

LUDLOW CONSERVATION COMMISSION
MINUTES OF THE MEETING OF
July 1, 2026

CONSERVATION MEMBERS

Angela Tierney – Chair (Present)
Helder Cerqueira – Vice Chair (Present)
Joseph Chaloux (Present)
Caroline Suska (Present)
Judy Breault (Present)
William Ellison, Associate Member (Absent)

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TOWN CLERK'S OFFICE
2026 AUG -6 A 9:08
TOWN OF LUDLOW

The meeting began at 6:30 p.m. in the Selectmen's Conference Room.

Public Hearing – Notice of Intent – Town of Ludlow Pond Management Committee – Minechoag Pond (Assessors' Map 27A, various parcels) (treatment of pond with herbicides to reduce nuisance aquatic vegetation) (207-0683)

The public hearing opened at 6:30 p.m.

In attendance: Steve Riberdy – Goddard Consulting LLC; Judy Breault – Ludlow Pond Commission

Ms. Breault recused herself from the Commission's deliberation and vote on this matter, as she was the applicant for the public hearing.

Mr. Riberdy presented the Notice of Intent on behalf of the Minechoag Pond Management Committee and explained that the proposed project would utilize herbicides to manage excessive aquatic vegetation, specifically targeting submerged vegetation with diquat and water lilies with glyphosate. He noted that the pond has become increasingly overgrown due to its shallow depth, sediment accumulation, and nutrient inputs from surrounding development and roadway runoff.

The Commission discussed the presence of rare plant species within the pond's Priority Habitat and the ongoing coordination with the Natural Heritage & Endangered Species Program (NHESP). Mr. Riberdy explained that while glyphosate treatment of the water lilies is expected to be acceptable to NHESP, approval for the use of diquat remains under review. The Pond Committee's intent is to obtain approval for both treatment options through the Order of Conditions, while recognizing that any herbicide application must also receive separate authorization from NHESP before work may proceed.

Mr. Riberdy further explained that the proposed herbicide treatment represents the first step in a long-term pond restoration effort. Future management efforts may include additional aquatic vegetation control, watershed education, and potentially dredging the pond to restore its original depth.

Commission members discussed the long-term management strategy, the need to protect rare plant species, and the declining condition of the pond, including a significant fish kill that occurred during the previous winter due to low dissolved oxygen levels.

Mr. Chaloux **MOVED** to approve the Notice of Intent for the Ludlow Pond Management Committee, DEP File Number 207-0683.

SECOND Ms. Suska.

3-0-1 (Mr. Cerqueira) in Favor.

Mr. Chaloux **MOVED** to issue the Standard Order of Conditions for this project.

SECOND Ms. Suska.

3-0-1 (Mr. Cerqueira) in Favor.

Ms. Suska **MOVED** to close the public hearing.

SECOND Mr. Chaloux.

3-0-1 (Mr. Cerqueira) in Favor.

The public hearing closed at 6:45 p.m.

Documents included: Notice of Intent for Minechoag Pond Ludlow, MA (June 16th, 2026); Notification of Wetlands Protection Act File Number (June 22, 2026)

Public Hearing – Notice of Intent – Jacob Hannoush, PAH Properties, LLC – 0 & 329 Holyoke Street (Assessors' Map 11A, Parcels 46 & 47), and 0 Athol Street (Assessors' Map 11A, Parcels 45, 44, 43, 43A & Map 11B, Parcel 2) (construction of a single-family home with associated site improvements) (207-0684)

The public hearing opened at 6:45 p.m.

In attendance: Mike Bowan – R Levesque Associates

Mike Bowan of R Levesque Associates presented the project on behalf of the applicant. He explained that the property contains a Bordering Vegetated Wetland (BVW), identified on the plan, along with the associated 100-foot buffer zone. The proposed single-family home, a portion of the driveway, and part of the septic system are located within the 100-foot buffer zone but outside the wetland itself.

Mr. Bowan stated that the property currently consists of several separate parcels. The proposal includes the creation of two Approval Not Required (ANR) frontage lots, neither of which involves work within the buffer zone, and one estate lot containing the proposed residence. He noted that the Estate Lot Special Permit and ANR plans were scheduled to be heard by the Planning Board in two weeks.

Commission members asked questions regarding the location of the existing residence and garage, the proposed access to the new lot, and the extent of the work within the buffer zone. Mr. Bowan explained that the proposed home would utilize the existing driveway from Holyoke Street, which crosses an undeveloped paper street, to access the rear lot.

The Commission confirmed that the proposed septic system extends only partially into the 100-foot buffer zone and does not encroach into the wetland itself. Mr. Bowan also confirmed that the property would be served by municipal water.

Discussion followed regarding the site's topography and the amount of grading required for the proposed foundation. Mr. Bowling indicated that the site has an approximate 7–10 percent slope but that only minor grading and fill would be necessary.

Commission members expressed concern about the potential for future clearing or expansion of lawn and recreational areas closer to the wetland after construction. It was suggested that restrictions be established to protect the resource area from future encroachment.

Following discussion, the applicant agreed to a deed restriction requiring permanent markers along the 50-foot wetland buffer line and prohibiting clearing or development beyond that point. The Commission noted that permanent markers are typically installed at approximately 40-foot intervals and should consist of durable materials such as boulders or concrete monuments.

The Commission also reviewed comments received from the Massachusetts Department of Environmental Protection (MassDEP). Members noted that DEP's request regarding the limit of work on one of the proposed lots appeared to be addressed on the submitted plans and that the area referenced was outside the Commission's jurisdiction.

Mr. Chaloux **MOVED** to approve the Notice of Intent for 0 and 329 Holyoke Street (MassDEP File No. 207-0684).

SECOND Ms. Breault.

4-0-1 (Mr. Cerqueira) in Favor.

Mr. Chaloux **MOVED** to issue the Standard Order of Conditions with a special condition to include a deed restriction at the 50-foot line with standard permanent markers at that border.

SECOND Ms. Breault.

3-0-1 (Mr. Cerqueira) in Favor.

Before closing the hearing, the Commission advised the applicant to notify the Commission if the Planning Board imposes additional conditions requiring modifications to the project.

Mr. Chaloux **MOVED** to close the public hearing.

SECOND Ms. Suska.

3-0-1 (Mr. Cerqueira) in Favor.

The public hearing closed at 6:59 p.m.

Documents included: Notice of Intent – Proposed Single-Family Home – Proposed Estate Lot 3 (June 17, 2026); Special Permit & Notice of Intent Filing Plan (June 17, 2026)

**Public Meeting – Request for Determination – Nick Goggin – 125 Watson Lane
(install inground pool)**

The public meeting opened at 7:00 p.m.

In attendance: Nicholas Goggin – St. Pierre Pools

Nicholas Goggin of St. Pierre Pools presented the proposal. The Commission noted that photographs of the project site had been provided in the meeting packets.

Ms. Tierney reported on the recent site visit, noting that the existing trampoline had been relocated and that the proposed pool would be situated behind the garage on an existing lawn area. The site slopes gently toward a large, forested wetland located to the rear of the property. She observed no standing water during the site visit but emphasized the proximity of the wetland resource area.

The Commission discussed erosion and sedimentation controls to be installed during construction. Mr. Goggin stated that the contractor intends to install a combination of a silt sock, silt fence, and hay bales to provide adequate protection and prevent sediment from reaching the wetland.

Commission members confirmed that the pool would be constructed within the existing lawn area. They also discussed a large, exposed rock at the site, acknowledging that excavation could reveal additional ledge. Mr. Goggin indicated that while ledge can present construction challenges, similar situations have been successfully addressed on other projects.

The Commission inquired about the proposed concrete pool deck and fence. Mr. Goggin explained that the concrete decking would extend approximately 5 feet 8 inches around the pool, with the fence installed beyond the decking. The Commission advised Mr. Goggin to verify the required fence setback with the Building Department, noting that local requirements may specify a greater distance from the pool edge.

Mr. Goggin stated that the proposed pool would measure approximately 16 feet by 28 feet, and due to the existing grade, a portion of the rear corner of the pool area would require approximately two feet of fill to create a level installation.

The Commission found the project to be straightforward, with the only potential concern being the presence of ledge during excavation. Members advised the applicant to notify the Commission if unexpected site conditions require changes to the approved plan or result in disturbances not anticipated in the application.

Mr. Chaloux **MOVED** to issue a Negative Determination for the Request for Determination as proposed.

SECOND Ms. Suska.

4-0-1 (Mr. Cerqueira) in Favor.

Ms. Tierney explained that the Negative Determination indicates that the project, if completed in accordance with the submitted plans, is not expected to adversely affect the adjacent wetland resource area. The applicant was reminded to contact the Commission should unforeseen conditions require modifications to the project.

Mr. Chaloux **MOVED** to close the public meeting.

SECOND Ms. Suska.

4-0-1 (Mr. Cerqueira) in Favor.

The public meeting closed at 7:05 p.m.

**Notice of commencement of construction at 0 East Street – Ludlow Renewables (207-0663)
Discuss Order #24 in Standard Order of Conditions**

The Commission discussed the Notice of Commencement of Construction received for the solar project at 0 East Street, which extends from East Street to Reynolds Street. The applicant has begun site clearing and notified the Commission that construction activities are commencing.

Ms. Tierney reviewed the Commission's current Standard Order of Conditions requiring a pre-construction meeting prior to the start of work. Condition #24 states that the applicant must arrange an on-site meeting involving the wetland specialist, contractor, design engineer, applicant, Conservation Commission members, and the Conservation Agent to review the Order of Conditions before construction begins.

Ms. Tierney questioned whether this requirement remains necessary, noting that wetland professionals are generally familiar with the requirements of an Order of Conditions and that another standard condition already requires the applicant to provide a copy of the Order of Conditions to the construction contractor. She also suggested that the pre-construction meeting requirement may therefore be redundant, particularly given that the Conservation Commission is comprised of volunteer members.

The Commission discussed conducting a broader review of the locally adopted Standard Order of Conditions to determine whether any provisions are outdated, repetitive, or could be simplified.

It was noted that the locally adopted conditions begin with Condition No. 19, as Conditions 1 through 18 are the standard DEP conditions. The Commission requested that copies of the local conditions (beginning with Condition No. 19) be provided for members to review prior to the next meeting.

The Commission agreed to review the local Standard Order of Conditions at a future meeting and consider revisions to streamline the document where appropriate. No formal action was taken.

Documents included: Email from Devin Howe re: Construction Commencement DEP File#207-0663 (June 16, 2026); Ludlow Conservation Commission Standard Order of Conditions

MAIL ITEMS

- 33. Pond treatment notification from Judy Breault**
 - 34. Legal Notice from Planning Board – 65 Waters Edge Drive – Special Permit/Home Occupation**
 - 35. Legal Notice/Comment Sheet from Planning Board – 23 Oregon Avenue – Site Plan
(No wetlands present)**
 - 36. Legal Notice/Comment Sheet from Planning Board – 0 East Street – Site Plan
(Notice of Intent on file)**
 - 37. Legal Notice from Planning Board – 521 Center Street, Apt. 14 – Special Permit/Home Occupation**
 - 38. Legal Notice from Planning Board – 23 May Road – Special Permit/Home Occupation**
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Approve/sign minutes of May 6, 2026 and June 3, 2026

Mr. Chaloux **MOVED** to approve the minutes of the May 6, 2026, and June 3rd meetings of the Conservation Commission.

SECOND Ms. Suska.

4-0-1 (Mr. Cerqueira) in Favor.

Approve/sign invoice for MACC Annual Dues (Fiscal Year 2027)

Mr. Chaloux **MOVED** to approve the MACC annual dues at the amount of \$642 fiscal year 2027.

SECOND Ms. Suska.

4-0-1 (Mr. Cerqueira) in Favor.

Ms. Tierney mentioned that the next meeting is scheduled for August 5, 2026.

Mr. Chaloux **MOVED** to adjourn the meeting for the evening.

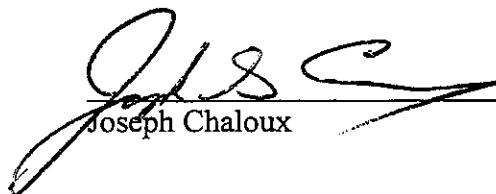
SECOND Ms. Suska.

4-0-1 (Mr. Cerqueira) in Favor.

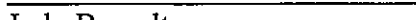
Meeting adjourned at 7:16 p.m.

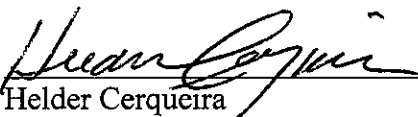
APPROVED:


Angela Tierney


Joseph Chaloux


Caroline Suska


Judy Breault


Helder Cerqueira

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(All related documents can be viewed at the Conservation Office during regular business hours.)