The meeting was called to order by Gordon DeWolf at 6:30 p.m.

6:30 p.m. The Commission met with Cynthia Henshaw, East Quabbin Land Trust and the Planning Board to discuss and go over the form for the Walker Farm LLC APR Application. Cynthia Henshaw explained that the Walker Farm has made it through the first level of approval. There are 96.4 acres involved. Some of the land is in West Brookfield and some in New Braintree. On the form there are comments for the Planning Board, Selectmen and Conservation Commission. Cynthia Henshaw went over the questions that would give additional points towards approval. Documentation is needed for all answers. After the form is completed, the Selectmen will need to vote to sign the form. Tim Morrell voiced concerns for the Walkers and wanted the Planning Board to meet with Cynthia Henshaw and the Walkers before they made any comments at their next meeting on October 26, 2009. After all documentation is complete, the selectmen will meet at 6:30 October 27, 2009 prior to the Town Meeting to vote to sign. Diane Oliver-Jensen, Conservation Commission member made a motion to officially express approval by the Conservation Commission and to authorize Gordon DeWolf to sign the form. Brian Silva seconded the motion. Vote 4 to approve, 1 abstain.

7:00 p.m. Public Hearing-Notice of Intent, Susan Drapeau, 58 Lake Shore Drive, Septic. Present for the hearing were Susan Draper, her son, Rodney Faille, and neighbors Carol Brown, Susan Sears, and Gayle Hashey. The plan was reviewed and the project explained to the abutters. Brian Silva suggested an extension of silt fence/hay bales parallel to the parking area. This was marked on the plan. Brian Silva made a motion to approve the plan as marked. Diane Oliver-Jensen seconded the motion. Voted 5-0 to approve and an Order of Conditions was written. Secretary to notify Board of Health of approval.

7:15 p.m. Public Hearing-Notice of Intent, Donald Richards, 97 Burrington Road, block wall at waterline of Lake Wickaboag. The DEP noted the following when issuing the File Number: “You will need to show how this project meets performance standards for bank cited in the regulations (310 CMR 10.54). The proposed work exceeds wildlife habitat thresholds. A map showing the exact location of the project is also needed.” Upon receiving this, the Conservation Commission sent to the Natural Heritage & Endangered Species Program a copy of the Notice of Intent with maps. Maps were also sent to DEP. Jennifer Gensel, DEP Circuit Rider was present. She said that the applicant needs to get a Wildlife Habitat Study. Christine Long stated that Mr. Richards had spoken to her and said he had called and spoke with Maryann Depinto and she had looked at some maps and said everything was fine. Jennifer Gensel will speak with Maryann
Depinto. The Public Hearing was continued until next meeting awaiting response from Natural Heritage & Endangered Species Program (30 days to respond from 09/25/2009) and DEP.

7:30 p.m. DEP Circuit Rider, Jennifer Gensel was present to answer questions. Gordon DeWolf stated he wanted an index to the three volume Stormwater Regulations. She will get us one. Gordon talked about the fact that we cannot do anything but say yes unless we have an engineer because the regulations are so complex. Jennifer Gensel stated that we could hire an engineer if we felt it was necessary and that the applicant would be responsible for the cost. She stated that you could tell the applicant you need to have an engineer to look at the project and that they would be responsible for the cost and they also have the option of refusing to do this. If they do refuse, you have the option to deny their project with the reasons being “not enough information available.” DEP will support a denial. You must provide the reason for the denial. She said there is a new set of regulations coming out to fix errors by the end of the year. She will send us a hard copy—a full amended set. Christine Long asked if DEP could notify us when a new form comes out. She said that others had also complained. She said there will be new forms coming out that are more detailed. She reminded us to tell our applicants to wait before starting the project for the ten-day appeal period from the date of mailing to the DEP. In case of an emergency septic repair, this must be signed by the Board of Health and file proper paperwork afterwards.

Reviewed Vernal Pool Certification edits from Division of Fisheries and Wildlife.

Reviewed Lake Wickaboag 2009 summary from Lycott Environmental, Inc.

Reviewed letter from USDA regarding Beaver issues. Gordon explained where the four sites were. Diane and Gordon had made a site visit.

Diane Oliver-Jensen made a motion to accept the minutes of September 9, 2009 and August 5, 2009. Jessie Serrano seconded the motion. Voted 6-0 to approve.

Signed warrants.

Read Mail.

Next meeting will be November 4, 2009.

Respectfully submitted,

Christine M. Long, Secretary