

**Rochester Conservation Commission  
Minutes  
July 18, 2023**

**Present:** Christopher Gerrior, Chairman  
Bendrix Bailey, Vice Chairman  
Matthew Bache  
Mike Gifford  
Carl MacDermott  
William Milka

Merilee Kelly, Conservation Agent  
Dawn DeMaggio, Board Administrator  
Danielle Craig, Recording Secretary

The meeting convened via Zoom video conference ID # 85147207722. Chairman Gerrior called the meeting to order at 7:00 p.m. The meeting started with everyone reciting the Pledge of Allegiance. He took attendance of members, staff, applicants and representatives and stated the meeting was being broadcast on Zoom and was being recorded.

**PUBLIC MEETINGS**

**DEP SE272-0450 A Request for an Extension of an Order of Conditions by Edgewood Development Company, LLC, for property located at Connet Woods, Map 19A, Lot(s) 88A, 89A, and 97A.** The work to be done includes the remaining three lots currently under construction on Box Turtle Drive and final construction of a portion of the subdivision roadway, ramps, curbing, installation of monumentation, and a top coat of pavement on the roadways.

A representative from Edgewood Development Company was present at the meeting. He stated this project was originated in 2005 and they are seeking an additional 3-year extension to complete the last three lots that are currently under construction. He stated the original plan was for an additional 10 lots but due to a high-water table, they have amended the plan to 3 lots and have eliminated a roadway. They have completed a partial Certificate of Compliance on the roadway that was approved in 2020. They still need to complete work on the other portion on the roadway which was highlighted in pink on the site plan provided to the Board members. Although the remaining three lots are not under the Conservation jurisdiction, there are various parts of the unfinished roadway that do fall under jurisdiction.

Member Bailey made a motion to approve a 3-year extension of the Order of Conditions.  
Member Bache seconded the motion.

**The motion was passed by a vote of 6 in favor, 0 opposed, 0 abstained. (6-0-0)**

**A Request for Determination of Applicability filed by the Lawrence Family Living Trust of 2013 for property located at 301 Hartley Road, Map 39, Lot 18.F.** The applicant seeks to install a new septic system outside of the buffer zone and pump out and backfill the existing leaching pit located within the buffer zone.

*(Member Gifford recused himself from this meeting)*

Rick Charon was present on behalf of the applicant. He provided a set of site plans to all of the Board members. He stated the applicant is looking to repair their septic system. The existing leaching field falls within the buffer zone, about 75ft away from the wetlands. Their plan is to pump, crush and back fill the old tank. The new

**Rochester Conservation Commission  
Minutes  
July 18, 2023**

system will be placed outside of the buffer zone. Agent Kelly stated she visited the site and said the area of work is located in the grass and doesn't think it will do any harm to the wetlands.

Member Bailey made a motion for a negative determination.

Member Bache seconded the motion.

**The motion was passed by a vote of 5 in favor, 0 opposed, 0 abstained. (5-0-0)**

*(Member Gifford resumed his role in the meeting)*

**COMMISSION BUSINESS**

**Minutes: June 20, 2023**

Member Bailey made a motion to approve the minutes.

Member Bache seconded the motion.

**The motion was passed by a vote of 6 in favor, 0 opposed, 0 abstained. (6-0-0)**

**Voucher(s):** MACC, FY24 Dues, Invoice #FY240250, \$572.00  
Fileguard, Monthly Storage, Invoice #81830, \$19.50

Member Bailey made a motion to approve the vouchers.

Member Bache seconded the motion.

**The motion was passed by a vote of 6 in favor, 0 opposed, 0 abstained. (6-0-0)**

**OLD BUSINESS**

89 Box Turtle Drive

Agent Kelly gave an update stating there has not been any change in the No Trespass order. The Board members agreed that they will not review the Restoration Plan until this order has been lifted and all Conservation members and the Conservation Agent are legally able to visit the site. Member Bailey requested Agent Kelly notify the property owners and their attorney in writing that they need to lift the No Trespass Order or they will reinstitute fines.

**AGENT UPDATES**

Agent Kelly spoke regarding 60 Clapp Rd. The owners were looking for clarity on what they are allowed to do on their property. Clearing was done beyond the designated area marked by boulders and they were not sure if they are allowed to utilize this part of the property for a dog kennel. The Board members all agreed the owners should attend the next meeting to go over what is allowed.

Agent Kelly stated the DEP has issued a new handbook for Delineation of Bordering Vegetated Wetlands. She stated it differs from their last handbook relying heavily on soils. She did a training on it the week prior. She printed new forms from the DEP for the Board members to review.

Agent Kelly received an inquiry from Brian Grady requesting a minor change to the shooting range, utilizing wood instead of cement. Chairman Gerrior stated that is was deemed a "minor change" and was approved.

**Rochester Conservation Commission**

**Minutes**

**July 18, 2023**

Agent Kelly stated the Mattapoisett River Valley Water Supply Protection Advisory Committee looked over and approved to subdivide 572 Snipatuit Road.

Member Bailey stated that once information has been received from the Town of Mattapoisett and Buzzards Bay Coalition in regards to the 13 acres that was granted from the town of Rochester in a Conservation Restriction to notify the Board immediately. They have agreed, if possible, to sell this land back to the Town of Rochester in the amount of \$1.00, once the project was finalized.

Town resident, Drew McManus, was present for the meeting. He expressed interest in joining as an Associate Member to the Rochester Conservation Commission. He is currently serving as a Conservation Agent for the Town of Mashpee. He is very knowledgeable on the Wetlands Protection Act and Wetland Bylaws and feels he could serve as a good asset to the Conservation Commission. Chairman Gerrior stated that since Mr. McManus already has the knowledge needed to qualify as a board member he suggests that he should apply as a board member rather than an associate.

Member Bache made a motion to approve a letter of support to the Select Board to appoint Drew McManus as a Conservation Commission Board member.

Member Bailey seconded the motion.

**The motion was passed by a vote of 6 in favor, 0 opposed, 0 abstained. (6-0-0)**

**ADJOURNMENT**

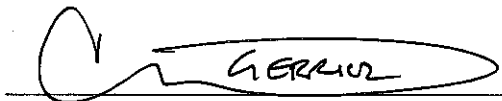
Next meeting will be held on August 15<sup>th</sup>, 2023.

Member Bailey made a motion to adjourn the meeting at 7:37pm.

Member Bache seconded the motion.

**The motion was passed by a vote of 6 in favor, 0 opposed, 0 abstained. (6-0-0)**

Date: 8/15/23



Christopher Gerrior, Chairman



Danielle Craig, Recording Secretary