

Berkley Conservation Committee Meeting Minutes

August 12th, 2026

- **Roll Call:** The following persons were present, ☒ David Patrick (DP) (Chairman), ☐ Nate Kelliher (NK), ☒ Jeff Cuttner (JC), and ☒ Mary Kate Moreau (MKM) (Secretary).
- **Berkley Town Hall (Public Hearing Room),** DP called to order the Conservation Committee (ConCom) at 6:04 pm on 8/12/2026.
- **For detailed information on the meeting, a recording can be found at <http://198.0.152.34/CablecastPublicSite/?site=1>, located on the Town Hall's website—search meeting by date.**
- **Denise Cole (DC) conducted the minutes.**

OPEN PUBLIC HEARING:

Motion to open the meeting raised by DP. JC 1st, MKM 2nd, all in favor.

DP announced that the meeting for 138 Bay View Ave is being rescheduled. DP explained that he is not an abutter but there is an intermitted pond area that he owns that abuts the proposed road.

53 Locust Street, NOI (SE 004-0655), Malloch Construction, Represented by Zenith Consulting Engineers LLC, construction of a horse paddock area.

- DP raised the motion to continue the public hearing for 53 Locust Street, JC 1st, MKM 2nd, all in favor.
- A representative from Zenith Consulting was present. He discussed the revised plans with the board.
- DP asked about the horse manure disposal.
- JC asked if there will be any gates on the fence on the side that abuts the wetlands. The property owner stated no, no one will have access to the wetlands.
- Amanda and Steven Abrantes of 1 Jody Circle expressed concern about the proximity of the horse paddock to her well.
- DP recommended to the board that the NOI is approved with the standard conditions that the erosion control is in place until everything is completed and inspected by the

commission. The mulch berm must be maintained permanently. Every five years it will be checked by the commission.

- DP raised a motion to approve the NOI with the special conditions, JC 1st, MKM 2nd, all in favor.
- Motion to come out of the hearing for 53 Locust Street raised by DP. JC 1st, MKM 2nd, all in favor.

Notice of Intent for 138 Bay View Avenue (Waiting DEP File #), represented by Merrill Engineers and Land Surveyors, paving an existing driveway and installing associated drainage improvements.

- DP stated again that this will be postponed.

Request for Determination of Applicability (RDA) for 32 Riverside Drive, Nicholas Howes, representing himself, remove and replace three deck footings.

- DP raised the motion to open the public hearing for 32 Riverside Drive. JC 1st, MKM 2nd, all in favor.
- Nick Howes (NH) was present to explain the project.
- DP asked if any footings will be added. NH states no, but the replacement footings will be a little larger.
- DP asked if any heavy machinery will be used. NH stated no.
- DP recommended that a negative DOA be issued.
- DP raised the motion to close the public hearing for 32 Riverside Drive. JC 1st, MKM 2nd, all in favor.

OPEN BUSINESS:

- **Possible Wetlands Violations**
 - **11 Burt Street:** Leo Trottier was present to update the board on his paperwork/application processes. He asked clarifying questions of the board about the application process. He handed over two copies of his narrative that will accompany his application.
- **Vote on Previous Minutes from 7/15/2026**
 - DP made a motion to approve the minutes. JC 1st, MKM 2nd, all in favor.
- **ConCom Budget**
 - Updated Fee schedule will be postponed until August.
- **Continued Discussion**
 - **95 Plain Street West:** Complaint from neighbor about runoff. Property has been given a superseding order of conditions by MassDEP.
 - **Cotley River Conservation Area Planning**
 - Still working on notifying abutters
- **Billing:**
 - Conservation clerk payroll: approved and signed.

- The board signed the signature pages for 32 Riverside Drive and 53 Locust ST.

The next meetings will be held on September 9th and October 7th at 6pm.

PUBLIC COMMENT

There were no public comments.

Motion to continue the meeting on September 9th, 2026 at 6:00 pm was made by DP.

Motion to adjourn raised by DP. JC 1st, MKM 2nd, all in favor.