

**Rochester Conservation Commission**  
**September 21, 2021**

**Present:** Christopher Gerrior, Chairman  
Daniel Gagne, Vice Chairman  
Maggie Payne  
Bendrix Bailey  
Matthew Bache  
Léna Bourque, Associate Member

**Absent:** Kevin Thompson

Merilee Kelly, Conservation Agent  
Victoria D'Antoni, Board Administrator  
Lori Walsh, Recording Secretary

Chairman Gerrior called the meeting to order at 7:00 p.m. Chairman Gerrior then read a message about remote participation and ground rules for the meeting. He stated the meeting was being recorded.

**Public Meetings**

**A Request for Determination of Applicability filed by property owner Darrell Charron, for property located at 15 Wolf Island Road, Map 3, Lot 5C.** The applicant proposes the installation of a storage shed up to the 25-foot buffer zone.

The applicant requested a continuance until October 19, 2021.

A motion was made by Bendrix Bailey, seconded by Maggie Payne, to continue to October 19, 2021. The motion carries unanimously.

**Public Hearings**

**DEP SE 272-0608 A Notice of Intent filed by A.D. Makepeace Company, Inc., for property located at the Morse Swamp Reservoir, 0 County Road Map 17, Lots 9 and 13.** The applicant filed a Notice of Intent in response to an Enforcement Order issued by the Rochester Conservation Commission on December 16, 2020. Proposed work involves restoration and replication of the following wetland resource areas: 1,458 linear feet of Bank, 17,001 square feet of Bordering Vegetated Wetland, 200,376 square feet of Land Under Waterbody, 29,305 square feet of Bordering Land Subject to Flooding, and 2,737 square feet of Riverfront Area. The applicant's representative is G.A.F. Engineering, Inc.

*(Dan Gagne recused himself from this hearing.)*

Bill Madden from G.A.F. was present. Mark Manganello, from LEC Environmental Consultants, shared his screen with the Board members regarding the enforcement order from 2020. His plan of restoration in the report is supportive of farmland and the plans should be submitted by September 28, 2021. Mr. Madden said he received the report from LEC today and believes that it is a fair report, however they may need a little more time than September 28th. Ms. Kelly said that some of those resource areas may be a little unstable for the equipment but she's sure they can work it out. Ms. Payne said thank you for the presentation and she would like to see something as soon as possible hopefully for the next meeting. Mr. Bailey asked Mr. Manganello that given that all the material is on the bank right now, what is the plan for it. Mr. Bailey wanted to know why they are taking care of the erosion right now during this cranberry season. Mr. Manganello said that anytime there is erosion, it needs to be taken care of right away. Mr. Gerrior asked LEC if they will be able to do the harvest this year while they are taking care of the erosion. Mr. Manganello said that the harvest goes to November so they should be able to. Mr. Gerrior asked if those were his two piles, would he put a siltation fence around them. Mr. Manganello said a siltation fence won't do anything and the best thing to do is get the material out of there. Mr.

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Madden said that they should be able to come up with some points to mediate that area for the Board. Mr. Gerrior asked Mr. Madden if he could go to A.D. Makepeace to see if they can remove the piles by the next meeting on October 5<sup>th</sup>. Mr. Madden replied yes.

A motion was made by Bendrix Bailey, seconded by Maggie Payne, to continue the public hearing to October 5, 2021. The motion carries with five in favor, Dan Gagne recused.

**DEP SE 272-0606 A Notice of Intent filed by Mr. Bailey for property located at 0 Gerrish Road, Map 43A Lot 29B.** The applicant seeks approval to construct a 700-foot long roadway to access a single-family house lot. Proposed work within the 100 Foot Buffer Zone to a bordering vegetated wetland consists of site clearing, construction of a 20' wide 700-foot long recycled asphalt roadway, site grading and construction of a water quality basin. The property owner of record is Edgewater Bog Realty Trust. The applicant's representative is Brian Grady of G.A.F. Engineering, Inc.

*(Bendrix Bailey recused himself from this hearing.)*

A motion was made by Dan Gagne, seconded by Maggie Payne, to table this hearing until later in the meeting to figure out who is still able to vote. The motion carries with five in favor, Bendrix Bailey recused.

The applicant, Bendrix Bailey, requested to be continued to October 5, 2021.

A motion was made by Dan Gagne, seconded by Maggie Payne, to continue the public hearing to October 5, 2021. The motion carries with five in favor, Bendrix Bailey recused.

**DEP SE 272-0610 A Notice of Intent filed by Renewable Energy Development Partners, LLC, for property located at 109 Neck Road, Map 40, Lot 3.** The applicant proposes the construction of a dual use ground-mounted photovoltaic solar array and canal canopy solar array within the buffer zone to wetland resource areas. The applicant's representative is Beals & Thomas, Inc.

*(Dan Gagne recused himself from this hearing.)*

The applicant requested to be continued to October 5, 2021.

A motion was made by Bendrix Bailey, seconded by Maggie Payne, to continue the public hearing to October 5, 2021. The motion carries with five in favor, Dan Gagne recused.

**Commission Business**

**For Signature – Permits**

Ms. D'Antoni stated that there are outstanding signatures for permits issued on September 7, 2021.

**For Signature - Minutes**

A motion was made by Dan Gagne, seconded by Maggie Payne, to approve the September 7 2021 meeting minutes. The motion carries with five in favor, Bendrix Bailey abstained.

**For Signature – Vouchers**

Fileguard, Monthly Storage, Invoice 80386, \$9

BayNet Web Services, Monthly Hosting Oct-Dec, Invoice 7533, \$60

W.B. Mason, Paper and Folders, Invoice 222935325, \$37.58

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Staples, Business Cards, \$16.19

A motion was made by Dan Gagne, seconded by Bendrix Bailey, to approve the above listed vouchers. The motion carries unanimously.

**Old Business**

**Meeting Status** – Discuss switching to hybrid meetings

Mr. Gerrior stated that he would like to discuss this when all members are present.

**Records Retention** – Discuss destroying of old RDA files

Ms. D’Antoni reached out to Town Counsel regarding the requirements for records retention. Engineering plans must be kept permanently; digital retention is allowed. Mr. Gagne asked if Ms. D’Antoni could look into having a company scan or store these files. Ms. D’Antoni stated that she would look into it.

**New Business**

**Enforcement Order** – Village at Plumb Corner, Rounseville Road

Brian Wallace, from JC Engineering, was present. Mr. Wallace stated that the enforcement order was to fix the pipe and that they will be cleaning it out. Mr. Gerrior said thank you for cleaning it up. Mr. Gagne said that there was a discharge of sediment into the wetland area and asked how they plan on cleaning it up. Mr. Gagne asked Mr. Wallace to provide a report to the Conservation Commission on a weekly basis. Mr. Bailey stated he went out to the site and he said they cleaned it up remarkably. Mr. Gerrior asked if the parking lot was just started. Mr. Wallace said yes it was and they will be focusing on that part of the work. Mr. Gerrior asked if there is an area that they have to really focus on or is this an overwhelming area. Mr. Wallace said it is an overwhelming area.

**Adjournment**

A motion was made by Bendrix Bailey, seconded by Matthew Bache, to adjourn the meeting at 8:14 p.m. The motion carries unanimously.

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Lori Walsh, Recording Secretary

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Christopher Gerrior, Chairman