

Middleborough Conservation Commission  
March 31, 2022

Unless specified everyone was present in the Board of Selectmen Meeting Room at the Middleborough Town Hall: Diane Stewart, Chair; Nancy Ockers, 1<sup>st</sup> Co-Vice Chair; Melissa Guimont, 2<sup>nd</sup> Co-Vice Chair; Peter Gately, Adam Guaraldi via Zoom, and Edward Medeiros. Also present was Patricia Cassady, Agent, and Catherine Pipher, Minutes Clerk.

Excused absence: Phyllis Barbato, Senior Clerk.  
Unexcused absence: Jacqueline Jones.

Meeting started at 6:50 PM. Diane Stewart chaired.

Pursuant to Governor Baker's March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, §18, and Governor Baker's March 15, 2020 Order imposing strict limitations on the number of people that may gather in one place, this meeting of the Middleborough Conservation Commission was conducted via remote participation to the greatest extent possible.

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**Discussion with the Stewardship Group**

Present was Patricia Stagliola and Paul Letendre, both part of the Stewardship Committee. Charles Kowalker, was unable to come but he did write the Commission an e-mail stating his concerns. Stagliola read his e-mail into the record. Kowalker stated that he feels the Town needs to accept more responsibility for Pratt Farm, in regards to upkeep and maintenance. He stated that throughout the Farm there are many areas that have dead limbs that are hanging over head. Kowalker said that Letendre does a lot of work with the trees that are down, but he would not be able to get these limbs. He said he is concerned with people getting hurt from a limb that may fall. In the e-mail Kowalker said he had spoken with Guimont about collaborating with the Middleborough High School students about caring for the Conservation lands. Guimont said this was addressed about 3 years ago, but nothing recent. Stagliola said they cannot take care of everything at Pratt Farm because there is just too much to do. She said she mows the Farm and enjoys doing it, but feels they need help. Stagliola said they had a storm in 2020, which took down at least 30 trees in one area. Letendre did clear the trails but now there are a lot of downed trees that need to be removed from the site. She said people also love to put the teepee's up but it has gotten out of hand and both paths are blocked. She said she has taken down some of the teepees and burned them at her house. She stated that Pratt Farm is the most used Conservation Land, and the parking lot needs a lot of work and revamping. Stagliola said she has taken pictures of some safety concerns at Pratt Farm. She said there is a cable that goes across the parking lot because one of the poles has come down. She said the gate on Sachem Street had the lock cut and the lock has never been replaced. She said at the parking lot near the barn, the cable has been cut and people can access the Farm that way. The door on the barn is also broken and people can get in to the tractor. She said they are looking to see what the Town can offer for support.

Stagliola said that people have been making piles of debris at the Farm. She was also suggested maybe doing a Fire Training for the Fire Department to get rid of some of the wood/brush. Stewart thanked the Stewards and said she would like to support them in any way possible.

March 31, 2022

Page 2

Stewart asked Cassady if she could reach out to Chris Peck, DPW Director and Fran Cass, Park Department Superintendent. Cassady also suggested getting AmeriCorps volunteers, Middleborough High School students that need community service hours, and putting up a flyer on the Town's website stating that they are in need of volunteers. Cassady said they should put together a wish list of tasks that need to be done. Stagliola said they have so much wood she was hoping people would come and take the wood. Cassady said they would have to do a lottery to give the wood away. Ockers said a lot of the trees are not volunteer projects because the trees are too big and too heavy. Ockers said a lottery would be a good idea. Stagliola said she would like to get the lottery in the process because there are already piles of wood that are sitting there and decaying. Cassady said next year she is looking to create a position for a part-time Stewardship leader for all of the properties. Stagliola said she will speak with Kowalker and they will put together a 5-year plan wish list. Letendre said access is a huge problem in getting rid of the downed trees. They would need heavy machinery and it would not fit on the trails. Ockers said maybe they could have people come in to see if they would even be interested in the wood. Gately suggested contacting Phil Benjamin, Certified State Forester to see if the wood can be used. Guaraldi said they should use the Forestry Plan. Cassady said she is not sure if Benjamin would take care of this but he could give logistics. Stagliola said they had a clean-up in the past and a lot of people came, but only 3 people had chain saws. Medeiros said if people volunteer to cut the wood, they should sign a release, and they can take whatever they want from the wood they cut. Medeiros said it won't solve the problem, but anything will help. Medeiros said they should ask Town Counsel about having volunteers sign a release form and taking the wood they cut. Stewart said she thinks it is worth asking Town Council and ask if he has any other ideas/suggestions.

Ockers stated that there was money donated that was never used. She feels that it is worth finding out if the money can be repurposed. Cassady said she will speak to Barbato about this because she was researching it. Guimont said she did speak with the Middleborough High School about volunteering but they could not leave the property or did not have a form of transportation to help with the Conservation Lands. Guimont said the teepees can also be a fire hazard. She said she would like to see the community help take care of the lands, like the DPW, Park & Rec. Dept., etc.

Stagliola said she will meet with Kowalker and they will come up with a wish list. Cassady said she will speak with Phil Benjamin, the Park Dept., DPW, and Town Counsel. Guimont said maybe Benjamin can give input about a controlled burn. Stewart said they can come back before the Commission on April 21<sup>st</sup>, at 6:15PM to discuss the wish list.

### **Review Standard and Special Order of Conditions**

Cassady said the last time the Standard Conditions were updated was in 2019. Cassady said there are several Special Conditions as well. Stewart said she would like to have everyone do a 3:1 wetland replication. Cassady said they could add a Special Condition that states a 3:1 replication for projects that would exceed a certain amount of wetland impact. Ockers asked if they could use the 3:1 replication more as a guidance tool. Cassady said the Policy is more of a guidance

March 31, 2022

Page 3

and Special Conditions are more of a directive. Cassady said it sounds more like a regulation than a Special Conditions. Ockers said it sounds like the 3:1 replication should be in the policy so people come before the Commission with the replication already in their plan.

The Commission wanted to add putting in conservation signs into the conditions. Ockers said they already ask for signs to be put up 50ft. apart, at every turn of the wetland line, and to be placed at the 35ft. buffer. Medeiros said they also need to be placed at any driveway within the 35ft.-50ft. buffer. The Commission would like to put it in the Special Conditions titled During Construction. Stewart said they would add #12 to the During Construction requiring conservation signs to be placed every 50ft., at every turn of the wetland line, and to be placed at the 35ft. line. The Commission would also like to add #13 to the During Construction stating that a split rail fence or equivalent fencing shall be placed at the edge of the driveway or parking area if it is within the 50ft. line.

The Commission would like to add snow storage to the Standard Order of Conditions. The Commission would like to state that there is to be no snow storage within 50ft. of the wetland line for commercial or multi-dwelling projects. Medeiros said he is not worried about residential as much because they don't use the same salt as commercial. Any snow storage within the 100ft. buffer would need to show snow storage on the plans.

Stewart said she would like to add something about not being able to use ABC fill. The Commission stated that they would like to add to the Standard Order of Conditions, stating that no ABC material shall be used on site.

Stewart said #9 and #10 on the Special Condition titled Prior to Construction, should be placed in the Standard Order of Conditions.

Cassady said they should state in the Policy that when they are submitting a permit application and seeking wetland confirmation, the Commission reserves the right to delay review if there are unsatisfactory field conditions. Barbato (Text message to Pipher) said that there is something about delays in the Policy already.

A motion was made by Edward Medeiros, to amend the Standard Order of Conditions and the Special Conditions as discussed, 2<sup>nd</sup> by Melissa Guimont. Roll call vote: Peter Gately Aye, Adam Guaraldi Aye, Melissa Guimont Aye, Edward Medeiros Aye, Nancy Ockers Aye, and Diane Stewart. Unanimously voted.

Adam Guaraldi recused himself.

### **2021 Annual Report**

The Commission said that it is very eye opening to read the Annual Report because it shows how much the Conservation Department does.

March 31, 2022

Page 4

A motion was made by Nancy Ockers, to approve the 2021 Annual Report, 2<sup>nd</sup> by Edward Medeiros. Roll call vote: Peter Gately Aye, Melissa Guimont Aye, Edward Medeiros Aye, Nancy Ockers Aye, and Diane Stewart. Unanimously voted.

**Ja-Mar**

Cassady said that Mike Redlon, G.S. Redlon & Sons helped with the delivery of the kiosk, put it together, and installed it. He will charge a small amount for the work he has done. Byrnes Sand and Gravel donated the concrete. Cassady said she is very grateful for this kind act and truly appreciates the local people.

Cassady said she asked DPW about mowing and they said they only have the side arm mower. The DPW then suggested speaking with the Park Dept. Cassady then spoke with Fran Cass, and they went to the site to see what needed to be mowed. He said they will mow the area that needs to be mowed for the celebration on April 9<sup>th</sup> from 1-4PM.

A motion was made by Nancy Ockers, to adjourn at 8:21PM, 2<sup>nd</sup> by Edward Medeiros. Roll call vote: Peter Gately Aye, Adam Guaraldi Aye, Melissa Guimont Aye, Edward Medeiros Aye, Nancy Ockers Aye, and Diane Stewart. Unanimously voted.

Respectfully Submitted By:

Catherine Pipher  
Minutes Clerk

**DATE APPROVED:** April 7, 2022