



Office of the

## CONSERVATION COMMISSION

Town of Townsend,  
272 Main Street  
Townsend, Massachusetts 01469

Michael Turgeon, Chairman

Christine Vitale, Clerk

James Le Cuyer

John Hussey, Vice-Chairman

James Deroian

Karen Hill

### Minutes

#### Memorial Hall-Selectman's Chambers Wednesday, November 14, 2018 at 730PM

#### 1.0 Preliminaries

**1.1. Open Meeting-** MT opened the meeting at 7:30pm.

**1.2. Roll Call-** Chairman, Michael Turgeon (MT), Vice-Chairman, John Hussey (JH), James Le Cuyer (JL), Karen Hill (KH) and Clerk, Christine Vitale (CV). James Deroian (JD) was absent.

**1.3 Topics not reasonably anticipated by the Chair 48 hours in advance of the meeting** -None

**1.4 Chair's Report-MT-** The Commission voted unanimously to appoint Anne Le Cuyer. The Board of Selectmen held off on the appointment as they would like to know more about the process the Commission utilizes. MT has drafted a memo to the Board of Selectmen addressing the questions that were raised in regards to the appointment. MACC outlines how to choose effective commissioners and suggests people like Anne, who show interest, commitment, and would uphold the Bylaw and the Wetland Protection Act. Anne has made great commitment already. Those who have been voted down demonstrated more of an activist approach than a regulators approach and when activists get involved they often ignore the process for their greater goal. Ignoring the process puts the town at risk for litigation. We are looking for people to take the process seriously and apply it consistently and not cut corners to catch people doing something wrong. KH- We are here to uphold Massachusetts General Law, we are legally bound to do this job and do it correctly.

**1.5 Agent's Report-** DH – items will be discussed throughout the agenda.

**1.6 Review of Minutes** – KH moves to approve and release the 10-24-18 minutes. JL seconded. All in favor.

#### 2.0 Hearings and Appointments

**2.1 7:45pm Request for Determination of Applicability TWB#2018-149**

**Applicant:** James Midgely

**Location:** 1 Old Battery Road

**Project:** The proposed project is for the replacement of an existing garage. Same footprint as existing structure will be used. Located within the ACEC and buffer of a wetland.

MT opened the meeting at 7:45, legal notice was read. James Midgely (JM) was present. The proposed project is for replacement of an existing garage located within the ACEC and buffer of a wetland. DH has visited the site on numerous occasions. The footings will be hand dug if they are required. The footprint of the existing building will be used. JH suggests that the bittersweet be removed from the area.

KH moves to issue a Negative 2 Determination with the installation of wattles if footings are required. JH seconded. All in favor.

KH moves to close the meeting. JH seconded. All in favor.

**2.2 8:00pm Request for Determination of Applicability TWB#2018-150**

**Applicant:** Michael Joyce

**Location:** 108 Warren Road

**Project:** The proposed project is for the installation of a deck and driveway located within the riverfront area.

MT opened the meeting, legal notice was read. Michael Joyce was present. The project is for the installation of a deck located within the riverfront area. Two sono tubes were installed by hand with minimal disturbance. The applicant may do work on the driveway in the future, but has no intentions of completing that work anytime soon. The commission asks that he contact Conservation when he plans to work on the driveway as he may need to file. KH- Trees were removed from the property on an RDA filed by the previous owner, this did not allow for a removal of stumps. If you were to remove the stumps you would need to file a Notice of Intent (NOI). MT- A NOI will be needed if the stumps are pulled as you will need to bring fill in and there will be more disturbance to the area. You can grind the stumps.

JH moves to issue a Negative 2 Determination. CV seconded. All in favor.

JH moves to close the meeting. KH seconded. All in favor.

**2.3 8:15pm Notice of Intent DEP#308-**

**Applicant:** Locke Brooke Solar, LLC

**Location:** 22 West Meadow Road

**Project:** The proposed project is for the development of a ground-mounted solar photovoltaic energy system. Project is located within in the riverfront area, ACEC and ORW.

MT opened the hearing, legal notice was read. Thaddeus Soule (TS) was present from Beal's & Thomas for Locke Brook Solar, LLC. The proposed project is for a ground mounted solar energy system. The entire area is Land Subject to Flooding. The panels will be lifted above the 100' year flood zone to avoid issues with flooding. A 7' tall security fencing will be installed. There will be more compensatory storage in the event that the area floods. Wiring will be all underground. Soil type is sandy loam. NPDES and SWPP are required. There is no tree cover along the river so there will be no tree removal. MT would like a habitat assessment and construction sequence. A DEP # has not yet been issued.

KH moves to continue the hearing to 11-28-18 at 7:45pm. JH seconded. All in favor.

**3.0 Work Session:**

**3.1 Compliance Issues**

**3.1.2** 59 West Meadow Road- Have not received a filing to date. MT-We will keep on doing what we have been doing until we hear from Town Counsel.

**3.2** Approve and sign partial Certificate of Compliance for DEP #308-524, 1 Penny Lane- KH moves to issue a partial COC for 1 Penny Lane. JH seconded. All in favor.

**3.3** Sign Determination for Squannacook Greenways TWB#2018-147- signed

**3.4** Discuss Holiday Schedule- the Conservation Commission will not be meeting December 26, 2018.

**4.0 Correspondence:**

**4.1** Referral Notice Request from Planning Board in regards to Accessory Apartments – noted

**4.2** Referral Notice from Zoning Board in regards to 5 Harbor Trace – noted

**5.0 Items for discussion at the next meeting - Anne Le Cuyers appointment**

**6.0 Advertisements and Conferences**

**7.0 Next meeting: November 28, 2018 at 7:30pm**

**8.0 Adjournment-** JL moves to adjourn at 9:57 pm. JH seconded .All in favor.

