



Paxton Conservation Commission
Minutes
July 11, 2013 Meeting

Location and Time: Paxton Town Hall 7:30 – 9:20 pm

Attendance Commissioners: Chris Keenan (chair), Michael Voorhis, Jim Robert, Marisa Ayvazian, Gerry Ryan, Holly Robert (associate). Absent: Daniel Genrich Others: Mark Love, Cindy Love, Gillian Davies

Minutes of June 2013 meeting were not available for review.

MV will visit 135 Marshall Street and 209 West Street

CK will visit 15 Brigham Road

CK visited 19 Walbridge, no wetlands

CK visited 5 Whitney, no wetlands

A request for Certificate of Compliance was received for 160 West Street.

Correspondence from Holly Robert was received regarding shade trees and the appointment of a special tree warden.

313 Richards Avenue discussion – JR and HR recused. CK summarized results of site visit on June 16. Consensus was tree trimming partially occurred in the buffer zone. MV reported he believes the work falls under maintenance of landscaped areas and is exempt from the WPA. JR reported areas considered wet meadow are being mowed continuously. ML broke down into 3 issues – tree on Robert property which was topped, hangers on Love property removed, and dying tree along front property line limbed. ML reported two instances of falling branches causing damage to their vehicles. GD asked if the landscaped area was “lawfully permitted”, as the exemption only applies to landscape areas created legally. GD indicated the wetlands are tributary to water supply and qualify as Outstanding Resource Waters, and any work in wetlands requires an NOI. JR noted Phil Nadeau found wetland species growing outside of disrupted areas (indicates presence of wetlands). HR reported the history of violations on this site, suggest the landscaped areas may not be legally permitted. HR asked the Commission to require a delineation. HR asked that the health of trees be evaluated by a licensed arborist and not a tree cutter. HR reported Kent Tree is not a listed business. ML reiterated all work has been approved by trial court, DCR, DEP, etc and that this tree trimming is unrelated to any of that work. PCC closed the discussion. MV motioned that the work at 313 Richards Avenue proper, is non-jurisdictional and does not require a permit from PCC, 2nd by MA. Carried unanimously. MV motioned that the topping of the tree overhanging the Love property from the Robert property is also non-jurisdictional as does not require a permit from PCC though the tree is located in wetland buffer zone, 2nd by DG. Vote 3-0-1. MA abstained from voting. MV motioned to hold off on making a determination on jurisdiction for the tree located along the stone wall at 313 Richards Avenue until the special tree warden determines if it is or is not a street tree on Richards Avenue, 2nd by MA. Carried unanimously.

CK to contact WCMP engineer, Defalco Engineering. Must act on Enforcement Order

Open space discussion pushed to next month - Close meeting 9:20

The next meeting of the Commission will be held on Thursday August 8, 2013 at 7:30 PM.

Respectfully submitted,

Christopher Keenan - Chair