



Medfield Conservation Commission

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Medfield Conservation Commission PUBLIC MEETING

Zoom

Minutes of Thursday, April 7, 2022 at 7:00pm

Members Present: Chair Deborah Bero, Michael Perloff, Mary McCarthy, Bobby Kennedy, Cat Scott (7:13 pm)

Members Absent: Kirsten Poler, George Darrell

Staff Present: Conservation Agent, Dave Henkels, Sarah Raposa, Town Planner

Others Present: Mark Cerel, Marie C.

At approximately 7:01pm, Chair Deborah Bero called the Conservation Commission meeting to order.

Continued Hearing Notice of Intent/ Joanne Delapa /26-30 Millbrook Road/Project is the construction of a single family dwelling filing pursuant to the Wetlands Protection Act. DEP # 214-0694. Request for continuation until May 19, 2022.

McCarthy made a motion to continue until May 19, 2022, at the applicant's request. Seconded by Kennedy. Roll call vote: Kennedy = yes, McCarthy = yes, Perloff = yes, Bero = yes. The Vote: 4-0

Minutes

- **July 19, 2018, August 16, 2018, August 21, 2018 and September 6, 2018**
 - McCarthy made a motion to approve July 19, 2018, August 16, 2018, August 21, 2018 and September 6, 2018 meeting minutes as edited and to make the executive session minutes of August 21, 2018 public now that the case is resolved. Seconded by Kennedy. Roll call vote: Kennedy = aye, McCarthy = aye, Perloff = aye, Scott = aye, Bero = aye. The Vote: 5-0
- **January 20, 2022 and February 3, 2022 (*Bero recused*)**
 - Kennedy made a motion to approve January 20, 2022 and February 3, 2022 meeting minutes as edited. Seconded by Scott. Roll call vote: Kennedy = aye, Scott = aye, Perloff = aye, McCarthy = aye, Bero = recused. The Vote: 4-0
- **February 17, 2022, March 3, 2022 and March 17, 2022**
 - Scott made a motion to approve February 17, 2022, March 3, 2022 and March 17, 2022 meeting minutes as edited. Seconded by McCarthy. Roll call vote: Kennedy = aye, McCarthy = aye, Perloff = aye, Scott = aye, Bero = aye. The Vote: 5-0

Administration/Discussion

Noon Hill/NEOC License Discussion

- Bero updated on the final, signed Noon Hill - NEOC license agreement
- Procedure now in place for future events/use of land requires a certification of insurance and licensing agreement
- Henkels to let the organizers for the Trail Race that takes place in July know of new

Approved 4/21/22

Procedures/Protocols (Mark Cerel)

- Mullin Rule – a member of a board or committee in a hearing setting has to attend every required public hearing to be able to vote, revised by Medfield legislation that you may miss one session of a hearing, provided that you review the audio or video recording and certify that you've done so.
- Orders of Conditions – not certain on where the boilerplate originated. If you're going to operate off of a standard orders of conditions, you need to sit down, read through them and determine if they make sense as a general document. Assuming you will customize it/add special orders of conditions, there is a deadline of 20 days from the close of the hearing to the decision. It is important to have a draft in review before you close out hearing.
- Who created boilerplate conditions (Leslee or John Thompson?) – focus on the project, what you are supposed to and not supposed to do, what are the safeguard, the specifics, and coordinate efforts to get a consistent/accurate document between lawyers, engineers and planners.
- Henkels reported that the special orders of conditions are boilerplate to specific towns, and a variety of caveats presumed to be associated with any new applicant may not be true. Need to get a better knowledge of the special conditions that have been outline for decades in Medfield, whether or not they are appropriate in today's legal environment and if they are appropriate to each new applicant. The current orders of conditions as constructed has 80 special orders, plus "special, special" conditions
- Action items for next meeting – 1) collect an resources that have been given and orders to know what the boilerplate is and isn't; 2) get examples of DEP, another town or MACC to compare them to, look at the past wetlands projects; 3) review the DEP WPA Form 5; 4) eliminate outdated conditions/doesn't reflect current status of the law
- Timeframe to approve meeting minutes – 3 meetings of 30 days, whichever is greater

Agenda Items for Next Meeting (Henkels)

- 39 Quarry Rd.
- Elm St.
- 139 South St.
- 26-30 Millbrook Rd. (May 5, 2022)
- 230 Main St.
- Open Space and Recreation Plan summary document

Danielson Pond Update

- Kennedy reported that another new inspection came through, but no other noteworthy updates

Commissioners Updates

- 70 Main St. broken dam – Kennedy reported that on the recent site visit.
- Rail Trail – Kennedy reported the DPW is helping with putting down gravel beds and removing stumps and added "beaver deceiver" to manage beaver activity. Japanese knot weed overgrown, check to see if application addresses invasive species.
- Warrant Published – Bero follow up on open space and recreation request one page draft to support the consultant for Open Space and Recreation Plan, request for \$25. Warrant Committee hearing last week and went without any comment. Ideally, committee member

present at Town Meeting to present brief report

Agent Updates

- Concerns with no enforcing/monitoring of past orders of conditions – Bero suggested to go back and look at orders
- Associate members – if they can't be commissioners, they can't vote, but can work. Need 7 people
- Medfield State Hospital – Development Committee, Raposa will send link to presentation.
- She is scheduling a Land Use Board Meeting with Development Committee

Adjournment

At approximately 9:09 pm, Kennedy motioned to adjourn the meeting. McCarthy seconded. Roll call vote: Kennedy = aye, Perloff = aye, Scott = aye, McCarthy = aye, Bero = aye. The Vote: 5-0

Respectfully submitted,
Kim Chandler, Administrative Assistant

Documents: