



Office of the

## CONSERVATION COMMISSION

Town of Townsend,  
272 Main Street  
Townsend, Massachusetts 01469

Michael Turgeon, Chairman

Christine Vitale, Clerk

James Le Cuyer

Amelia Gentry

James Deroian, Vice-Chairman

John Hussey

Karen Hill

### Minutes

#### Memorial Hall-Selectman's Chambers

Wednesday, April 25, 2018 @ 730PM

#### 1.0 Preliminaries

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

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

**1.3 Topics not reasonably anticipated by the Chair 48 hours in advance of the meeting**

*4.1 Email from Leslie Gabriliska in regards to Town Meeting warrant*

*3.3 Discuss Karen Hill's appointment with Board of Selectmen*

CV moves to add items to the appropriate spot on the agenda. JL seconded. JH-abstain, CV- Yes, MT-yes, JL-yes, KH -yes

**1.4 Chair's Report-** Has been working on questions and concerns regarding the Wild and Scenic River.

**1.5 Agent's Report-** DH- reached out to Solitude Lake Management for treatment at Ash Swamp.

There is an herbicide that a few towns have been using for treatment. He will reach out to them for their disposition. Received complaint about the ATV use. Will reach out to the Police Department to have them do a drive by. Will continue to work on the Bylaw.

**1.6 Review of Minutes** – JH moves to approve and release the 4-11-18 minutes with noted changes. CV seconded. All in favor.

#### 2.0 Hearings and Appointments

**2.1 7:45pm Request for Amended Order of Conditions DEP#308-640**

**Applicant:** Stan Dillis for Joseph Lopalito

**Location:** Warren Road

**Project:**

MT opened the hearing at 7:45. Seth Donahue was present for Ducharme & Dillis. They are looking to amend the Order of Conditions. The amendment would be made to the amount of mitigation land that is to be conveyed. The land to be conveyed will change from 9.3 to 8.8. Changes were made due to certain portions of the Townsend Zoning Bylaw relative to land under water. MT- would like to see a deed restriction or easement to pass through to the mitigation land. We can work on some sort of deed restriction

Wednesday, April 25, 2018

or easement. Work cannot start until they meet a requirement. The requirement for a deed restriction will be added to the Special Orders of Conditions.

#### Special Orders of Conditions

46. Mitigation land depicted as Parcel A 8.8+- acres on Plan of Land in Townsend Mass. dated March 20, 2017, date stamped received April 10, 2018, will be conveyed to the Town of Townsend prior to the start of work. An additional .5 acres will be added from Lot 1 of said plan through deed restriction, rather than gift to the town, also prior to the start of work.
47. All disturbed riverfront areas associated with the grading for the driveway will be stabilized and planted with native species and to remain in a natural condition in perpetuity.

KH moves to amend the Order of Conditions for DEP 308-658. JL seconded. All in favor.

KH moves to continue hearing to 5-9-18 at 8:00. JL seconded. All in favor.

#### **2.2 8:00pm Continuation of Notice of Intent DEP 308- 658**

**Applicant:** W & B Associates for Barry & Carol Uphold

**Location:** 11 Squannacook Terrace

**Project:** The proposed projects is for the removal and installation of a septic system located within the ACEC and buffer zone of a wetland.

MT opened the hearing. Chris McKenzie was present for the applicant. The Board of Health had some concerns so the tank was changed to a 25,000 gallon tank, as well as changes to the grading. CM showed changes to the plan meeting the compensatory storage. MT- You met the request to provide feasible storage.

JH moves to approve a Standard Order of Conditions to DEP 308-658. CV seconded. All in favor.

KH moves to close the hearing. JL seconded. All in favor.

#### **2.3 8:15pm Al Futterman- NRWA**

Mr. Futterman will be addressing any questions or concerns in regards to the Wild and Scenic River Study.

Al Futterman and members of the Nashua River Watershed were present, as well as members from the National Park Services. Conservation Commissioners had some questions in regards to the River Act. DH had supplied the commission with some information regarding the act and didn't see any downside. MT agrees that there wasn't a downside and that there would be another entity in our favor. JH- wasn't sure about what it entails and main concern was what monetary figure will the river actually see? Lucy Wallace, Chair of the Wild and Scenic River, explained that they would be able to assist in river clean up and provide some funding. The money will be divided up between the communities, determined by the need and proposed projects. JH asks what assistance they would bring if Kinder Morgan returns. The response was that they would be another federal agency that Kinder would have to go through. It wouldn't be a complete stop, but they would have the opportunity to comment on the project and the same would be true to the installation of any bridges in town A spokesperson for the town was designated by the Board of Selectmen. KH has some concern as to why it wasn't a member of the Conservation Commission as well as why some towns had more than one spokespersons. The representation wasn't equal amongst the communities involved. Approximately 65,000 out of the 175,000 or 1/3 has been used for services associated with the river and the preservation can continue on. MT commented that this will allow them to comment if any federal permit is needed. If the decision to join was reversed it would have to go through Congress, as the Wild and Scenic Rivers are designated by Congress.

CV moves to support to designation at the Town Meeting. KH seconded.

CV-yes, MT-yes, KH-yes, JH- no, JL-abstain

CV moves for a five minute recess

MT reopens at 9:35

### **3.0 Work Session:**

#### **3.1 Compliance Issues**

**3.1.2** 59 West Meadow Road- JH and AG visited the location. They found no erosion, but ample ground water. MT- we will look at the photos and get a plan together.

**3.2** Approve reimbursement to Christine Vitale in the amount of \$180 from the Wetland Protection Account for participation in Invasive Plant Program – KH moves to approve payment to CV in the amount of \$180 from the WPA for participation in the Invasive Plant Program. JH seconded. All in favor.

**3.3** Discuss Karen Hill's appointment with Board of Selectmen – KH attended the 4-24-18 BOS meeting to vocalize that ATV use is not allowed on town property. There has been an ongoing issue with ATV use at Old Meetinghouse Park.

#### **4.0 Correspondence:**

**4.1** Email from Leslie Gabriliska in regards to Town Meeting warrant- Leslie Gabriliska was present to discuss article on the upcoming warrant that would transfer a sum of money from the general fund to Conservation. The money was received by the state from the sale of land. JH moves to support the article. KH seconded. All in favor.

**5.0 Items for discussion at the next meeting** – Townsend Wetland Bylaw Regulations, 59 West Meadow Rd.

#### **6.0 Advertisements and Conferences**

**7.0 Next meeting: May 9, 2018 at 7:30pm**

**8.0 Adjournment** – CV moves to adjourn at 9:55. JL seconded. All in favor.