. Ms. Costello **moved to issue a standard Order of Conditions to 50 Hayden Pond Road for an addition, porch and deck rebuild and concrete pier footings for a patio.** Seconded by Mr. Mikolajczak. Unanimous.
  - f. Documents submitted:
    - i. Form 3 Notice of Intent with wetland transmittal fee form
    - ii. Copy of Public Hearing legal ad, as published
    - iii. Copy of Certified Abutters List
    - iv. Copy of proposed plans
6. 10 Noble Street, Request for a Certificate of Compliance
  - a. Mr. Marro performed a site inspection; all work was completed in accordance with the Order of Conditions and recommended a Certificate of Compliance be approved.

- b. Ms. Costello **moved to a Certificate of Compliance to 10 Noble Street.** Seconded by Mr. Mikolajczak. Unanimous.
- c. Documents submitted:
  - i. Form 8A Request for a Certificate of Compliance
  - ii. As built plan from engineer
- 7. 72 Dudley Oxford Road, Enforcement Order-Noncompliance with Enforcement Order
  - a. The owner of the property did not attend the meeting, as requested.
  - b. It was noted that the property has three violations: Count 1-failure to file a Notice of Intent as prescribed by Bylaw; Count 2-unauthorized work within the 25-foot no touch zone; Count 3-filling and grading of wetland resource areas. All violations will be issued at \$100.00 per day for a total of \$300.00 per day until the violations have stopped, and/or the owner has met with the Conservation Commission and have a remediation plan approved by the Commission. Failure to adhere to this modified enforcement action within 30 days can result in an increase of fines up to \$300.00 per day per count totaling \$900.00 per day.
  - c. Ms. Costello **moved to issue fines beginning August 28, 2019 for non-compliance by applicant.** Seconded by Mr. Mikolajczak. Unanimous.
- 8. 30 Fish Road, ANRAD
  - a. Ms. Costello **moved to allow a 50-foot setback.** Seconded by Mr. Mikolajczak. Unanimous.
- 9. August 7, 2019 meeting minutes
  - a. Ms. Costello **moved to approve the minutes of August 7, 2019.** Seconded by Mr. Mikolajczak. Unanimous.

As there was no further business to come before the Commission, Ms. Costello **moved to adjourn at 6:43 PM.** Seconded by Mr. Koebke. Unanimous.